



# Armenian Bar Association

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Ms. Mikiko Otani  
Chair  
Committee on the Rights of the Child  
Human Rights Council and Treaty Mechanisms Division  
Office of the United Nations High Commissioner for Human Rights  
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14 December 2022

Dear Ms. Otani,  
Dear Members of the Committee on the Rights of the Child,

We write urgently on behalf of the 30,000 children in Nagorno-Karabakh. They are under siege. They intended to write this letter themselves, but as of this morning have lost their access to electricity and the Internet, and their contact with us.

Nagorno-Karabakh is an enclave that was part of the Azerbaijani Soviet Socialist Republic but populated by ethnic Armenians. Because of discrimination by Soviet Azerbaijani authorities, it exercised its right under Soviet law to secede from Soviet Azerbaijan in 1991. Its sovereign status since then has been subject to dispute.

That dispute has given rise to multiple wars with the Republic of Azerbaijan. The latest resulted in a ceasefire statement declaration on 10 November 2020. According to that ceasefire statement, Nagorno-Karabakh was to be connected to the outside world by a sole road, which was to be protected from Azerbaijan by a peacekeeping contingent of the Russian Federation.<sup>1</sup>

Two days ago, on 12 December 2022, the Republic of Azerbaijan managed to block that road. The following day, on 13 December 2022, the Republic of Azerbaijan disabled the only pipeline supplying natural gas to Nagorno-Karabakh.

The resulting situation is dire. Temperatures in Nagorno-Karabakh have been at or below freezing, and all of the schools in Nagorno-Karabakh have closed because of a lack of heating. Hospitals have a limited supply of solar batteries that can heat only water (not air), which means that they are no longer a suitable place for sick children who need to be in warm rooms. Furthermore, all of the medicine in Nagorno-Karabakh comes from the blocked road. Shortages are imminent, and hospitals have suspended their planned procedures in order to preserve scarce supplies for new emergency patients.

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<sup>1</sup> Statement by President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation (10 November 2020), ¶ 6, <http://en.kremlin.ru/events/president/news/64384>

In addition, 270 children are separated from their parents, who were temporarily outside of Nagorno-Karabakh when the road was blocked and now cannot return.

With its actions, Azerbaijan has violated the rights of the children of Nagorno-Karabakh under the Convention on the Rights of the Child. These include the right to available education (Art. 28), the right of access to health care services (Art. 24), and the right not to be separated from one's parents against their will (Art. 9). Azerbaijan has also violated its obligation under Article 38 to respect the applicable rules of international humanitarian law relevant to the child and to ensure protection and care of children who are affected by an armed conflict.

Azerbaijan is fully aware of the nature and consequences of its actions. Two weeks ago, a senior Azerbaijani official warned an international news outlet that the country might block the road to Nagorno-Karabakh.<sup>2</sup> He then ominously asked:

How can you breathe with no air?

We acknowledge that this Committee does not have jurisdiction to pronounce upon or resolve the conflict between Nagorno-Karabakh and Azerbaijan. But it can declare that children should not be victims of Azerbaijan's attempts to resolve that conflict on its (increasingly genocidal) terms. And it can pronounce upon Azerbaijan's violations of the rights of the children of Nagorno-Karabakh under the Convention.

We ask that you please express, both publicly and in private to Azerbaijani representatives, the imperative that Azerbaijan immediately and unconditionally unblock the road to Nagorno-Karabakh and restore the gas supply to Nagorno-Karabakh and especially to its children.

Best regards,

Armenian Bar Association

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<sup>2</sup> Gabriel Gavin, "Fears for new Nagorno-Karabakh crisis as Azerbaijan threatens key road link" *Eurasianet* (28 Nov. 2022), <https://eurasianet.org/fears-for-new-nagorno-karabakh-crisis-as-azerbaijan-threatens-key-road-link>.