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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Note verbale dated 26 April 2019 from the Permanent Mission of Azerbaijan to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR), and has the honour to draw the attention of the Office to the following.

On 14 February 2019, the Permanent Mission of Armenia to the United Nations Office at Geneva addressed a note verbale to OHCHR with an attached “report on the implementation” of the International Covenant on Civil and Political Rights and a “common core document” issued by the unrecognized illegal separatist regime called “the Republic of Artsakh (Nagorno Karabakh Republic)” established in the occupied territory of the Republic of Azerbaijan.

On 2 April 2019, at the request of the Permanent Mission of Armenia, the “report” and “core document” of the unrecognized illegal separatist regime were circulated by OHCHR as an official document (A/HRC/40/G/3) of the fortieth session of the Human Rights Council.

In this regard, the Permanent Mission of the Republic of Azerbaijan has the honour to state the following.

From 1992 to 1994, the Republic of Armenia used its military force to seize the Nagorno-Karabakh region and seven adjacent administrative districts of the Republic of Azerbaijan and set up an illegal separatist regime in these territories, which constitute 20 per cent of the internationally recognized territory of the Republic of Azerbaijan.

As a result of ethnic cleansing carried out from 1987 to 1989 by Armenia against Azerbaijanis living in Armenia in their historic territories, and against Azerbaijanis living in the occupied Nagorno-Karabakh region and seven adjacent administrative districts of the Republic of Azerbaijan, more than 1,000,000 Azerbaijanis were forcefully expelled and became internally displaced persons and refugees by 1994.

The occupation of the territories of the Republic of Azerbaijan by the Republic of Armenia has claimed the lives of 30,000 nationals of Azerbaijan, while thousands have gone missing. More than 900 Azerbaijani towns and villages have been ruined and looted, with the total economic damage estimated to be \$60 billion. In an act of genocide, on 26



February 1992, Armenia's military completely destroyed the Azerbaijani town of Khojaly, with 613 people, including women, elderly persons and children, brutally killed overnight.

As the result of the most serious criminal acts, such as war crimes, genocide and ethnic cleansing, committed by Armenia during the aggression against Azerbaijan and the ongoing occupation, many international organizations and States Members of the United Nations condemned the blatant violations of international law and international humanitarian law committed by Armenia.

In its resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), the Security Council reaffirmed the inviolability of international borders, the inadmissibility of the use of force for the acquisition of territory, and the territorial integrity of the Republic of Azerbaijan. The Security Council also reconfirmed that the Nagorno-Karabakh region is an integral part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories.

The human rights of Azerbaijani refugees and internally displaced persons, including their civil, political, economic, social and cultural rights, continue to be violated by Armenia. Therefore, in its national periodic reports, Azerbaijan regularly submits to the treaty bodies information on its policy of protection of the human rights of Azerbaijani refugees and internally displaced persons.

By submitting the above-mentioned "documents" and distributing them through OHCHR and the Human Rights Council, Armenia propagates the unrecognized illegal separatist regime established in the occupied territories of Azerbaijan, and thus tries to deny irrefutable facts and evade its responsibility for the continued blatant violations of international law and international humanitarian law. Through such actions, Armenia abuses its membership of the United Nations and misleads the international community by outrageous falsifications and disregard for generally accepted norms and principles of international law. In contrast to the assertions of the Republic of Armenia regarding the circulation of the above-mentioned "documents" on behalf of the unrecognized illegal separatist regime, these "documents" are null and void ab initio.

The circulation by OHCHR in the main human rights body of the United Nations, the Human Rights Council, at the request of the Permanent Mission of the Republic of Armenia, of "documents" issued by an unrecognized illegal separatist regime has caused the most serious concern in the Republic of Azerbaijan.

Therefore, the Permanent Mission of the Republic of Azerbaijan urges OHCHR to remove the above-mentioned "documents" from the online list of documents of the fortieth session of the Human Rights Council.

Moreover, the Permanent Mission of the Republic of Azerbaijan urges OHCHR to cease the practice of circulating such documents in the Human Rights Council. The continuation of such an unacceptable practice could ultimately open the way for disseminating within United Nations entities numerous communications originating from various armed separatist regimes, terrorist organizations, international criminal groups and other unrecognized non-State actors operating in violation of both the national laws of States Members of the United Nations and the norms and principles of international law, in particular the Charter of the United Nations, and aimed at providing a certain legitimacy to them. Such practices will undoubtedly be met with a strong reaction by the States Member of the United Nations.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva requests OHCHR to circulate the present note verbale as a document of the fortieth session of the Human Rights Council, under agenda item 3.