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Prevention of armed conflict

Peacebuilding and sustaining peace

Elimination of racism, racial discrimination, xenophobia and related intolerance

Promotion and protection of human rights

Responsibility of States for internationally wrongful acts

The rule of law at the national and international levels

The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity

## Letter dated 4 April 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

The fundamentally flawed and false allegations contained in the letter of the Permanent Representative of Armenia dated 10 March 2023 (A/77/796-S/2023/187) reveal the extent to which hatred, intolerance and falsehood dominate in his country's discourse and the serious threat that it poses to regional peace, security and stability.

Armenia blatantly misinterprets the appeal by the Western Azerbaijan Community for the safe and dignified return of Azerbaijanis to their historical homeland in Armenia (A/77/706-S/2023/43). In fact, the appeal concerns the rights of hundreds of thousands of Azerbaijanis who were expelled from Armenia and not allowed to return.

The destruction of the physical traces of Azerbaijanis was an essential element of their erasure from Armenia. All Azerbaijani localities were renamed, and the Azerbaijani historical and cultural heritage, mosques and graveyards were deliberately targeted, vandalized and consistently eradicated throughout Armenia. For example, the Damirbulag mosque in Iravan, the capital of Armenia, was bulldozed in 1990, and the sixteenth-century Sardar mosque was destroyed in several stages, with the location used to build residential houses for Armenians. As more than 100 Azerbaijani scientists and public figures warned in an appeal to the United Nations Educational, Scientific and Cultural Organization (UNESCO) in June 2022, the

<sup>\*</sup> Reissued for technical reasons on 19 April 2023.





historically Azerbaijani Tapabashi quarter in Iravan – the only area of the historical old town that has survived to this day – is at risk of the same fate.<sup>1</sup> Last month, the Western Azerbaijan Community appealed to the Director General of UNESCO, expressing deep concern about the destruction of Azerbaijani cultural heritage in Armenia and urging the sending of a fact-finding mission to ascertain the state of Azerbaijani cultural heritage there and the compliance of Armenia with its international obligations.<sup>2</sup>

Armenia's key deviation from the universally recognized norms and values of civilized behaviour is its firm conviction in the fundamental incompatibility of Azerbaijanis and Armenians. Indeed, at the heart of the real objectives and policies of Armenia is a long-standing racist ideology known as Tseghakron, which is based on the notion of Armenian blood purity and superiority and which espouses the racial inferiority of Azerbaijanis and seeks to unify all Armenians within a single, mono-ethnic State.

This is exactly what the Armenian authorities tried to accomplish by expelling all Azerbaijanis from their historical homeland in Armenia, further unleashing aggression against Azerbaijan and occupying and ethnically cleansing a large portion of its sovereign territory. Over more than 30 years of conflict and occupation, Armenia subjected Azerbaijani cultural heritage in the formerly occupied territories to large-scale plunder, destruction and vandalism.

Moreover, there are numerous irrefutable proofs of Armenia's deliberate attempts to conceal and falsify cultural, historical or scientific evidence. Thus, the authentic architectural features of many cultural and religious sites in the formerly occupied territories were deliberately and purposefully altered to relabel heritage, deny its link to Azerbaijani identity and present Azerbaijani culture as its own.<sup>3</sup> It would be appropriate to recall also the modern workshop for the production of "ancient" cross-stones, which was found in the Kalbajar district of Azerbaijan after its liberation from Armenia's occupation at the end of 2020. Those cross-stones were oxidized and treated with vinegar so that they appeared old, in order to be eventually exhibited as "undeniable" argument for Armenian centuries-long roots in the region.

International organizations have not been allowed to visit Armenia, or the territories of Azerbaijan when they were under occupation, to verify the state of cultural property there.<sup>4</sup> Moreover, nobody was prosecuted and punished in Armenia for numerous atrocity crimes committed against Azerbaijanis, cultural genocide and

<sup>&</sup>lt;sup>1</sup> Azerbaijan National Academy of Science, "Azerbaijani scientists and public figures make appeal to UNESCO on cultural genocide committed against heritage of Azerbaijani people in Tapabashi quarter of Yerevan", 6 June 2022. Available at https://science.gov.az/en/news/open/21496.

<sup>&</sup>lt;sup>2</sup> Azerbaijan State News Agency, "Western Azerbaijan Community sends letter to UNESCO Director-General Audrey Azoulay", 27 March 2023. Available at https://azertag.az/en/xeber/ Western\_Azerbaijan\_Community\_sends\_letter\_to\_UNESCO\_Director\_General\_Audrey\_Azoulay -2545088.

<sup>&</sup>lt;sup>3</sup> For more information, see *War against Azerbaijan: Targeting Cultural Heritage* (Baku, 2007), available at https://mfa.gov.az/files/shares/War\_Against\_Azerbaijan%20\_%20Targeting\_ Cultural\_Heritage.pdf. See also letter dated 4 May 2021 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General (A/75/872-S/2021/429) and letter dated 26 May 2022 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General (A/76/848-S/2022/437).

<sup>&</sup>lt;sup>4</sup> See, for example, United Nations Educational, Scientific and Cultural Organization, *Report on the implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two 1954 and 1999 Protocols: report on the activities from 1995 to 2004*, para. 54; and report of the Secretary-General on the return or restitution of cultural property to the countries of origin (A/54/436), para. 18.

anti-Azerbaijani hate speech and incitement to violence. This stance is not accidental, as the aforementioned racist ideology persists to the present day in Armenia.

The erection of several monuments by the Government of Armenia in honour of Garegin Ter-Harutyunyan (nicknamed "Nzhdeh"), who was the primary early champion of Tseghakron, a war criminal responsible for ethnic cleansing of the Nakhchivan and Zangezur regions of Azerbaijanis between 1917 and 1919 and notorious Nazi collaborator during the Second World War, is indicative in this sense.

The revealing fact is also that, unlike other countries in the South Caucuses and across the globe, Armenia is a mono-ethnic country. In its third and fourth periodic reports to the Committee on the Elimination of Racial Discrimination, the Government of Armenia admitted this discreditable fact. <sup>5</sup> This prompted the Committee to express its concern about the use of this notion. <sup>6</sup> In 2011, the Committee noted the "relatively homogenous makeup" of Armenia and regretted "the absence of reliable data on the actual composition of its population".<sup>7</sup> In a similar vein, in its fifth opinion on Armenia, adopted in October 2022, the Council of Europe's Advisory Committee on the Framework Convention for the Protection of the rights of national minorities enshrined in the Framework Convention, among the authorities", "very little knowledge of the existence of national minorities [in Armenia]" and "the view … in parts of Armenian society that the country is essentially homogenous, both ethnically and in terms of religion".<sup>8</sup>

Moreover, in blatant disregard for the binding measure indicated by the International Court of Justice on 7 December 2021, ordering Armenia to "take all necessary measures to prevent the incitement and promotion of racial hatred, including by organizations and private persons in its territory, targeted at persons of Azerbaijani national or ethnic origin",<sup>9</sup> the organizations promoting racial hatred against Azerbaijan and Azerbaijanis, such as the Armenia-based ethno-nationalist paramilitary groups Voxj Mnalu Arvest (Art of Survival) ("VoMA") and Statehood as a National Value ("POGA"), continue to incite anti-Azerbaijani hatred.

Armenia's allegations that historic, cultural and religious heritage of the Armenian communities in Azerbaijan was razed to the ground are entirely false. Suffice it to mention an Armenian St. Gregory the Illuminator church in the capital of Azerbaijan, the city of Baku. The Government of Azerbaijan included the church, which was built in 1860s, in the list of immovable historical and cultural monuments of national importance. The church was visited by the head of the Armenian Apostolic Church, Catholicos Karekin II, and by the parliamentary delegation of Armenia, in 2010 and 2012, respectively. These and many other visits of the citizens and various delegations of Armenia to Azerbaijan, including government officials, parliamentarians, journalists and athletes, expose another fabrication contained in Armenia's aforementioned letter about the alleged legislative ban on the entry to Azerbaijan of persons of Armenian origin.

It is outrageous that Armenia, which has committed aggression against Azerbaijan, kept the territories of my country under occupation for nearly 30 years,

<sup>&</sup>lt;sup>5</sup> Third and fourth periodic reports of Armenia under the International Convention on the Elimination of Racial Discrimination, CERD/C/372/Add.3, para. 5.

<sup>&</sup>lt;sup>6</sup> A/57/18, para. 275.

<sup>&</sup>lt;sup>7</sup> CERD/C/ARM/CO/5-6, para. 10.

<sup>&</sup>lt;sup>8</sup> See Advisory Committee on the Framework Convention for the Protection of National Minorities, *Fifth Opinion on Armenia* (2022), paras. 1, 6 and 77.

<sup>&</sup>lt;sup>9</sup> Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Azerbaijan v. Armenia), Provisional Measures, Order of the International Court of Justice of 7 December 2021.

has not completely withdrawn its armed forces from the areas of Azerbaijan where the peacekeepers are temporarily deployed and continues to occupy eight border villages of Azerbaijan, now comes up with such an absurdity as to assert that it is Azerbaijan making the territorial claims to Armenia. At the same time, it is noteworthy that, by mentioning the localities in Azerbaijan with fake names and referring to the sovereign territories of my country liberated from occupation as "currently under Azerbaijan's control" or "occupied", Armenia's letter itself, along with its hate propaganda against Azerbaijan and attempts to revive the criminal regime that it installed in the territories of Azerbaijan when they were under occupation, is self-evident as to who is making territorial claims, who is voicing expansionist threats and who is planning destabilization. As is seen, the value and strength of international law are the lessons that Armenia is yet to learn from its failed policy of aggression and ethnic cleansing.

As is known, following the end of the war in the fall of 2020, it was Azerbaijan that genuinely proposed to Armenia normalizing inter-State relations based on mutual recognition and respect for each other's sovereignty and territorial integrity within their internationally recognized borders. This initiative has been widely supported by the international community. Azerbaijan remains fully committed to the objectives of a peaceful, secure, stable and prosperous region and will continue its efforts towards advancing post-conflict peacebuilding, reintegration and development in the region.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 30, 58, 66, 68, 73, 84 and 132, and of the Security Council.

(Signed) Yashar Aliyev Ambassador Permanent Representative