



Armenian Bar Association

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In loving memory (2014)

Saint Elias and Saint Gregory the
Illuminator
Armenian Catholic Cathedral
Debbas Square
Beirut, Lebanon
patriarchate@armeniancatholic.org
**To His Beatitude Grégoire Pierre XX
Ghabroyan, Patriarch of Cilicia for
Armenians**

Holy See of Cilicia
P.O. Box 70317
Antelias, Lebanon
info@armenianorthodoxchurch.org
**To His Holiness Aram I, Catholicos of
Cilicia**

Catholicosate of All Armenians
Mother See of Holy Etchmiadzin
1101 Vagharshapat
Republic of Armenia
divanatun@etchmiadzin.am
**To His Holiness Karekin II, Catholicos -
Supreme Patriarch of All Armenians**

Armenian Evangelical Union and
Union of the Armenian Evangelical
Churches in the Near East
411 E. Acacia St., Suite 200
Glendale, CA 91205
aeuna@aeuna.org
**To Rev. Berdj Djambazian and
Dr. Rene Levonian**

Your Holinesses,

The Armenian Bar Association is writing to urge you to meet with the Supreme Pontiff, his Holiness Pope Francis of the Vatican City, and personally request that the Holy See formally recognize the Republic of Artsakh.

As the spiritual leaders of all Armenians, including the people of Artsakh, you can best appeal to the moral and legal obligations of the Holy See to recognize the sovereignty of the Republic of Artsakh under international law.

The Vatican is a universally recognized sovereign entity, with all the responsibilities and legal rights of any other state. It has formal diplomatic relations with over 183 states. In 2015, the Vatican took the courageous step of recognizing Palestine as a state. It should lead with the same moral fortitude, now, to recognize the Republic of Artsakh.

As you know, the people of Artsakh declared independence in 1991 to escape systematic oppression and attempted ethnic cleansing based on ethnic and religious xenophobia. The right to self-determination of peoples is fundamental and has an *erga omnes* ("towards all") character under international law. As such, the Holy See not only has the legal capacity, but a legal and moral mandate, to recognize the right of self-determination lawfully exercised by the people of Artsakh.

The recent actions of the Azerbaijani regime – including incessant civilian shelling, deliberate bombing of the Holy Savior Ghazanchetsots Cathedral in Shushi, the killing of a mother and disabled child in their home, among many others, the mutilations of human bodies and the rampant hate speech and Armenophobia fueling its campaign of ethnic cleansing – is publicly documented. These immoral acts demonstrate that only

international recognition of the Republic of Artsakh will avert certain, impending humanitarian catastrophe.

Pope Francis has stated, "The problem of intolerance must be confronted in all its forms: Wherever any minority is persecuted and marginalized because of its religious convictions or ethnic identity, the well-being of society as a whole is endangered, and each one of us must feel affected."

On numerous occasions, the Pontiff and Your Holinesses have been outspoken in your shared belief that, today, extremist groups and rogue regimes are waging a campaign of genocide against Christians of the Middle East.

Pope Francis has also said: "Today we are dismayed to see how in the Middle East and elsewhere in the world many of our brothers and sisters are persecuted, tortured and killed for their faith in Jesus,...In this third world war, waged piecemeal, which we are now experiencing, a form of genocide is taking place, and it must end."

In Artsakh, unfolding before us at this moment, we witness an ongoing attempt to eradicate its ancient Armenian Christian population. From the destruction of Khatchkars of Julfa, to the illegal importation of Islamic Jihadist mercenaries, to the shelling of Armenian Christian religious sites in Artsakh, a clear campaign of persecution is underway. A declaration by the Vatican recognizing Artsakh sovereignty over the region will be a bold legal step toward bringing this genocidal policy to an end.

Based on the letter sent by Pope Francis on October 11, 2020, to Archbishop Kissag Mouradian, Primate of the Armenian Apostolic Church in Argentina and Chile, in which he said, "Dear brother, I know the pain of the Armenian people and I am at your side; I pray for you and I do my best to help and avoid a disaster," we are confident that Pope Francis is affected by the situation in Artsakh. We ask that you respond to Pope Francis by urging him to act within his legal and moral authority to answer the scourge of inhumanity with meaningful resolve.

Full recognition of Artsakh by the Holy See is crucial at this moment in our people's history. While Pope Francis recently condemned the targeting of Ghazanchetsots Cathedral, a further step is much needed. We know that you recognize that the Armenian people are at an existential juncture in our history. His Holiness Pope Francis must be made aware of the direness of the situation.

We ask that you urge for the formal recognition of the independent Republic of Artsakh by the Holy See. It would be an exercise of both its legal and moral authority, for the sake of the Armenian people of Artsakh and of humanity itself.

Sincerely yours in Christ,

ARMENIAN BAR ASSOCIATION



Lucy Varpetian

ANNEX WITH SOURCE MATERIAL

Sovereignty of the Vatican: Treaty of the Lateran, Feb. 11, 1929, Italy-Vatican City, O.V.T.S. 161, Eur.T.S. No. 590019. *See also* Vatican Country Profile, BBC, Jan. 31, 2018, <https://www.bbc.com/news/world-europe-17994868> (last accessed Oct. 12, 2020).

Recognition of Palestine by the Vatican: Elizabeth Povoleto, *Vatican Formally Recognizes Palestinian State by Signing Treaty*, NY TIMES (Jun. 26, 2015), <https://www.nytimes.com/2015/06/27/world/middleeast/vatican-palestinian-state.html>, (last accessed Oct. 12, 2020).

The fundamental right to self-determination of a people: Legal Consequences of the separation of the Chagos Archipelago from Mauritius in 1965, Advisory Opinion, 2019 I.C.J. Rep. para 144 (Feb. 25).

Erga omnes: An *erga omnes* obligation is one in which all states have an interest in protecting. *See* Case Concerning the Barcelona Traction, Light and Power Company, Limited (Belgium v Spain), Judgment, 1970 ICJ Rep. 3, ¶ 33 (Feb. 5).

Erga omnes in case law: Case Concerning East Timor (Portugal v Australia), Judgment, 1995 ICJ (n 2) para 29.

Pope Francis on confronting intolerance: Pope Francis at Simon Wiesenthal Center in Rome, October 2013.