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**Statement by Mr. Tofiq F. Musayev  
Deputy Permanent Representative of the Republic of Azerbaijan to the United Nations**

**at the plenary meeting of the seventy-eighth session of the United Nations General Assembly  
under agenda item 73: "Report of the International Court of Justice"**

**3 November 2023**

Mr. President,

I would like now to offer additional remarks in our national capacity.

The report of the International Court of Justice refers to the pending cases in respect of Azerbaijan and Armenia regarding the *Application of the International Convention on the Elimination of All Forms of Racial Discrimination*, including the Court's orders indicating provisional measures.

Azerbaijan instituted proceedings before the Court on 23 September 2021 to hold Armenia accountable for systematic violations of the said Convention.

The scale of these violations committed during Armenia's thirty-year aggression and occupation and after the end of the war in the fall of 2020 are shocking: tens of thousands of people were killed; more than 200,000 Azerbaijanis were expelled from their historical homeland in Armenia; all occupied territories were ethnically cleansed of more than 700,000 Azerbaijanis; hundreds of cities, towns and villages in my country were razed to the ground; and tremendous losses were inflicted on Azerbaijan's cultural and religious heritage and the environment. Furthermore, Azerbaijan is now one of the countries in the world most contaminated with landmines and other explosive devices, as Armenia planted hundreds of thousands of such mines and devices in the formerly occupied territories to deter Azerbaijani civilians from returning to their homes.

It goes without saying that Armenia's aggression and occupation of a large portion of Azerbaijan was not simply a war for territory. Rather, it was a war for ethnic purity in one of the most horrific campaigns of racial discrimination in recent history.

In its Application to the ICJ, Azerbaijan stated that this dispute arose because Armenia was engaged and continues to be engaged in a series of discriminatory acts against Azerbaijanis on the basis of their national or ethnic origin within the meaning of CERD and that Armenia's policy and practice of anti-Azerbaijani discrimination are fueled by ethno-nationalist goals of creating a mono-ethnic State comprised exclusively of ethnic Armenians in Armenia and in portions of Azerbaijan's sovereign territory.

Azerbaijan further stated that Armenia's policies and conduct of ethnic cleansing, cultural erasure and fomenting of hatred against Azerbaijanis systematically infringed their rights and freedoms, in violation of CERD, and asked the Court to hold Armenia accountable for its breaches and redress the harm thereby visited on Azerbaijan and its people.

In its provisional measures of 7 December 2021, the ICJ ordered 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" and to "refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve".

There is extensive evidence of Armenia's non-compliance with these measures to the present day. Armenia's smear anti-Azerbaijan hate campaign, along with its denial of the right of Azerbaijani refugees to return to their homes in Armenia, continued erasure of Azerbaijani cultural heritage on its territory and refusal to shed light on the fate of thousands of missing Azerbaijani citizens and disclose the locations of landmines and other explosive devices it laid on the territory of Azerbaijan, evidently aggravates the dispute.

Moreover, Armenia refrained from condemning and punishing hate crimes, racist statements and incitement to violence against Azerbaijanis and not only failed to prohibit but affirmatively cooperated with various ethno-nationalist groups inciting anti-Azerbaijani hatred and allowed the promotion of racial hatred in schools and media.

Mr. President,

Armenia's ongoing disinformation campaign is an illustration as to how fast lies spread and used as ammunition for slanderous and destabilizing purposes. It is therefore important that the relevant stakeholders, if genuinely interested in truth, evaluate claims with extreme caution and great reserve and rely on evidence that is fully conclusive and obtained by skilled examination.

In the context of the cases before the Court, it is also critical to see the bright line that must be drawn between a dispute as to racial discrimination and a State's right and responsibility to protect its people, react to an unlawful and building military presence of foreign troops and illegal armed formations on its territory and ensure criminal liability for serious breaches of international humanitarian law and international human rights law.

It is important that the international community remember and insist on accountability for the war that Armenia unleashed, the atrocity crimes that it committed and large-scale ethnic cleansing and barbaric destructions that it carried out with the sole purpose of realizing its racially motivated territorial claims.

Azerbaijan will continue its efforts to end impunity for serious violations of international law, promote the rule of law and build, strengthen and sustain peace and stability in the region.

Thank you.