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Agenda items 30, 58, 66, 68, 84 and 132

Prevention of armed conflict

Peacebuilding and sustaining peace

**Elimination of racism, racial discrimination, xenophobia
and related intolerance**

Promotion and protection of human rights

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**

**Security Council
Seventy-seventh year**

Letter dated 12 October 2022 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In connection with the letter from the Permanent Representative of Armenia and the annexed statement of his country's Ministry of Foreign Affairs ([A/77/491-S/2022/721](#)), which clearly demonstrate Armenia's course towards disinformation and fabrications, I have the honour to point out the following:

After almost 30 years of occupation and total ethnic cleansing of the sovereign territories of Azerbaijan, the resumption of hostilities in the fall of 2020 became a logical consequence of Armenia's decades-long impunity for aggression, hate crimes and racist policy.

Similar to its methods of warfare employed in the early 1990s, Armenia's attacks two years ago again involved the use of military force and prohibited weapons against the cities, towns and villages in Azerbaijan.

Thus, Ganja, the second largest city of Azerbaijan, was hit four times. Two strikes, on 11 and 17 October, claimed the lives of 25 and injured more than 80 civilians. On 28 October, the city centre of Barda came under massive rocket fire, causing the death of 21 and injuring more than 70 civilians.

As a result of direct and indiscriminate attacks carried out by the armed forces of Armenia between 27 September and 9 November 2020, 101 Azerbaijani civilians, including 12 children, were killed, more than 400 civilians were wounded, almost 84,000 people were forced to leave their homes and over 4,300 private houses and apartment buildings and more than 500 other civilian objects were either destroyed



or damaged. Even hospitals, medical facilities, ambulances, schools, kindergartens, religious sites, cultural monuments and cemeteries were not spared.

There have also been multiple instances of extrajudicial executions and mistreatment of Azerbaijani prisoners of war, as well as of desecration and mutilation of dead bodies by Armenian forces.

Azerbaijan resolutely responded to protect its people and restore its territorial integrity, acting exclusively on its sovereign soil, in full conformity with the Charter of the United Nations and international law.

Azerbaijan fought not against a fictitious entity, as Armenia falsely claims, but against the regular armed forces of Armenia, as well as terrorist and mercenary groups under its command and control, deployed in the then-occupied territories of Azerbaijan.

During the hostilities, which lasted 44 days, the armed forces of Azerbaijan liberated more than 300 cities, towns and villages from occupation and the Trilateral Statement was signed on 10 November 2020, ending the 30-year aggression and conflict.

The scale of devastation evidenced in the liberated territories is shocking. Most cities, towns and villages of Azerbaijan were razed to the ground. Thousands of cultural objects and religious sites were looted, vandalized and destroyed.

As to the fabricated titles, which Armenia uses to refer to the areas within Azerbaijan, only geographical names established by legitimate and competent national authorities in relation to their sovereign territory must be recognized and used in the Organization. In that regard, I have to remind that, by the decree of 7 July 2021, the President of Azerbaijan established the Karabakh and East Zangazur economic regions in the country.

While Armenia talks profusely about international humanitarian law and human rights, there is no evidence that numerous atrocity crimes committed by its armed forces against Azerbaijani victims have been investigated or prosecuted in a prompt and effective manner. Instead, Armenia not only has effectively ignored these violations, but it also continues to refrain from shedding light on the fate of almost 4,000 citizens of Azerbaijan who went missing during the war.

In a similar vein, Armenia refuses to share accurate and comprehensive information about the minefields in the liberated territories. As a result, in the post-conflict period, over the last two years, about 260 Azerbaijani civilians and military have been killed or injured by mine explosions. Moreover, despite the agreement on the cessation of all military activities, Armenia has continued to plant mines inside Azerbaijan. Thus, more than 3,000 mines detected in the border districts of Azerbaijan were laid after the signing of the Trilateral Statement in November 2020.

Unlike Armenia, Azerbaijan takes its international obligations seriously and has taken concrete steps to investigate and prosecute alleged breaches of international humanitarian law.

At the international level, to ensure accountability for egregious violations of international law, Azerbaijan instituted legal proceedings, including within the International Court of Justice and the European Court of Human Rights under the International Convention on the Elimination of all Forms of Racial Discrimination and the European Convention on Human Rights.

On 7 December 2021, at the request of both Armenia and Azerbaijan, the International Court of Justice adopted two orders on provisional measures under the aforementioned International Convention. Armenia's assertion that the Court

“delivered its clear assessment to [the] crimes” against “Armenian historical-cultural heritage” is fallacious. There is not and could not be, by definition, such an assessment in the said orders. As the Court itself noted in the orders, at that stage of the proceedings, it was not required to establish whether any violations of the Convention had occurred, a finding that could only be made as part of the examination of the merits of the two cases. At the same time, the Court rejected most of Armenia’s requests for specific measures.

Another false assertion is that Azerbaijan holds Armenian prisoners of war. Azerbaijan returned all detainees to Armenia under the terms of the Trilateral Statement of 10 November 2020. In addition, on 4 October 2022, Azerbaijan repatriated 17 Armenian servicemen captured during the recent border escalation provoked by Armenia. While in detention, they were treated fully in line with the relevant norms of international humanitarian law, the wounded were provided with all the necessary medical care and the International Committee of the Red Cross had access to visit them.

As to the access by international humanitarian organizations to the territories formerly occupied by Armenia, Azerbaijan is fully committed to transparency to allow the international community to bear witness, for the first time in 30 years, to what has happened in those territories. Azerbaijan has hosted and continues to welcome site visits from international organizations that are conducted in an independent and impartial manner. In contrast, by politicizing the issue and interfering in the functions of international organizations, Armenia makes everything possible to impede their access, while passing over in silence the blocking of the visits of the same organizations to these territories when they were under its occupation.

Above all, Armenia has neither legal, nor political or moral grounds to make any statements concerning the internationally recognized territory of Azerbaijan or the matters falling within my country’s exclusive sovereign rights, competence and responsibilities.

In contrast to Armenia’s assertions in regard to imaginary “aggressions”, it was Azerbaijan who, after the end of the conflict, initiated the process of normalizing inter-State relations based on mutual recognition and respect for each other’s sovereignty and territorial integrity within their internationally recognized borders and underscored the pressing need for concrete results on three specific tracks forming the agenda of bilateral discussions, namely, the delimitation and demarcation of the State border; the soonest conclusion of a peace treaty; and the opening of transport communications in the region.

However, during this period, despite the strong support from the international community for this initiative and the diplomatic efforts made to move the normalization agenda forward, Armenia has done everything possible, in words and deeds, to obstruct the process and backtrack from the implementation of the reached agreements.

Whatever Armenia claims, its refusal to completely withdraw the remnants of its armed forces and illegal armed bands from the territory of my country and return eight enclave border villages to Azerbaijan, regular ceasefire violations, ongoing mine terrorism, references to the localities in Azerbaijan with old or fake names, attempts to interfere in the internal affairs of Azerbaijan, failure to prevent racist hate groups formed for the specific purpose of inciting and committing violence against Azerbaijanis to operate openly and notoriously on its territory and incessant flow of disinformation and lies are in no way consistent with the peace agenda.

Armenia must understand once and for all that mutual respect for the sovereignty and territorial integrity is an absolute imperative and that the goal of a

peaceful, safe, developing and sustainable region cannot be achieved by disrespecting international law, resorting to provocations, endlessly replicating false narratives and pursuing the policy of hatred and territorial claims.

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, 84 and 132, and of the Security Council.

(Signed) Yashar **Aliyev**
Ambassador
Permanent Representative
