



Armenian Bar Association

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Dear Dr. Türk,

We write exigently with regard to the humanitarian crisis recently precipitated by the Republic of Azerbaijan (“Azerbaijan”) in Nagorno-Karabakh. Azerbaijan has imposed an unlawful and unjust total blockade against the local ethnic Armenian population of the region.

Since 12 December 2022, Azerbaijani government forces have shut virtually all access to the landlocked enclave of Nagorno-Karabakh by preventing the movement of people and goods through the Lachin Corridor. The Lachin Corridor, which connects the enclave to the Republic of Armenia (“Armenia”), is Nagorno-Karabakh’s only link to the outside world. To cement the totality of its blockade, Azerbaijan threatens to shoot down any unauthorized humanitarian resupply by airlift.

Azerbaijan’s actions are in contravention of its obligations under the International Covenant on Civil and Political Rights (“ICCPR”). Article 6(1) of the ICCPR states, “[e]very human being has the inherent right to life.... No one shall be arbitrarily deprived of his life.” Azerbaijan’s blockade of Nagorno-Karabakh has already led to the death of one resident in the region’s largest city Stepanakert who urgently required specialized medical care in Armenia but could not leave the region. Many more hospitalized patients are at great risk of perishing in the coming days if Azerbaijan does not lift its blockade of the territory.

Article 7 of the ICCPR states, “[n]o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment...”. Yet Azerbaijan’s indiscriminate and arbitrary blockade does precisely that to the 120,000 residents of Nagorno-Karabakh. It imposes upon them a cruel, inhuman, and degrading deprivation of the basic necessities of life solely as a result of their ethnicity. Already, many markets in Stepanakert are reporting shortages of food and other basic essentials.

Furthermore, Article 12(2) of the ICCPR plainly states that “[e]veryone shall be free to leave any country, including his own.” By blockading Nagorno-Karabakh, Azerbaijan is preventing the people of Nagorno-Karabakh from exercising their right to freedom of movement. Azerbaijan

is motivated by ethnic animus against the predominantly Armenian population of Nagorno-Karabakh. By so transparently trapping the Armenians of Nagorno-Karabakh in total isolation and starvation, Azerbaijan flagrantly violates this Convention.

Finally, Article 17(1) of the ICCPR stipulates that no individual be “subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence”. Azerbaijan’s abrupt, unlawful, and capricious action has separated many families. Due to the sudden blockade, numerous residents of Nagorno-Karabakh remain stranded in Armenia unable to return to their homes in the region. This action by Azerbaijan constitutes interference with these individuals’ right to a family and home life free of interference by state parties. Moreover, a prolonged blockade will bring about the permanent displacement of these individuals as they will indefinitely be unable to return to their homes.

In addition to triggering violations of numerous provisions of the ICCPR, Azerbaijan’s blockade of Nagorno-Karabakh is also contrary to the International Convention on the Elimination of All Forms of Racial Discrimination (“ICERD”).

Not quite four months ago, on 26 August 2022, the Committee on the Elimination of Racial Discrimination (“CERD”) issued its Concluding Observations on the Combined Tenth to Twelfth Periodic Reports of Azerbaijan (CERD/C/AZE/CO/10-12) (“Concluding Observations”). In Paragraph 5(a) of these Concluding Observations, Azerbaijan was directed to “[s]trengthen its efforts to ensure accountability and end impunity...into allegations of violations of human rights against...protected persons of Armenian ethnic or national origin, which include reports of...ill-treatment and arbitrary detention...perpetrated by the Azerbaijani military forces in the context of the 2020 hostilities and beyond”.

Wholly ignoring its obligation under Paragraph 5(b) to “[t]ake immediate steps to provide medical, psychological, material and other support for victims, as well as adequate reparation, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition” to the inhabitants of Nagorno-Karabakh, Azerbaijan has chosen to launch a new round of unlawful actions against the ethnic Armenians of the region.

Rather than “[a]dopt measures to monitor and combat hate speech, incitement and promotion of racial hatred and discrimination...by its officials and public institutions, targeted at persons of Armenian national or ethnic origin” as set forth in Paragraph 5(d) of the Concluding Observations, Azerbaijan has unmistakably resolved to ignore the guidance issued by CERD.

By imposing a blockade on Nagorno-Karabakh, Azerbaijan has conspicuously chosen to disregard its obligations under the ICCPR and the ICERD. Its stark action is in opposition to the Concluding Observations published by CERD barely a few months ago. Azerbaijan’s unlawful action must be censured. Moreover, the state party must be encouraged to

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immediately end its blockade of Nagorno-Karabakh and begin compliance with the CERD's Concluding Observations.

The Armenian Bar Association respectfully requests that your good office act in protecting the human rights of the residents of Nagorno-Karabakh. They face grave danger and only concerted and sustained action by the United Nations and other international actors will dissuade Azerbaijan from the course that they are presently on.

Yours sincerely,

Armenian Bar Association