



Open Letter to Charles Michel, President of the European Council, Regarding Complicity in Genocide

May 13, 2023

Dear Mr. Charles Michel,

On behalf of the Lemkin Institute for Genocide Prevention, a grassroots advocacy organization based in the U.S. dedicated to ending the cycle of violence and promoting long lasting peace, we write to you concerning the upcoming tripartite meeting to be held on May 14th in Brussel between yourself, Armenian Prime Minister Nikol Pashinyan, and Azeri President Ilham Aliyev.

The EU-hosted meeting will discuss the ongoing blockade of the region of Artsakh (Nagorno-Karabakh) since last December 12 and the recent establishment of a checkpoint by Azerbaijani authorities.

On April 23rd, Azerbaijan erected an illegal checkpoint on the only road linking the Armenian enclave to the outside world. Nearby routes have been heavily militarized, jeopardizing and therefore impeding the safe travel of civilians. This illegal checkpoint joins Azerbaijan's March 2023 blockade of the Goris-Stepanakert highway and the December 2022 blockade of Lachin to ensure that the bare minimum of supplies get to the Armenians of Artsakh.

The Lemkin Institute wishes to remind the President of the European Council that both the blockade and the checkpoint are in violation of Point 6 of the 2020 Tripartite Agreement that ended the 44 Day War. Additionally, Azerbaijan continues to blatantly disregard and fails to comply with the International Court of Justice's (ICJ) legally binding decision on provisional measures issued on February 22, 2023, which ordered Azeri authorities to ensure free movement of goods and people through the Lachin Corridor.

The Lemkin Institute highlights that this blockade represents a clear existential threat to the 120,000 ethnic Armenians stuck in the breakaway area. Their lives are endangered by a hostile neighbor whose intentions are clear: to wipe out all traces of Armenian life and of an Armenian presence in this region. Azerbaijani President, Ilham Aliyev, has consistently and repeatedly stated that he intends to eradicate the indigenous Armenians dwelling in Artsakh. During the 2020 war he said, "If they don't leave on their own, we'll chase them out like dogs." He is supported in his genocidal pursuits by his Turkish counterpart, President Recep Tayyip Erdoğan. Both countries aim to weaken Artsakh Armenians through these genocidal threats, including the threats of starvation, exposure, and ethnically motivated violence, so that they are terrorized and leave their historical land. Let us remember that the region of Artsakh has been inhabited by a majority Armenian population throughout history despite the region's incorporation into various empires over the centuries. Local leadership, language, and culture has remained unshakably and profoundly Armenian.

The Western world continues to disregard the blockade of Artsakh and is granting Azerbaijani President Ilham Aliyev near complete impunity to do as he pleases with the 4000-year-old indigenous Armenian community that has never before been under Azerbaijani control. The European Union, which prides itself on its unwavering commitment and support for democracies such as Armenia, is turning a blind eye to the Azerbaijani dictatorship for geopolitical and resource reasons.

The Lemkin Institute fears that this position will lead [the European Union] to sponsor a forcible "coordinated" transfer of the Armenian population of Artsakh to Armenia proper. The forced transfer of the Armenians of Artsakh would constitute a violation of the right to self-determination, a fundamental pillar of the current legal order of the international community, and a fundamental right that the Armenians of Artsakh have been exercising long before the 1991 referendum that finally established the appropriate political institutions for self-governance. Likewise, the forced transfer would also constitute—at the very least—the crime against humanity of deportation. It would also arguably fall within the definition of the crime of genocide, as it would imply applying measures that would cause the total eradication of the autochthonous/indigenous population of the land where they have built their cultural identity and traditions.

Such a course of action is no solution and must not be discussed during [the peace talks in Brussels], lest the European Union and its representatives end up complicit in genocide, according to Article III(e) of the Genocide Convention. Any accord brokered by the European Union on Sunday that includes the forcible displacement of Artsakhis

to Armenia will amount to a plan for genocide, which should be tried in an international court. Peoples of the world can no longer afford to let complicity in genocide go unpunished.



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