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**General Assembly
Seventy-fifth session
Agenda item 34
Prevention of armed conflict****Security Council
Seventy-sixth year****Letter dated 13 September 2021 from the Permanent
Representative of Armenia to the United Nations addressed to
the Secretary-General**

I am writing to you in connection with the letter of the Permanent Representative of Azerbaijan dated 2 September regarding the proposal not to include the item on the “so-called occupied territories of Azerbaijan” in the agenda of the seventy-sixth session of the General Assembly – a rather long overdue development.

Indeed, the very inclusion of such an item at the fifty-ninth session of the General Assembly, with only 42 votes in favour, was neither properly substantiated from the standpoint of factual evidence, nor genuinely helpful to the ongoing international mediation efforts for the peaceful resolution of the Nagorno-Karabakh conflict. At the time, many delegations, including Armenia, warned against measures, which would make it impossible to obtain consensus and which, therefore, would be detrimental to finding a just and lasting settlement. It was furthermore suggested that such counterproductive measures should be avoided, and that the ongoing negotiations process should be allowed to continue without interference, under the auspices of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group co-chairmanship – the only internationally mandated format for the peaceful resolution of the Nagorno-Karabakh conflict.

Not only did the proposal to include such an agenda item lack the support of the overwhelming majority of the members of the General Assembly, but it also failed to demonstrate adequate compliance with the criteria of urgency as spelled out in the General Assembly rules of procedure.

In a similar vein, the resolution, which Azerbaijan presented under this agenda item in 2008, lacked the support of the vast majority of the States Members of the United Nations, adopted with only 39 votes, with the Minsk Group Co-Chair countries voting against and expressing concern over the imbalanced language of the resolution.

The agenda item, which was introduced under the pretext of humanitarian concerns did little to address the humanitarian situation in the region. In fact, it only served to embolden Azerbaijan to engage in further warmongering, hate speech, military posturing and ceasefire violations, accompanied with uncontrolled military build-up, in breach of the legally binding obligations in the sphere of conventional



arms control. The culmination of such a policy was the well-planned, premeditated military offensive unleashed by Azerbaijan against Nagorno-Karabakh (Artsakh) in September 2020, causing massive violence, destruction, displacement, war crimes and atrocities, in gross violation of the international humanitarian law and human rights law, all in times of an unprecedented global health-care crisis.

Despite all that has been declared in the letter of the Permanent Representative of Azerbaijan about the prospects of “building peace, consolidating stability, restoring peaceful coexistence, advancing the reconciliation agenda and investing in economic development and cooperation”, up to this date, Azerbaijan continues to engage in persistent aggressive actions accompanied with violent rhetoric of open military threats, distorted interpretations of history and incessant territorial claims. The armed forces of Azerbaijan systematically resort to various forms of violent acts and provocations that seek to disrupt the normalcy of life in the border areas and deprive the civilian populations of their livelihoods. Such acts extend to deliberate arsons of pastures, indiscriminate shootings, cattle-raiding and other forms of hostile conduct intended to intimidate the civilians and deprive them of their basic human rights, including through the recent provocation by the armed forces of Azerbaijan, which blocked a highway leading from Goris to Kapan in Armenia’s southern region of Syunik, violating the rights of citizens, including free movement.

Azerbaijan’s persistent escalations and breaches of the principle of non-use of force or threat of force did not stop even during the Olympic Games, contrary to the tradition of observing the Olympic truce. Notably, such instigations are taking place against the backdrop of extensive use of hate speech and promotion of racist ideology, as highly incendiary rhetoric continues to dominate the public discourse in Azerbaijan through various forms of dehumanization of the Armenians, open threats to use force, justifications of the continued military provocations and incitement of territorial claims against the Republic of Armenia. Azerbaijan continues to ignore the calls of the international community on the immediate return of prisoners of war and other detainees, while denying the captivity of dozens of Armenian servicemen and civilian hostages and introducing bogus charges in an effort to instrumentalize the issue of detained persons, in violation of the Geneva Conventions and to the detriment of the full and effective implementation of the provisions of the Trilateral Statement of 9 November 2020 on the establishment of complete ceasefire and termination of all hostilities in the area of the Nagorno-Karabakh conflict.

The withdrawal of the agenda item offers a new opportunity to reflect on the prospects of the future and to commit, in good faith, to the imperative of acting consistently, in support of a comprehensive, just and lasting settlement of the Nagorno-Karabakh conflict under the auspices of the OSCE Minsk Group Co-Chairs, which can pave the way for sustainable peace in the region.

I kindly request that the present letter be circulated as a document of the General Assembly under agenda item 34 and of the Security Council.

(Signed) Mher **Margaryan**
Ambassador
Permanent Representative