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Human rights situations that require the Council's attention

Letter dated 20 October 2014 from the Permanent Representative of the Republic of Azerbaijan to the United Nations Office at Geneva addressed to the President of the Human Rights Council

I would like to refer to the letter dated 8 September 2014 from the Permanent Representative of Armenia to the United Nations Office at Geneva addressed to the President of the Human Rights Council (A/HRC/27/G/3), the content of which represents nothing but historically and factually incorrect information and a persistent attempt to politicize discussions and deliberations within the Human Rights Council.

The information contained in the above-mentioned letter of the Permanent Representative of Armenia on the alleged violations of the ceasefire by the Armed Forces of Azerbaijan is completely incorrect. The letter once more proves that the falsification of history and the blatant distortion of facts, and the shifting of the onus from itself to Azerbaijan, are the main driver of Armenian State policy.

It should be highlighted that the armed forces of the Republic of Armenia continue to illegally occupy the territories of the Republic of Azerbaijan and repeatedly violate the ceasefire regime by attacking positions of the armed forces of Azerbaijan in several directions along the Armenia-Azerbaijan border and the line of contact. On several occasions, reconnaissance and sabotage groups of the Armenian military have attempted to break through the line of contact. These provocative steps by the Armenian side have caused a significant escalation in tensions and resulted in numerous fatalities. Armenia, which initiated and ordered these provocative actions, bears full responsibility for the evolving dangerous situation. The deliberate attacks by the armed forces of Armenia against Azerbaijani civilians have resulted in the killing and wounding of inhabitants residing near the front line. As a result of the frequent violations of the ceasefire regime by the armed forces of the Republic of Armenia, 188,000 Azerbaijanis have been forced to flee their places of residence and to move to a safer place for temporary accommodation, becoming internally displaced persons.

On 8 March 2011, as a result of the ceasefire violation by the armed forces of the Republic of Armenia from a position situated in the occupied village of Shikhlar in the Aghdam district of the Republic of Azerbaijan, Fariz Badalov, a 9-year-old resident of the

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village of Orta Garvand in the same district, was shot by an Armenian sniper. He was wounded in the head and died while being rushed to the hospital.

Another tragic crime happened on 14 July 2011, as a result of the explosion of a toy fitted with a built-in explosive, deliberately floated by the Republic of Armenia down the Tovuz river, flowing from Armenia to Azerbaijan. Aygun Shahmaliyeva, a 13-year-old Azerbaijani girl died as a result, while her mother, Elnara Shahmaliyeva, was seriously injured.

Moreover, Armenia, by occupying the territories of Azerbaijan, gravely violates on a regular basis international humanitarian law and international human rights law with respect to the citizens of Azerbaijan, who are held hostage and prisoner of war, captive of Armenia. The acts of mass murder, cruel torture, mental suffering, merciless and degrading treatment, which bring Azerbaijani prisoners of war and hostages to suicide, and executing or torturing them to death, have been perpetrated by Armenia. As a result of Armenian aggression against Azerbaijan, the fate of more than 4,000 Azerbaijani prisoners of war and hostages in the captivity of Armenia still remains unknown.

Furthermore, in July 2014, while visiting the graves of their parents buried in the occupied region of Kalbajar in Azerbaijan, three Azerbaijani civilians, Dilgam Asgarov, Shahbaz Guliyev and Hasan Hasanov, were taken hostage and tortured; Hasan Hasanov was subsequently brutally killed by the armed forces of Armenia. According to information provided by Armenian media, a fictitious court case has been brought against Shahbaz Guliyev and Dilgam Asgarov. The puppet regime established in the occupied territories of Azerbaijan has no legal ground to arrange a court case against the citizens of Azerbaijan, and the decision issued by this court can in no way be considered legal.

With the aim of ensuring the release of Shahbaz Guliyev and Dilgam Asgarov, contacts are being continued with international organizations, including the co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe and the International Committee of the Red Cross (ICRC). In this regard, the Government of Azerbaijan has also appealed to the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees and the President of ICRC for assistance.

The Armenian forces have been inflicting brutal torture and degrading treatment on civilians, including children, visiting their native land and the graveyards of their parents, through the contact line and on the Armenia-Azerbaijan border since the very beginning of occupation. Cowardly, contemptible acts of terror and sabotage committed on 31 July and 1 August 2014, and the attempts to continue them on 7 August 2014, are the facts of Armenia's immoral and inhuman policy, which is detrimental to international law.

With regard to the absurd accusations concerning Karen Petrosyan, it should be recalled that Karen Petrosyan crossed the Armenia-Azerbaijan border and entered the territory of the Republic of Azerbaijan with the aim of committing acts of sabotage as a part of a subversive group of the Armenian armed forces. The attack and acts of sabotage by the subversive group were prevented by the armed forces of the Republic of Azerbaijan, while Karen Petrosyan, as a military serviceman of the group, was taken captive. The reasons for his death were investigated by medical experts in an open and transparent manner, and ICRC was immediately informed thereon. It should be stressed also that the Government of Azerbaijan, in the spirit of humanism, returned the body of Karen Petrosyan to the Armenian side. In view of the afore-mentioned, these deliberate attempts by Armenia to exaggerate and politicize the case of Karen Petrosyan are merely aimed at concealing the atrocities committed by it.

Moreover, by claiming through its unconvincing attempts the importance of the proposals for the withdrawal of snipers from the line of contact and the creation of an

investigative mechanism on ceasefire violations, Armenian propaganda falls into its usual state of forgetfulness. The Permanent Representative of Armenia should be reminded of his country's non-compliance with relevant resolutions of the Security Council and the General Assembly – which demanded, inter alia, the immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of Azerbaijan – and numerous documents and decisions of other international organizations calling for an end to the occupation of Azerbaijani lands.

Armenia has taken a non-constructive approach to the negotiations, strives to maintain the status quo and attempts to evade the Madrid peace plan. Furthermore, Armenia's refusal to implement relevant Security Council resolutions, its policy of ruthless ethnic cleansing and the expulsion of more than 1 million people from their native homes, as well as its latest provocative steps, which undermine the peace process, provide strong reasons for Armenia to be subjected to substantial sanctions by the international community. The continued presence of the armed forces of Armenia on the occupied territories of Azerbaijan remains the greatest threat to the peace process. Therefore, the armed forces of Armenia should, first and foremost, withdraw from the occupied territories of Azerbaijan. When the Armenian side comes to realize as much, peace, stability and predictability will be restored to the region.

I would be highly appreciative if you could kindly circulate my letter as a document of the twenty-seventh session of the Human Rights Council under the agenda item 4.

(Signed) Murad N. Najafbayli

Ambassador, Permanent Representative
