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## **Letter dated 15 December 2021 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General**

I have the honour to enclose herewith a letter of the Minister for Foreign Affairs of the Nagorno-Karabakh Republic (Republic of Artsakh) regarding the distortion of objective realities and geographical names related to Nagorno-Karabakh by the representatives of Azerbaijan, as reflected in the letter dated 3 November 2021 ([A/76/510-E/2022/6](#)) (see annex).

I kindly ask that the present letter and its annex be circulated as a document of the General Assembly, under agenda items 35 and 72, and of the Economic and Social Council, under agenda item 18 (c) and (h).

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



## **Annex to the letter dated 15 December 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 from the Ambassador of Azerbaijan dated 3 November 2021,<sup>1</sup> which is an undisguised attempt to prevent the dissemination of objective information about the realities in the Republic of Artsakh and the situation around the Azerbaijan-Karabakh conflict.

On 27 September 2020, Azerbaijan, supported by Turkey and Turkish-backed foreign terrorist fighters and mercenaries from the Middle East and beyond, unleashed another war of aggression against the Republic of Artsakh, which lasted 44 days and claimed thousands of lives, forcing tens of thousands of Artsakh Armenians to become refugees and internally displaced persons. Azerbaijan's aggression also led to the occupation of a significant part of the territory of the Republic of Artsakh and caused enormous damage to the economic and social infrastructure of the country. Since the attempt to completely expel the Armenian population from Artsakh has failed, in the best traditions of authoritarianism, Azerbaijan is now trying to prevent the authorities of Artsakh from voicing the uncomfortable truths for Azerbaijan. Such efforts are part of Azerbaijan's policy aimed at depriving the people of Artsakh of their homeland, rejecting the Armenian identity of Artsakh, and establishing ownership over it. To this end, Azerbaijan refers to international law and, in particular, the Charter of the United Nations in order to support the position aimed at blurring its own wrongdoings.

The truth is that international law and, in particular, the Charter of the United Nations prohibit the illegal use of force and widespread and systematic violations of the fundamental rights of peoples. We remind the authorities of Azerbaijan that the main goal of the creation of the United Nations was "to save succeeding generations from the scourge of war". None of the norms of international law gives states a license to commit atrocities and massive violations of human rights. The progressive development of international law and the codification of existing customs have not only outlawed such practices, but also endowed third states with the obligation to prevent them.

Another truth is that Azerbaijan has no sovereignty over the Republic of Artsakh, which proclaimed its independence on 2 September 1991. Since then, the Republic has been governed by an effective and legitimate government, elected by its people in free and fair elections and in accordance with the laws adopted by the Parliament of the Republic of Artsakh. The administrative-territorial units of the Republic of Artsakh were established in accordance with the law "On the administrative-territorial division of the Nagorno-Karabakh Republic", adopted on 16 June 1998. This is the main document regulating the system of territorial administration of Artsakh. According to this law, the administrative-territorial units of the Republic of Artsakh are divided into regions and communities, with the capital Stepanakert having the status of a region.

Azerbaijan's attempt to impose its own geographical names perpetuates its long-standing policy of deliberate falsification of the region's history, and it is in patent violation of international laws and customs. It has no legal basis and is contrary to the letter and spirit of the resolutions and recommendations of the United Nations Group of Experts on Geographical Names. First, it should be noted that place names are memories of places, as well as living memories of the people who gave these names to such places. They form an important part of the history of the region, and they have been recognized as intangible cultural heritage for many centuries. For

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<sup>1</sup> [A/76/510-E/2022/6](#).

these reasons, issue of geographical names as cultural heritage has been on the agenda of United Nations Group of Experts on Geographical Names sessions for many years, and the United Nations Conferences on Geographical Names have adopted several resolutions dealing substantively with this topic:<sup>2</sup>

- Resolution V/6: Promotion of national and international geographical names standardization programmes
- Resolution VIII/9: Geographical names as cultural heritage
- Resolution IX/4 Geographical names as intangible cultural heritage
- Resolution IX/10 Support for training and publications
- Resolution X/3 Criteria for establishing and evaluating the nature of geographical names as cultural heritage
- Resolution X/4 Discouraging the commercialization of geographical names

Geographical names are also protected by the Convention for the Safeguarding of the Intangible Cultural Heritage adopted by the United Nations Educational, Scientific and Cultural Organization on 17 October 2003 (Convention), as they are an integral part of the world's cultural heritage.<sup>3</sup>

The Convention obliges states to safeguard and respect intangible cultural heritage, including oral traditions and particularly geographical place names. The United Nations Group of Experts on Geographical Names has referred to the Convention in various contexts, and it specifically passed the above-referenced resolution “Geographical names as intangible cultural heritage” to address the importance of preserving geographical names as part of a nation's intangible cultural heritage.<sup>4</sup>

It should be further noted that United Nations Group of Experts on Geographical Names resolution (X/3) “Criteria for establishing and evaluating the nature of geographical names as cultural heritage” actually enumerates certain key criteria for the proper naming of geographical places:<sup>5</sup>

- (a) The age of a name, as indicated by the date of the oldest possible record of the name;
- (b) The resilience of a name, as indicated by the duration of its continued use up to the present or by its notable capacity to transcend history;
- (c) The rarity of a name or of a toponymic phenomenon pointed out by the name;
- (d) The “testimoniality” of a name, or its capacity to clearly embody a cultural, geographical, historical, social or other reality that is specific to the place and an essential component of local, regional or national identity;

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<sup>2</sup> UN Conferences on the Standardization of Geographical Names, Resolutions Adopted at the Eleven United Nations Conferences on the Standardization of Geographical Names, available at [https://unstats.un.org/unsd/geoinfo/ungegn/docs/pdf/RES\\_UN\\_E\\_updated\\_1-11\\_CONF.pdf](https://unstats.un.org/unsd/geoinfo/ungegn/docs/pdf/RES_UN_E_updated_1-11_CONF.pdf) (last visited 9 November 2021).

<sup>3</sup> Convention for the Safeguarding of the Intangible Cultural Heritage, available at <https://ich.unesco.org/en/convention> (last visited 9 November 2021).

<sup>4</sup> UN Conferences on the Standardization of Geographical Names, Resolution VIII/9 Geographical names as cultural heritage, available at [https://unstats.un.org/unsd/geoinfo/ungegn/docs/pdf/RES\\_UN\\_E\\_updated\\_1-11\\_CONF.pdf](https://unstats.un.org/unsd/geoinfo/ungegn/docs/pdf/RES_UN_E_updated_1-11_CONF.pdf), p. 43 (last visited 9 November 2021).

<sup>5</sup> Ibid. p. 45.

(e) The appeal of a name, which corresponds to a feeling of belonging associated with the name and the place it designates;

(f) The imageability of a name, or its capacity to inspire ideas or strong, rich images within users, without these images or ideas necessarily referring to history or local trivia.

The policy of Azerbaijan on changing the original and indigenous names of Armenian settlements is not governed by these standards for naming geographical places adopted by the community of states. In fact, Azerbaijan's purpose is patently counter to these accepted standards. Indeed, its renaming efforts fuel its campaign of falsification of intangible Armenian cultural heritage, and they are an integral element of its deliberate destruction of the Armenian material cultural heritage now under its control.

To be clear, Azerbaijan deliberately erases, destroys and eradicates any traces of Armenian culture and history from every centimetre of the territory under its control. The systematic denial and destruction of the Armenian historical and cultural heritage has long been the "norm" in Azerbaijan and has led to the complete or partial destruction of all Armenian cultural and historical monuments located in Azerbaijan.<sup>6</sup> Azerbaijan's policy aimed at the destruction of the Armenian cultural and religious heritage in Artsakh and beyond began in Soviet times when Artsakh was still part of Soviet Azerbaijan. In total, at least 167 churches, 8 monastic complexes, 123 historical Armenian cemeteries have been ruined, blown to pieces and/or otherwise completely destroyed. Appallingly, approximately 2.5 thousand highly artistic khachkars and more than 10,000 gravestones have been broken and turned into building material.

The most astonishing example of Azerbaijan's campaign of cleansing Armenian culture from territories under its control is the complete destruction of the Old Jugha Cemetery in the exclave of Nakhijevan which, until Azerbaijan's perpetrated programme of cultural erasure, boasted the world's largest collection of Armenian khachkars, distinctive Armenian cross-stones dating back to the fifteenth and sixteenth centuries.<sup>7</sup> Today, it is completely obliterated, no trace of its existence stands. Shockingly, its deliberate destruction was evidenced *in medias res* by photographic evidence and even satellite imagery. Azerbaijan's destruction of the Old Jugha Cemetery has been acknowledged and denounced by the International Council on Monuments and Sites,<sup>8</sup> the European Parliament<sup>9</sup> and international press reports, which condemned Azerbaijan's actions as "the worst cultural genocide of the 21st century".<sup>10</sup>

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<sup>6</sup> Memorandum of the Ministry of Foreign Affairs of the Republic of Artsakh on the state of the historical and cultural monuments in Artsakh and Azerbaijan, available at <https://undocs.org/A/72/876> (last visited 9 November 2021).

<sup>7</sup> Kat Zambon, "Satellite Images Show Disappearance of Armenian Artifacts in Azerbaijan", American Association for the Advancement of Science (7 December 2010), available at [www.aaas.org/news/satellite-images-show-disappearance-armenian-artifacts-azerbaijan](http://www.aaas.org/news/satellite-images-show-disappearance-armenian-artifacts-azerbaijan) (last visited 9 November 2021).

<sup>8</sup> International Council on Monuments and Sites, Resolutions of the General Assembly (October 2008), available at [https://www.icomos.org/quebec2008/resolutions/pdf/GA16\\_Resolutions\\_final\\_EN.pdf](https://www.icomos.org/quebec2008/resolutions/pdf/GA16_Resolutions_final_EN.pdf), Part 5 (last visited 9 November 2021).

<sup>9</sup> European Parliament, Resolution on the destruction of cultural heritage in Azerbaijan, No. B6-0126-06 (13 February 2006), available at [https://www.europarl.europa.eu/doceo/document/B-6-2006-0126\\_EN.html](https://www.europarl.europa.eu/doceo/document/B-6-2006-0126_EN.html) (last visited 9 November 2021).

<sup>10</sup> Dale Berning Sawa, "Monumental loss: Azerbaijan and 'the worst cultural genocide of the 21st century'", *The Guardian* (1 March 2019), available at <https://www.theguardian.com/artanddesign/2019/mar/01/monumental-loss-azerbaijan-cultural-genocide-khachkars> (last visited 9 November 2021).

The Armenian cultural heritage was targeted also by Azerbaijan during its aggression against the Republic of Artsakh in 2020. On 8 October 2020, during the period of active hostilities, Azerbaijani armed forces twice deliberately attacked the Ghazanchetsots Cathedral located in the town of Shushi of the Republic of Artsakh from an unmanned aerial vehicle. Human Rights Watch, in its investigatory report, assessed the attack as a war crime.<sup>11</sup> It emphasized that the Cathedral “was a deliberate target, despite the lack of evidence that it was used for military purposes” and that “attacks directed at civilian objects that are not used for hostile activities or are otherwise not military objectives are prohibited and may constitute a war crime”.<sup>12</sup> After the Trilateral Statement it was also revealed that the Kanach Zham Church in Shushi was also partially destroyed. The dome and the bell tower of the church have been almost completely destroyed.<sup>13</sup>

The deliberate damage to the Armenian cultural heritage in Artsakh during the six-week war, including the deliberate shelling of the St. Holy Saviour Ghazanchetsots Cathedral in Shushi, as well as the destruction or damage of other churches and cemeteries during and after the conflict was also condemned by the Parliamentary Assembly of the Council of Europe in its Resolution 2391 adopted in September 2021. The Parliamentary Assembly of the Council of Europe has also found Azerbaijan responsible for the destruction over the last thirty years of Armenian cultural heritage in Azerbaijan, including in Nakhijevan. It also expressed its concern that, “in the light of past destruction, about the future of the many Armenian churches, monasteries, including the monastery in Khutavank/Dadivank, cross-stones (khachkars) and other forms of cultural heritage which have been returned under Azerbaijan control”. The Parliamentary Assembly of the Council of Europe also expressed concern about a developing narrative in Azerbaijan promoting a “Caucasian Albanian” heritage to replace an Armenian cultural heritage.<sup>14</sup>

To conceal its deliberate and ongoing destruction of Armenian cultural heritage, Azerbaijan continues to refuse to accept an independent expert mission organized by the United Nations Educational, Cultural and Scientific Organization (UNESCO) to make a preliminary inventory of significant cultural property. The representative of UNESCO, in a press statement dated 21 December 2020, stressed that “the authorities of Azerbaijan have been approached several times without success so far”.<sup>15</sup> The proposal by UNESCO, of course, has received the full support of the Minsk Group Co-Chair countries, the Republic of Armenia and the Republic of Artsakh – only Azerbaijan stands in blatant opposition.

Azerbaijan’s policy of changing the Armenian geographical names must be viewed within the context of Azerbaijan’s pattern of conduct and violence against Armenians. The forced deportation of Armenians from Azerbaijan in late 1980s and early 1990s; repeated mass murders and violence against Armenians; and the military aggression against Artsakh in 1991–1994, in April 2016, and finally in September 2020, each of which was accompanied by numerous war crimes and gross violations of international human rights law, as well as massive hate speech and incitement to

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<sup>11</sup> Human Rights Watch: Azerbaijan: Attack on Church Possible War Crime, available at <https://www.hrw.org/news/2020/12/16/azerbaijan-attack-church-possible-war-crime> (last visited 9 November 2021).

<sup>12</sup> Ibid.

<sup>13</sup> The Kanach Zham Church in Shushi has been partially destroyed, available at <https://fip.am/en/13788> (last visited 9 November 2021).

<sup>14</sup> Parliamentary Assembly of the Council of Europe, Resolution 2391, “Humanitarian consequences of the conflict between Armenia and Azerbaijan/Nagorno-Karabakh conflict”, available at <https://pace.coe.int/en/files/29483/html>. (last visited 14 December 2021).

<sup>15</sup> UNESCO is awaiting Azerbaijan’s Response regarding Nagorno-Karabakh mission, available at <https://en.unesco.org/news/unesco-awaiting-azerbaijans-response-regarding-nagorno-karabakh-mission> (last visited 9 November 2021).

hatred against Armenians over the course of the past 30 years.<sup>16</sup> Each component is an element of Azerbaijan's comprehensive state policy aimed at violence against the people of Artsakh. Azerbaijan's policy of reshaping of the historical, cultural and architectural landscape in the occupied territories of Artsakh – by force and falsification – is a blatant form of discrimination and xenophobia.

The international community must denounce Azerbaijan's unabated crimes against humanity and against the people of Artsakh. Any action by Azerbaijan in the occupied territories of the Republic of Artsakh aimed at the destruction of the Armenian tangible and intangible cultural heritage is undertaken against the norms and principles of international law and seeks to consolidate the consequences of the illegal use of force against the self-determination of the people of Artsakh. Azerbaijan's conduct cannot be tolerated and must be resolutely condemned by the international community.

*(Signed)* David **Babayan**

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<sup>16</sup> Artsakh Ombudsman Interim Public Report Armenophobia in Azerbaijan Organized Hate Speech Animosity Towards Armenians, available at <https://artsakhombuds.am/en/document/570> (last visited 9 November 2021); see also Organized Hate Speech and Animosity Towards Ethnic Armenians in Azerbaijan as Root Causes of Ethnically Based Torture and Inhuman Treatment by Azerbaijani Armed Forces, available at <https://artsakhombuds.am/en/document/780> (last visited 9 November 2021).