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Human rights situations that require the Council's attention

Note verbale dated 18 May 2020 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, and has the honour to submit herewith the statement of the Azerbaijani community of the Nagorno-Karabakh region of the Republic of Azerbaijan on the twenty-sixth anniversary of the establishment of ceasefire between Armenia and Azerbaijan in 1994 (see annex).

The Permanent Mission 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.

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



Annex to the note verbale dated 18 May 2020 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

Statement by the Azerbaijani Community of the Nagorno-Karabakh region of the Republic of Azerbaijan

12 May marked the 26th anniversary of the establishment of ceasefire between Armenia and Azerbaijan in 1994. On this anniversary, the Azerbaijani community of the Nagorno-Karabakh region of the Republic of Azerbaijan raises its voice to bring to the attention of the international community the plight of the hundreds of thousands of Azerbaijani IDPs still waiting for the restoration of their human rights and fundamental freedoms.

The military aggression of the Republic of Armenia against the Republic of Azerbaijan resulted in the occupation of the one fifth of the internationally recognised territories of Azerbaijan, including the Nagorno-Karabakh region and seven surrounding districts of our country. As a result of the occupation policy of the Republic of Armenia, one out of every ten persons in Azerbaijan became an internally displaced person or a refugee. Hundreds of thousands of Azerbaijanis, including the Azerbaijani community of the Nagorno-Karabakh region of Azerbaijan, have been expelled from their homes and properties, and their basic human rights have been violated for years.

The European Court of Human Rights in its judgment on the case of Chiragov and others v. Armenia (2015) established that the Republic of Armenia bears responsibility for the human rights violations in the occupied territories of Azerbaijan.

The international community has consistently deplored the use of military force against Azerbaijan and the resulting occupation of its territories. In 1993, the UN Security Council adopted resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), condemning the use of force against Azerbaijan and occupation of its territories and reaffirming the sovereignty and territorial integrity of Azerbaijan and the inviolability of its internationally recognized borders. In those resolutions, the Security Council reaffirmed that the Nagorno-Karabakh region is part of Azerbaijan and demanded immediate, complete and unconditional withdrawal of the occupying forces from all the occupied territories of Azerbaijan.

Although the ceasefire called for an end to hostilities and the withdrawal of the armed forces of Armenia from all the occupied territories of Azerbaijan, a political solution to the conflict has not yet been found. The main factor hindering the settlement of the conflict - the unlawful occupation of Azerbaijan's territories by the armed forces of Armenia - has not been eliminated. Although, ceasefire has been generally observed with skirmishes reduced to unprecedented level, which is also confirmed by the OSCE, it did not translate into progress in conflict resolution.

The lack of political will of Armenia continues to impede advancement of the process. Furthermore, in an open defiance of the peace process, the armed forces of Armenia continue to regularly violate the ceasefire, targeting the positions of the armed forces of Azerbaijan and subjecting the towns and villages of Azerbaijan situated along the front line and the border between Armenia and Azerbaijan to direct and indiscriminate attacks.

The policy and practice of Armenia in the occupied territories of Azerbaijan pursued under the cover of the ceasefire, including actions that change the physical, demographic and cultural character in those territories, implanting settlers from Armenia and elsewhere, clearly demonstrate that Armenia's populist declarations about alleged adherence to the ceasefire are nothing but a hollow rhetoric and smokescreen and testify to its intention to consolidate the occupation of these territories and to secure their annexation. Against this background, continued circulation by Armenia of various papers in the name of the unlawful regime it has set up in the occupied territories, which are null and void per se, is nothing but another failed attempt of Armenia to evade its responsibility for the unlawful occupation of and military

presence in the territories of Azerbaijan and atrocious crimes committed against Azerbaijani civilians during the conflict.

Armenia must understand that no peace settlement of the conflict can be reached which violates the Constitution of the Republic of Azerbaijan and is inconsistent with international law. The military occupation of the territory of Azerbaijan does not represent a solution and will never produce a political outcome desired by Armenia. The principled basis for the settlement of the conflict is laid down in the related UN Security Council resolutions.

The achievement of peace, security and stability will be possible, first and foremost, only if the consequences of Armenia's occupation are removed, thereby ensuring that its armed forces are immediately, unconditionally and completely withdrawn from the territories of Azerbaijan, the sovereignty and territorial integrity of Azerbaijan are restored, and the right of internally displaced Azerbaijanis to return to their homes and properties is guaranteed and implemented.
