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Human rights situations that require the Council's attention

Letter dated 2 May 2011 from the Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations at Geneva addressed to the President of the Human Rights Council

I would like to draw your attention to the recent tragic crime committed as a result of the ceasefire violation by the armed forces of the Republic of Armenia. Fariz Badalov, a 9-year-old Azerbaijani boy, was shot dead by an Armenian sniper on 8 March 2011.

This heinous and bloody action by the occupying forces of Armenia was a blatant manifestation of the constant violation of the provisions of international human rights and humanitarian law by the Armenian side.

I would highly appreciate it if you could kindly circulate my letter and the annex thereto* as a document of the seventeenth session of the Human Rights Council under agenda item 4.

(signed) Dr. Murad N. Najafbayli
Ambassador, Permanent Representative

* Reproduced in the annex, as received and in the language of submission only.

Annex

Statement

As a result of the ceasefire violation by the armed forces of the Republic of Armenia, from a position situated in the occupied Shikhlar village of the Aghdam district of the Republic of Azerbaijan, Fariz Badalov, a nine-year-old resident of the village of Orta Garvand in the same district was shot on 8 March 2011 by an Armenian sniper. He was wounded in the head but died en route while being rushed to the hospital.

The criminal investigation immediately launched by the Prosecutor Office of the Aghdam district determined that fatal injury on F.Badalov that subsequently led to his tragic death was inflicted by the sniper fire opened at long-distance range.

Azerbaijan considers this brutal act of murder of innocent child as another provocative attempt by the Republic of Armenia to undermine the ongoing negotiations on the peaceful settlement of the conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan. Moreover, such hateful provocation from the side of Armenia after the meeting on the conflict settlement between Presidents of Azerbaijan, Russian Federation and Armenia in Sochi only adversely affects the confidence building efforts between the parties to the conflict and demonstrates the destructive stance of the Republic of Armenia on the resolution of the conflict.

Armenia still continues its deliberate practices of murder of innocent civilians, including women, children and elders in full disrespect of its obligations arising from the international humanitarian law, in particularly Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 and its Additional Protocol I of 1977 relating to the Protection of Victims of International Armed Conflicts.

Meantime, the State Parties to the United Nations Convention on the Rights of the Child, in its Article 6 recognize that every child has the inherent right to life and shall ensure to the maximum extent possible the survival and development of each child. Condemning the targeting of children in situations of armed conflict and considering the necessity of strengthening the protection of children from involvement into armed conflict, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was adopted by the United Nations General Assembly resolution A/RES/54/263 of 25 May 2000.

At the same time, the General Assembly of the United Nations in its resolution A/RES/63/241 that extended the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict, recalled, in accordance with international humanitarian law, that indiscriminate attacks against civilians, including children, are prohibited and that they shall not be the object of attack, including by way of reprisal or excessive use of force, condemned such practices resulting in the killing and maiming of children, and demanded that an end be immediately put to them.

By the intentional killing of the Azerbaijani child and the shameless denial of its responsibility for this odious crime, the Republic of Armenia has demonstrated once again the consistent disrespect of its obligations both under international human rights and humanitarian law and that it feels no remorse for the senseless loss of life of a nine-year-old boy.

The bloody action of the occupying armed forces of the Republic of Armenia against the defenceless Azerbaijani child has become yet another solid piece of evidence of Armenia's continuous disregard of the certain provisions and requirements of the

international humanitarian law, being the immediate consequence of the enjoyment of the culture of impunity by the Armenian side.

Therefore, the Government of Azerbaijan expresses its hope for an objective and thorough investigation of the tragic death of Fariz Badalov and the subsequent resolute measures aimed at bringing the perpetrators of this crime to justice.

The Republic of Azerbaijan calls upon the Member States of the United Nations, the United Nations High Commissioner for Human Rights and the other relevant human rights institutions of the United Nations to condemn the systematic violations of the ceasefire regime and deliberate attacks on the innocent Azerbaijani civilians, including children by the armed forces of the Republic of Armenia.

The Republic of Azerbaijan is confident that for the purposes of lasting peace, security and stability, there is no alternative other than by concerted efforts of the international community to convince the Republic of Armenia to put an end to the illegal occupation of the internationally recognized territories of the Republic of Azerbaijan, to ensure that the inalienable rights of the Azerbaijani internally displaced persons to return to their places of origin is fully recognized and implemented.
