



Security Council

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Letter dated 11 August 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council

Further to the letter from the Minister for Foreign Affairs of Armenia addressed to the President of the Security Council dated 12 July 2023, I am writing in relation to the deterioration of the humanitarian situation as a result of the total blockade inflicted upon the civilian population of Nagorno-Karabakh (see annex).

The severe shortage of essential goods, including food, medicine and fuel, has been particularly exacerbated since 15 June 2023, when Azerbaijan completely blocked the Lachin corridor – the only road connecting Nagorno-Karabakh with Armenia and the outer world – by denying any form of access to Nagorno-Karabakh, including humanitarian. The continued deliberate obstruction of natural gas and electricity supply to Nagorno-Karabakh by Azerbaijan has been detrimental for the affected population and their livelihoods.

The suspension of all humanitarian deliveries, along with the gradual utilization of the limited domestic supplies, as well as the targeted shootings of agricultural areas by the Azerbaijani armed forces, has resulted in an acute food shortage and closures of shops. In the absence of essential food and nutrients, approximately 2,000 pregnant women, 30,000 children, 20,000 older persons and 9,000 persons with disabilities are struggling in conditions of malnourishment.

People with chronic diseases, including 4,687 individuals with diabetes and 8,450 individuals with circulatory diseases, are suffering from an acute shortage of vital medicines. The situation has already resulted in a recorded increase in mortality, including from cardiovascular diseases and malignant neoplasms. From January to July, compared to the same period of the previous year, the level of anaemia among pregnant women under medical observation has reached around 90 per cent – largely due to inadequate nutrition and the absence or insufficiency of medicines. Moreover, hot weather conditions and the lack of sanitizers and essential medications create the risk of epidemics in the region.

Today, the people of Nagorno-Karabakh are on the verge of a full-fledged humanitarian catastrophe.

Azerbaijan's actions constitute a flagrant violation of the Trilateral Statement of 9 November 2020 and international humanitarian law and are in direct breach of the orders issued by the International Court of Justice on 22 February and 6 July 2023, according to which Azerbaijan should “take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions”.



The deliberate creation of unbearable life conditions for the population is nothing but an act of mass atrocity targeting the indigenous people of Nagorno-Karabakh and forcing them to leave their homes and homeland. Such an infliction of collective punishment upon the people of Nagorno-Karabakh constitutes an existential threat to them should they be left alone vis-à-vis the Azerbaijani aggressive policy.

Under current circumstances, the Government of Armenia requests the intervention of the Security Council, as a principal body responsible for maintaining international peace and security, to prevent mass atrocities, including war crimes, ethnic cleansing, crimes against humanity and genocide.

With reference to the letter dated 13 September 2022 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council ([S/2022/688](#)), and in follow-up to the meeting of the Security Council held on 20 December 2022, I would like to request that an emergency meeting of the Security Council be convened based on Article 35 (1) of the Charter of the United Nations.

I also ask that the delegation of Armenia be allowed to participate in the meeting of the Security Council in accordance with the relevant provisions of the Charter of the United Nations and pursuant to rule 37 of the provisional rules of procedure of the Council.

I would be grateful if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

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

Annex to the letter dated 11 August 2023 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council

Memorandum on the humanitarian situation in Nagorno-Karabakh following the disruption of the Lachin corridor

Since 12 December 2022, Azerbaijan has effectively targeted a population of 120,000 people by instigating conditions of a humanitarian crisis, as a group of the so-called “eco-activists” (consisting mainly of disguised military personnel and members of pro-government organizations, none of whom appear to have taken part in any environmental protests in Azerbaijan before) blocked the Lachin corridor, the only road connecting Nagorno-Karabakh with Armenia and the outer world. The closure of this vital lifeline has caused severe shortages of food, medicine and fuel, having severely disrupted the provision of essential services, including health care. The dire humanitarian situation has been further exacerbated by Azerbaijan’s continued deliberate obstruction of natural gas and electricity supply from Armenia to Nagorno-Karabakh.

Following the closure of the Lachin corridor, the Secretary-General urged the sides “to ensure freedom and security of movement along the corridor, in line with the previously reached agreements”.¹ On 20 December, the Security Council discussed the situation at the emergency meeting convened at the request of Armenia, during which members of the Council expressed support for the freedom and security of movement along the corridor, and stressed the need for respecting the existing legal obligations.

On 22 February 2023, the International Court of Justice indicated a provisional measure in the ongoing case concerning the *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, according to which Azerbaijan shall “take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions”.² The statement on behalf of the Secretary-General, which was issued following the indication of the provisional measure by the International Court of Justice, expressed trust “that the Parties will implement its orders, including the order related to measures to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions”,³ recalling that “decisions of the ICJ are binding”.

Contrary to the legally binding order of the International Court of Justice, not only has Azerbaijan not lifted the blockade started by the government-orchestrated “protests” of the so-called “eco-activists”, but, as of 23 April, the authorities of Azerbaijan installed a “checkpoint” along the Lachin corridor. Moreover, on 15 June,

¹ Statement attributable to the Spokesperson for the Secretary-General on the Lachin corridor [Armenia/Azerbaijan], 14 December 2022, www.un.org/sg/en/content/sg/statement/2022-12-14/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-the-lachin-corridor-armeniaazerbaijan%C2%A0.

² *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Request for the Indication of Provisional Measures, Order of the International Court of Justice of 22 February 2023, www.icj-cij.org/sites/default/files/case-related/180/180-20230222-ORD-01-00-EN.pdf.

³ Statement attributable to the Spokesman for the Secretary-General on the orders of the International Court of Justice in the proceedings between Armenia and Azerbaijan, 24 February 2023, www.un.org/sg/en/content/sg/statement/2023-02-24/statement-attributable-the-spokesman-for-the-secretary-general-the-orders-of-the-international-court-of-justice-the-proceedings-between-armenia-and-azerbaijan.

Azerbaijan went further with fully blocking the corridor by preventing any access to Nagorno-Karabakh, even humanitarian, including for the International Committee of the Red Cross (ICRC).

The importance of ensuring free and safe movement through the Lachin corridor and of avoiding any humanitarian impact on civilians was emphasized by the High Commissioner for Human Rights during the fifty-third session of the Human Rights Council.⁴ The Special Adviser to the Secretary-General on the Prevention of Genocide reiterated the calls regarding the promotion of free and safe movement through the Lachin corridor, based on the binding order of the International Court of Justice.⁵

On 6 July 2023, the International Court of Justice unanimously reaffirmed the provisional measure indicated in its order of 22 February,⁶ recalling Azerbaijan's international legal obligation to "take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions". The provisional measure regarding the Lachin corridor adds to the earlier measures issued by the International Court of Justice against Azerbaijan in 2021 in the ongoing case concerning the *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, which relate to the protection of the Armenians held in captivity by Azerbaijan, preservation of Armenian cultural heritage, and prevention of the incitement of racial hatred and discrimination, including at the level of officials and public institutions in Azerbaijan.⁷

To this date, Azerbaijan has failed to implement the Court's legally binding orders, engaging, instead, in manipulative distortions and misinterpretations. So far, Azerbaijan's self-contradictory reaction to the calls of the international community has been to deny the obvious reality of the blockade, on the one hand, and to justify such unlawful conduct, on the other, which only comes to reveal the lack of any intent to comply with the existing legal obligations.

On 25 July, ICRC communicated that "despite persistent efforts, the ICRC is not currently able to bring humanitarian assistance to the civilian population through the Lachin corridor or through any other routes". Furthermore, it was stated that "the organisation is calling on the relevant decision makers to allow the ICRC to resume its essential humanitarian operations in the area".⁸

In response to the evolving humanitarian crisis in Nagorno-Karabakh, the Government of Armenia dispatched an emergency convoy carrying a batch of around

⁴ "Urging greater cooperation, High Commissioner Türk opens Human Rights Council session", 19 June 2023, www.ohchr.org/en/statements/2023/06/urging-greater-cooperation-high-commissioner-turk-opens-human-rights-council.

⁵ Fifty-third session of the Human Rights Council, interactive dialogue with the Special Adviser on the Prevention of Genocide, 4 July 2023, www.un.org/en/genocideprevention/documents/Remarks_Alice%20Wairimu%20Nderitu_Special%20Adviser_53rd_Session_HRC_Interactive_dialogue%20.pdf.

⁶ *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Request for the Modification of the Order of 22 February 2023 Indicating a Provisional Measure, Order of the International Court of Justice of 6 July 2023, www.icj-cij.org/sites/default/files/case-related/180/180-20230706-ord-01-00-en.pdf.

⁷ *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Request for the Indication of Provisional Measures, Order of the International Court of Justice of 7 December 2021, para. 98.1 (b), www.icj-cij.org/public/files/case-related/180/180-20211207-ORD-01-00-EN.pdf.

⁸ International Committee of the Red Cross, "Azerbaijan/Armenia: sides must reach 'humanitarian consensus' to ease suffering", 25 July 2023, www.icrc.org/en/document/azerbaijan-armenia-sides-must-reach-humanitarian-consensus-to-ease-suffering.

400 tons of essential humanitarian supplies, including food and medication, to alleviate the suffering of the besieged population. An appeal has been made to the Russian peacekeeping forces to facilitate the transfer of the cargo. Since 26 July, the humanitarian convoy has remained stranded along the Lachin corridor, as Azerbaijan continues to prevent the delivery of the life-saving assistance to Nagorno-Karabakh.

As a result of strenuous efforts, the ICRC was able to agree with the Azerbaijani side on the transportation of a limited number of critically ill patients to Armenia through the Lachin corridor to receive proper medical treatment. On 29 July, in demonstration of yet another attempt to undermine international humanitarian efforts, Azerbaijan abducted one of the patients, who is currently facing bogus charges in a fabricated case.

In the statement issued on 2 August, the Secretary-General reiterated his deep concern over the challenges related to the freedom of movement along the Lachin corridor, recalling the previous statement on the need to implement the orders of the International Court of Justice, “including the orders issued on 22 February 2023 and reaffirmed on 6 July 2023, related to measures to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions”. The Secretary-General further expressed particular concern about the deteriorating humanitarian situation on the ground and called for “urgent steps to facilitate access for the delivery of humanitarian assistance to people in need”.⁹

According to the Atrocity Alert issued by the Global Centre for the Responsibility to Protect to highlight situations where populations are at risk of, or are enduring, mass atrocity crimes, the ongoing blockade “has deprived over 120,000 ethnic Armenians living in Nagorno-Karabakh, including 30,000 children, of life-saving resources”, whereby “the intentional and unlawful denial of humanitarian assistance may constitute war crimes and crimes against humanity”.¹⁰

On 7 August, a group of the United Nations human rights experts – the Special Rapporteur on the right to food, the Special Rapporteur on the right to education, the Independent Expert on the enjoyment of all human rights by older persons and the Special Rapporteur on the rights of persons with disabilities – expressed alarm over the ongoing blockade of the Lachin corridor by Azerbaijan and the dire humanitarian crisis in Nagorno-Karabakh, which “has left the population facing acute shortages” and “placed the lives of the residents – especially children, persons with disabilities, older persons, pregnant women, and the sick – at significant risk”.¹¹

As is known, starvation has been repeatedly used as a method of warfare and perpetration of genocide throughout history. Azerbaijan’s aggressive actions, as manifested through the imposition of a blockade isolating 120,000 people from the outer world, along with the persistent attacks against the territorial integrity of Armenia, incessant military threats and the promulgation of incendiary anti-Armenian rhetoric at the highest political level pose clearly detectable warning signs of the risks of atrocity crime and those of irreversible humanitarian consequences for the Armenian population. The coordinated character of such actions is demonstrative of

⁹ Statement attributable to the Spokesperson for the Secretary-General on the Lachin corridor [Armenia-Azerbaijan], 2 August 2023, www.un.org/sg/en/content/sg/statement/2023-08-02/statement-attributable-the-spokesperson-for-the-secretary-general-the-lachin-corridor-armenia-azerbaijan%2%A0.

¹⁰ Global Centre for the Responsibility to Protect, Atrocity Alert No. 358: El Salvador, Nagorno-Karabakh and United Nations peacekeeping, 2 August 2023, www.globalr2p.org/publications/atrocity-alert-no-358.

¹¹ “United Nations experts urge Azerbaijan to lift Lachin corridor blockade and end humanitarian crisis in Nagorno-Karabakh”, 7 August 2023, www.ohchr.org/en/press-releases/2023/08/un-experts-urge-azerbaijan-lift-lachin-corridor-blockade-and-end.

Azerbaijan's clearly detectable intent to destroy, in whole or in part, a national and ethnic group as such.¹²

In light of the gravity of the situation, there is an urgent need for the Security Council to intervene in order to address the dire humanitarian crisis emanating from the total blockade inflicted upon the people of Nagorno-Karabakh.

¹² Luis Moreno Ocampo, Expert Opinion: "Genocide against Armenians in 2023", 7 August 2023, <https://luismorenoocampo.com/wp-content/uploads/2023/08/Armenia-Report-Expert-Opinion.pdf>.