



# General Assembly

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## Human Rights Council

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Agenda item 4

### Human rights situations that require the Council's attention

#### **Note verbale dated 28 February 2020 from the Permanent Mission of Armenia 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 Armenia 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, and has the honour to transmit the statement of the Foreign Ministry of the Republic of Armenia on the ruling by the European Court of Human Rights on the case of *Saribekyan and Balyan v. Azerbaijan* (see annex).

The Permanent Mission of Armenia kindly requests the Office of the High Commissioner to circulate the present note verbale and the annex thereto\* as a document of the forty-third session of the Human Rights Council, under agenda item 4.

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



**Annex to the note verbale dated 28 February 2020 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights**

**The statement of the Foreign Ministry of Armenia on the ECHR ruling on “Saribekyan and Balyan vs Azerbaijan” case**

On January 30 the European Court of Human Rights ruled in the case of Saribekyan and Balayan vs Azerbaijan. It is related to the death circumstances of the citizen of the Republic of Armenia Manvel Saribekyan at the Military Police Department of the Ministry of Defence of Azerbaijan. On September 11, 2010, Manvel Saribekyan due to bad weather conditions lost his way in the borderline of Tavush region of Armenia and found himself on the Azerbaijani side. A month later Saribekyan’s body was returned to the Armenian side. According to the Azerbaijani version the Armenian shepherd had committed suicide at the Military Police Department of the Azerbaijani Defense Ministry.

It should be recalled that the Azerbaijani side had initiated criminal proceedings against Manvel Saribekyan on obviously false charges and forced him to appear on the Azerbaijani TV by means of torture.

The European Court of Human Rights has concluded that the fundamental human rights enshrined in the European Convention on Human Rights (hereinafter: the Convention) of the citizen of the Republic of Armenia were breached, particularly substantive and procedural aspects of the Right to Life (Article 2 of the Convention), as well as breach of Article 3 of the Convention prohibiting torture, as the European Court of Human Rights undoubtedly ruled that Saribekyan was subjected to very serious and cruel suffering and that it was carried out intentionally on a detained person under the exclusive control of the Azerbaijani authorities.

The ruling is unprecedented: for the first time the European Court of Human Rights has found Azerbaijan’s responsibility for the deprivation of life of the citizen of Armenia and established that the citizen of the Republic of Armenia died as a result of the violent actions of others, notably personnel at the Military Police Department of Azerbaijan.

This ruling once again demonstrates that Azerbaijan is overtly violating its international human rights obligations. It also indicates that every Armenian who would fall under the control of the Azerbaijani authorities, regardless of his or her status, is subjected to a life threat.

The Republic of Armenia will continue its consistent efforts to ensure security of the citizens of Armenia and the Armenian people and achieve justice.

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