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REPUBLIC OF ARMENIA
MINISTER
OF TERRITORIAL
ADMINISTRATION AND
INFRASTRUCTURES

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Yerevan-0010, Republic Square, Government House 3

N° GS/22.2/12329-2023

H.E. Mr. Guy Lentz
Secretary General
Energy Charter Secretariat

27 April 2023

RE: Good offices of the Energy Charter Secretariat

Your Excellency,

I write on behalf of the Republic of Armenia (“Armenia”) with reference to your letter of 9 March 2023 concerning the arbitration under the Energy Charter Treaty (“ECT”) initiated by the Republic of Azerbaijan (“Azerbaijan”) against Armenia (together, the “Parties”).

Armenia regrets Azerbaijan’s decision to institute arbitral proceedings under Article 27 of the ECT while negotiations were still ongoing and without first pursuing the assistance of the Energy Charter Secretariat with good offices, mediation and conciliation. Armenia expressed its openness to the Secretariat’s assistance in dispute resolution throughout the course of the aforesaid negotiations. Indeed, the Energy Charter Conference’s unanimous decision of 20 November 2014, referenced in your letter, specifically foresees recourse to these procedures by States Parties “before they revert to the mechanisms contained in Art. 27 ECT”.¹

In this connection, in your letter, you reminded the Parties “that Contracting Parties can agree in writing at any time to consider mediation, conciliation or another amicable mechanism” for the settlement of any dispute under the ECT. You further recalled that “the Energy Charter Secretariat is ready to offer its ‘good offices’ to facilitate discussion between both parties”, and proposed the Secretariat’s facilities and administrative support in this regard.

¹ Decision of the Energy Charter Conference (20 November 2014), para. 5, *available at* <http://dev.energychartertreaty.org/fileadmin/DocumentsMedia/CCDECS/2014/CCDEC201406.pdf>.

Armenia remains amenable to resolving any disputes between the Parties through amicable mechanisms, including through the Secretariat's good offices. Armenia hopes that Azerbaijan will treat the Secretariat's offer with the same open-mindedness and will also welcome the neutral, independent legal advice and assistance in dispute resolution² that the Secretariat is able to provide to the Parties. Armenia trusts that the Secretariat will inform it of Azerbaijan's response to its 9 March 2023 letter in due course.

For the avoidance of doubt, Armenia's acceptance of the Secretariat's offer is without prejudice to its rights under international law and the ECT, including its procedural rights under Articles 7 and 27.

I ask that the Secretariat also kindly copy Dr. Yeghishe Kirakosyan, Representative of the Republic of Armenia on International Legal Matters, on all future correspondence on this matter.

I take this opportunity to thank the Secretariat for its attention to this matter.

Yours sincerely,



Gnel Sanosyan

C.c.: H.E. Mr. Ararat Mirzoyan, Minister of Foreign Affairs
Dr. Yeghishe Kirakosyan, Representative of the Republic of Armenia on International Legal Matters

² See Decision of the Energy Charter Conference (20 November 2014), para. 5, available at: <http://dev.energychartertreaty.org/fileadmin/DocumentsMedia/CCDECS/2014/CCDEC201406.pdf>.