



# General Assembly Security Council

Distr.: General  
27 January 2023

Original: English

**General Assembly  
Seventy-seventh session**

Agenda items 30, 58, 64, 66, 68, 70, 73, 84 and 132

**Prevention of armed conflict**

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against humanity**

**Security Council  
Seventy-eighth year**

## **Letter dated 26 January 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

During its 30 years of aggression against Azerbaijan, along with resorting to various prohibited methods and means of warfare, Armenia has actively used children in its armed forces and armed groups, in serious breach of international law. In the post-conflict period, after the 44-day war in the fall of 2020, Armenia continued this vile practice, preparing children for a new war.

The recruitment of children by armed forces and armed groups in Armenia, accompanied by the promotion of racial and ethnic hatred, also constitutes a gross violation of the prohibition on racial discrimination and the order on provisional measures adopted by the International Court of Justice on 7 December 2021 in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Azerbaijan v. Armenia)*.

In that regard, I have the honour to transmit herewith a report that contains evidence of the recruitment of children into the armed forces and armed groups in Armenia and calls for addressing and preventing the use of children for military,



political and ideological purposes and taking effective and expeditious measures to protect the fundamental rights of children under the jurisdiction of Armenia and prevent the dissemination of hatred and incitement to racial discrimination and violence against Azerbaijanis in that Member State (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 30, 58, 64, 66, 68, 70, 73, 84 and 132, and of the Security Council.

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

## **Annex to the letter dated 26 January 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General**

### **Report on the recruitment of children by Armenia into armed forces and armed groups**

#### **1. Overview**

This report documents the recruitment of children into armed forces and armed groups in Armenia in violation of applicable international law.

Besides being a breach of the obligations on the protection of the rights of the child and international humanitarian law, the recruitment of children by armed forces and armed groups in Armenia, accompanied by the promotion of racial and ethnic hatred, constitutes a blatant violation of the prohibition on racial discrimination.

The report aims at bringing the evidence of child recruitment into armed forces and armed groups in Armenia to the attention of relevant international institutions and bodies with a view to addressing and preventing such reckless use of children for military, political and ideological purposes.

Effective and expeditious measures are necessary to protect the fundamental rights of children under Armenia's jurisdiction, as well as to prevent the spread of ethnic hatred and intolerance.

This report first outlines the relevant international legal framework prohibiting the use of children for military purposes. It further provides evidence as to the exploitation of children under Armenia's jurisdiction for its armed forces and armed groups, either directly by the State institutions of Armenia or by paramilitary organizations such as VoMA and POGA, including through indoctrinating them with ethnic hatred.

#### **2. International legal framework on the protection of children and prohibition of their recruitment by armed forces and armed groups**

The principles and provisions to protect children in armed conflict are laid out in the 1949 Geneva Conventions and the 1977 Additional Protocols thereto, the 1989 Convention on the Rights of the Child and its 2000 Optional Protocol on the involvement of children in armed conflict.

According to Article 77 of Additional Protocol I, to which Armenia is a party, "children shall be the object of special respect and shall be protected against any form of indecent assault." The Protocol obliges the parties to the conflict to provide children "with the care and aid they require, whether because of their age or for any other reason".

Further, Article 77(2) provides that "the Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces".

In a similar vein, under article 4.3(c) of Additional Protocol II, to which Armenia is a party, "children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities".

Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (1999), ratified by Armenia in 2006,

defines the use of children as soldiers as one of the worst forms of child labor. Thus, Article 3 of the Convention completely prohibits forced or compulsory recruitment of children for the use in armed conflicts.

The protection of children – any person under the age of 18 – and the need to give primary consideration to their best interests in all circumstances is enshrined in the Convention on the Rights of the Child, to which Armenia is a party.

Thus, the Convention by virtue of Article 38 obliges the States parties to “refrain from recruiting any person who has not attained the age of fifteen years into their armed forces” and to “take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities”.

Consistent with Article 8(2)(b)(xxvi) of the Rome Statute, the process of ratification of which Armenia has recently launched, conscripting or enlisting “children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities” is a war crime.

The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, ratified by Armenia in 2005, provides that “States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities”. Thus, the bar of compulsory recruitment has been raised from 15 to 18 years.

Under Article 4 of the Optional Protocol, “armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years”. Under the same Article, the State parties bear the obligation “to take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices”.

Furthermore, the United Nations Security Council has consistently recalled the obligations relating to the protection of children from the recruitment and use by parties to armed conflict.<sup>1</sup>

In addition, Armenia has undertaken political commitments to prohibit the use of children by armed forces and armed groups.

Thus, in the 2030 Agenda for Sustainable Development, Target 8.7 provides for “immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of child labor, including recruitment and use of child soldiers”.

Resolution 2204 (2018) of the Parliamentary Assembly of the Council of Europe, entitled “Protecting children affected by armed conflicts”, calls for children to be protected against violence, including in armed conflicts, for action to be taken to rebuild their trust after having experienced such violence and for the setting up of child-friendly legal and administrative procedures.

As a signatory to the UNICEF Paris Principles and Commitments on Children Associated with Armed Forces or Armed Groups, Armenia has undertaken, *inter alia*:

1. To ensure that conscription and enlistment procedures comply with applicable international law, including the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and take all feasible measures to prevent armed groups within the jurisdiction of the State from recruiting or using children in hostilities;

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<sup>1</sup> See, for example, resolutions [1379 \(2001\)](#), [1460 \(2003\)](#) and [1539 \(2004\)](#).

2. To use all available means to monitor and report at national, regional and international levels on violations of child rights during armed conflict and to effectively investigate and prosecute those who have unlawfully recruited children into armed forces or armed groups.

### 3. Evidence on the recruitment of children into the armed forces and armed groups in Armenia

Against the background of a set of international obligations and commitments, Armenia has widely practiced the use of children for the military over decades, virtually since the very first days of its independence. This policy has been implemented in an organized and systematic manner, including through military affiliated organizations such as VoMA and POGA, and has extended not only to the territory of Armenia itself, but also to the territories of Azerbaijan when they were under Armenia's occupation.

At its January 2000 session, the Committee on the Rights of the Child, a body of experts established to monitor and report on the implementation of the Convention on the Rights of the Child, expressed its concern "about the alleged conscription of young children into [Armenia's] armed forces".<sup>2</sup>

The following year, the Child Soldiers International confirmed in its report that "recruitment of children has been reported to occur in practice [in Armenia]".<sup>3</sup>

According to the Child Soldiers Global Report 2004 – Armenia, "forced conscription of ethnic Armenian refugees from Azerbaijan reportedly continued, in violation of the 1999 Law on Refugees, which exempts them from military service. The parents of such refugees were said to be reluctant to complain for fear of reprisals against their sons. Most had reached conscription age. However, one 16 year old was called to register for conscription and at the same time given a call-up notice for two years later. Another student, in the tenth grade where most are aged 15 or 16, was reported to have been seized from his schoolroom and conscripted into the army".<sup>4</sup>

In its 2008 report, the Child Soldiers International observed that "in one school in a poor suburb of Yerevan, the capital, military training started much earlier. A class of 18 boys and six girls aged 11 and 12, many of whom were orphans, were chosen to pilot military training for pre-adolescents, with the stated aim of improving school discipline. They were taught by a former paratrooper to march, handle automatic weapons and use combat skills".<sup>5</sup>

During the 44-day war in the fall of 2020, Armenia used children in its armed forces.<sup>6</sup> In this regard, the Ministry of Foreign Affairs of Azerbaijan made an appeal to international organizations and the letter addressed to the Secretary-General of the United Nations was circulated as a document of the General Assembly and the Security Council.<sup>7</sup>

This practice continues to date, even despite the signing of the Trilateral Statement on 9 November 2020, which committed the sides, *inter alia*, to cease all

<sup>2</sup> Concluding observations of the Committee on the Rights of the Child on the initial report of Armenia under the Convention on the Rights of the Child, UN doc. [CRC/C/15/Add.119](#).

<sup>3</sup> Child Soldiers International, Child Soldiers Global Report 2001 - Armenia, 2001, available at <https://www.refworld.org/docid/49880616c.html> [accessed 5 January 2023].

<sup>4</sup> Child Soldiers International, Child Soldiers Global Report 2004 - Armenia, 2004, available at <https://www.refworld.org/docid/4988067924.html> [accessed 5 January 2023].

<sup>5</sup> Child Soldiers International, Child Soldiers Global Report 2008 - Armenia, 20 May 2008, available at <https://www.refworld.org/docid/486cb0e420.html> [accessed 5 January 2023].

<sup>6</sup> <https://www.youtube.com/watch?v=EQBvTM5A1hU>.

<sup>7</sup> Information of the Press Service of the Ministry of Foreign Affairs of Azerbaijan, Annex to the letter dated 27 October 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN doc. [A/75/553-S/2020/1046](#).

military hostilities.<sup>8</sup> Thus, Armenia not only refuses to withdraw its armed forces from the territories of Azerbaijan, in blatant violation of international law and the Trilateral Statement, but also allows and supports armed groups such as VoMA and POGA for training of children in military camps in the territories of Azerbaijan where the Russian peacekeeping contingent has been temporarily deployed.

The members of these groups were trained for committing terrorist acts against Azerbaijan. The activities of VoMA have reportedly been funded by the Ministry of Defense of Armenia and Armenian Diaspora in different countries. VoMA also involves foreign nationals, as well as the members of ASALA, PKK and other terrorist groups, and organized their participation in military exercises within the “Mountain Rifle Reserve Battalion” (VoMA battalion).

Available evidence confirms that children enlisted in this armed group as volunteers took part in the military operations of Armenia against Azerbaijan in the 44-day war. The report with the list of such volunteers was circulated as a document of the United Nations General Assembly and Security Council.<sup>9</sup>

VoMA currently continues to enlist and train civilians in Armenia, including children. In addition to numerous video and photo materials publicized through the social media account of VoMA,<sup>10</sup> the involvement of children into military trainings has also been documented by international media outlets. Thus, the French newspaper “Le Figaro” reported the “growing interest in the trainings conducted by VOMA” and published photos demonstrating the participation of children in these trainings.<sup>11</sup> In a similar vein, a German journalist published photos of the children attending military trainings conducted by VoMA.<sup>12</sup>

In a similar vein, another armed group, POGA, also widely recruited children into its military trainings.<sup>13</sup>

<sup>8</sup> Statement by President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation, Annex to the letter dated 10 November 2020 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council, UN doc. S/2020/1104, para. 1.

<sup>9</sup> Report on the use of foreign terrorist fighters by the Republic of Armenia in its recent aggression against the Republic of Azerbaijan, Annex to the letter dated 18 November 2020 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, UN doc. A/75/625-S/2020/1161.

<sup>10</sup> <https://www.youtube.com/watch?v=hVDRnixggXg>; <https://www.youtube.com/watch?v=EQBvTM5A1hU>; [https://www.facebook.com/vomacenter/videos/-%D5%B0%D5%AB%D5%A2%D6%80%D5%AB%D5%A4%D5%A1%D5%B5%D5%AB%D5%B6-%D5%BA%D5%A1%D5%BF%D5%A5%D6%80%D5%A1%D5%A6%D5%B4%D5%A8-%D6%87-%D5%B4%D5%A5%D6%80-%D5%B4%D5%A1%D5%BD%D5%B6%D5%A1%D5%AF%D6%81%D5%B8%D6%82%D5%A9%D5%B5%D5%B8%D6%82%D5%B6%D5%A8-%D5%A4%D6%80%D5%A1%D5%B6%D5%BD%D5%AB%D6%80%D5%A5%D5%AC%D5%AB-%D5%A5%D5%B2%D5%A2%D5%A1%D5%B5%D6%80%D5%B6%D5%A5%D6%80-%D6%87-%D6%84%D5%B8%D6%82%D5%B5%D6%80%D5%A5%D6%80-%D5%B4%D5%A1%D6%80%D5%A6%D5%BE/3304605359756152/](https://www.facebook.com/vomacenter/videos/%D5%B0%D5%A1%D5%B5%D5%B8%D6%81-%D5%A1%D5%B7%D5%AD%D5%A1%D6%80%D5%B0%D5%A1%D5%A6%D5%B8%D6%80-%D5%BF%D5%A1%D6%80%D5%A1%D5%AE%D6%84%D5%A1%D5%B5%D5%AB%D5%B6-%D5%AB%D5%B6%D6%84%D5%B6%D5%A1%D5%BA%D5%A1%D5%B7%D5%BF%D5%BA%D5%A1%D5%B6%D5%A1%D5%AF%D5%A1%D5%B6-%D5%B8%D6%82%D5%AA%D5%A5%D6%80%D5%AB-%D5%A1%D5%B7%D5%AD%D5%A1%D6%80%D5%B0%D5%A1%D5%A6%D5%B8%D6%80%D5%B8%D5%B4%D5%A1-%D5%B6-%D5%B7%D5%A1%D6%80%D5%B8%D6%82%D5%B6%D5%A1%D5%AF%D5%B8%D6%82%D5%B4-/830606214729005/).

<sup>11</sup> <https://www.lefigaro.fr/international/au-coeur-du-groupe-paramilitaire-voma-en-armenie-qui-forme-les-civils-a-l-eventualite-d-une-guerre-20221123>.

<sup>12</sup> <https://jam-news.net/self-defense-is-taught-in-armenia/>.

<sup>13</sup> [https://scontent.fgyd21-1.fna.fbcdn.net/v/t39.30808-6/316956600\\_193531893219167\\_6916433691305802980\\_n.jpg?stp=cp6\\_dst-jpg&\\_nc\\_cat=109&ccb=1-7&\\_nc\\_sid=8bfeb9&\\_nc\\_ohc=XRjJcIjVfm4AX87D5pt&\\_nc\\_ht=scontent.fgyd21-1.fna&oh=00\\_AfA0jY7EWZWHf5eB3iFN7ReD4hT32503dfZcz0b7x8OuSw&oe=63BB1C5D](https://scontent.fgyd21-1.fna.fbcdn.net/v/t39.30808-6/316956600_193531893219167_6916433691305802980_n.jpg?stp=cp6_dst-jpg&_nc_cat=109&ccb=1-7&_nc_sid=8bfeb9&_nc_ohc=XRjJcIjVfm4AX87D5pt&_nc_ht=scontent.fgyd21-1.fna&oh=00_AfA0jY7EWZWHf5eB3iFN7ReD4hT32503dfZcz0b7x8OuSw&oe=63BB1C5D).

Of particular concern is the indoctrination of children by these organizations with ethnic hatred. Video footages circulated in open sources confirm that, in their military camps, VoMA and similar ethno-nationalist hate armed group POGA promote the racist “Nzhdehism” ideology. Children attending military trainings are taught the quotes of Garegin Nzhdeh, a Nazi collaborator and founder of the notorious “Tsekhagron” ideology, which is built upon “racial supremacy” of Armenian race (Tsekhagron) and promotes hatred against Azerbaijanis.<sup>14</sup>

However, Armenia has taken no action, as required under the above-referred international instruments and documents, to prohibit VoMA, POGA and similar armed ethno-nationalist hate groups and prevent the recruitment and exploitation of children by them.

Among other provisions, this constitutes a clear breach by Armenia of its obligation under Article 4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Armenia further violates the Order on provisional measures adopted by the International Court of Justice on 7 December 2021, according to which, inter alia, “Armenia must, pending the final decision in the case and in accordance with its obligations under CERD, 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>15</sup>

#### 4. Conclusion

As discussed above, Armenia is in breach of its legal obligations and political commitments relating to the rights of the child and the prohibition on the recruitment of children into armed forces and armed groups.

In addition, by exploiting children for hate propaganda and the promotion of intolerance against Azerbaijanis, Armenia violates its obligations regarding the combatting and eradicating of all forms of racial discrimination.

Overall, the continued practice of child recruitment for military purposes undermines the efforts for peace and security at the regional level.

Therefore, it is important that the international community, in particular the United Nations, its specialized institutions and respective mandate holders, undertake the necessary measures, within their competence, to ensure that Armenia is held accountable for its wrongdoings and that it ceases and desists from its practice of unlawful recruitment and use of children in armed forces and armed groups.

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<sup>14</sup> <https://mirrorspectator.com/2022/09/27/self-defense-groups-get-to-work-videos/>;  
<https://www.facebook.com/TondrakHikingClub/videos/662153554852320/>;  
[https://www.facebook.com/permalink.php?story\\_fbid=pfbid02tgzWTcrNYPDPAkjbtEgQxRdaozD4erdVRhh2V9FXQPp2zKd6RkDFg2SS1LSBpUql&id=109655428148446&\\_\\_cft\\_\\_\[0\]=AZVSSZsjBvrZhATQX9fRMMmP19SuYbDhjZnls3RZjyu\\_XE53mq1phZ8OqnJvfpnfsKFNI-dyTmum4EmjW3j5D44Mu61d6BzV8am0pEqMQe91qXKX0KRrV222vV7rQjsE5cQLZ0CFqJ\\_D5aw45Ea6EYhBcozIKkR2dppsOO6zBpkplP4on9uQyaPRzqUJc1B6ww\\_LPRkcgkPPoxbga99nAT61&\\_\\_tn\\_\\_=%2CO%2CP-R](https://www.facebook.com/permalink.php?story_fbid=pfbid02tgzWTcrNYPDPAkjbtEgQxRdaozD4erdVRhh2V9FXQPp2zKd6RkDFg2SS1LSBpUql&id=109655428148446&__cft__[0]=AZVSSZsjBvrZhATQX9fRMMmP19SuYbDhjZnls3RZjyu_XE53mq1phZ8OqnJvfpnfsKFNI-dyTmum4EmjW3j5D44Mu61d6BzV8am0pEqMQe91qXKX0KRrV222vV7rQjsE5cQLZ0CFqJ_D5aw45Ea6EYhBcozIKkR2dppsOO6zBpkplP4on9uQyaPRzqUJc1B6ww_LPRkcgkPPoxbga99nAT61&__tn__=%2CO%2CP-R).

<sup>15</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.