

Distr.: General
26 January 2021
Arabic
Original: English

الجمعية العامة



مجلس حقوق الإنسان

الدورة السادسة والأربعون

22 شباط/فبراير – 19 آذار/مارس 2021

البند 4 من جدول الأعمال

حالات حقوق الإنسان التي تتطلب اهتمام المجلس بها

مذكرة شفوية مؤرخة 6 كانون الثاني/يناير 2021 موجهة من البعثة
الدائمة لأذربيجان لدى مكتب الأمم المتحدة في جنيف إلى مفوضية
الأمم المتحدة السامية لحقوق الإنسان

تقدم البعثة الدائمة لأذربيجان لدى مكتب الأمم المتحدة والمنظمات الدولية الأخرى في جنيف طيه معلومات مقدمة من مكتب المدعي العام لجمهورية أذربيجان بشأن انتهاكات القانون الدولي الإنساني التي ارتكبتها جمهورية أرمينيا (انظر المرفق).

وترجو البعثة الدائمة أن تعمم مفوضية الأمم المتحدة السامية لحقوق الإنسان هذه المذكرة الشفوية ومرفقها* باعتبارهما وثيقة من وثائق مجلس حقوق الإنسان، في إطار البند 4 من جدول الأعمال.

* استُنسخ المرفق كما ورد، وباللغة التي قُدم بها فقط.



Annex to the note verbale dated 6 January 2021 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

Office of the Prosecutor-General of the Republic of Azerbaijan

Information on the crimes committed against Azerbaijani civilians and civilian objects by the Republic of Armenia in the course of its act of aggression against Azerbaijan from 27 September to 9 November 2020

During the period from September 27, 2020 to November 9, 2020, the Armenian armed forces waged an aggressive war against the Republic of Azerbaijan, violated international humanitarian law during the armed conflict, and committed wilful killing of civilians based on national, racial, religious hatred or enmity. By now, in total 60 criminal cases have been initiated on the facts of committing crimes, which are being investigated by the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

In the course of aggressive war, a criminal group consisting of separate organized criminal groups operating in the occupied territories of the Republic of Azerbaijan and the Republic of Armenia in the form of criminal communities, committed war crimes along with crimes against peace and humanity, crimes against life and health, crimes against property, crimes in the sphere of economic activity, crimes against public security, crimes against state power. Thus, Armenia has committed crimes against the Republic of Azerbaijan in 5 out of 6 crimes related to the special part of the Criminal Code.

As a result of these criminal acts, protected areas of Ganja, Mingachevir and Naftalan cities, Agdam, Agjabadi, Beylagan, Barda, Jabrayil, Fizuli, Goranboy, Goygol, Terter, Dashkesan, Yevlakh, Garadagh, Khizi, Kurdamir, Gabala, Siyazan and Shamkir districts (17 regions, and 3 cities) became a target alongside settlements and demilitarized and densely populated zones, civilians not participating in hostilities as well as serious infrastructure facilities of the Republic of Azerbaijan.

In addition, 101 civilians were intentionally killed, 423 were injured in 60 criminal cases. Out of 101 civilians killed, 61 were men, 28 women and 12 (11 children and 1 infant) children.

At the same time, according to preliminary estimates, in 14 cities and regions (Ganja, Mingachevir, Agdam, Agjabadi, Beylagan, Barda, Jabrayil, Fuzuli, Goranboy, Khojaly, Goygol, Tartar, Gabala and Dashkasan) a total of 3893 individual houses, 336 ancillary buildings, 120 multi-apartment residential buildings, 6 private and 70 public, out of 76 social facilities, 24 production facilities, 218 trade facilities, 51 public catering facilities, 41 administrative buildings, 19 religious facilities, 716 destroyed livestock, 66 damaged cars including 62 others, a total of 5637 real estate objects were damaged for 57,011,613.23 AZN. As a result of the events that took place in different regions since September 27, 2020, in connection with the ongoing aggressive wars of Armenia against our country, a total of 416 people were injured including 44 in the Agdam region, 1 in Dashkasan, 19 injured in Fuzuli region, 11 in Goranboy region, 5 in Beylagan region, 58 in Tartar region, 18 in Aghjabadi, 2 from Jabrayil region, 1 from Tovuz region, 3 from Mingachevir region, 1 from Khojaly region, 14 in Barda and 2 in Lachin (Overall 179).

Since September 27, 2020, a total of 60 criminal cases have been initiated on the fact of criminal acts committed by Armenian terrorist groups, including 4 criminal cases in the Goranboy district prosecutor's office, 12 in the Terter district prosecutor's office, 7 in the Agdam district prosecutor's office, 4 in the Fuzuli district prosecutor's office, 1 in the Jabrayil district prosecutor's office, 1 criminal case in the Beylagan district prosecutor's office, 1 in the prosecutor's office of the Agjabadi district, 1 in the prosecutor's office of the Barda district, 1 in the prosecutor's office of the Lachin district, and 28 criminal cases in the Investigation Department of the Prosecutor General's Office initiated. The Investigation

Department of the Prosecutor General's Office is responsible for the preliminary investigation.

In the course of operational investigative measures, it was established that the distance from firing points with various types of highly destructive and fragmentation grenade launchers, mortars and other heavy artillery devices established by illegal armed formations created by Armenia in the occupied Nagorno-Karabakh region and adjacent regions of the Republic of Azerbaijan, which fired different artillery shells and missiles to individual civilians of the Republic of Azerbaijan who were killed and whose property was destroyed, as well as to non-military, well-visible and educational and medical institutions is about 30-220 km. (Ganja 60 km by air away from the territory of military operations and 104 km from Armenia, Mingachevir 54 km from the territory of military operations and 104 km from Armenia, Yevlakh 40 km from the territory of military operations and 100 km from Armenia, Barda 30 km from the territory of military operations and 100 km from Armenia, Qaradagh, Khizi, Siyazan 220 km from the territory of military operations and 300 km from the territory of military operations from Armenia, Kurdamir 110 km from the territory of military operations and 190 km from Armenia, Qabala 100 km from the territory of military operations and 170 km from Armenia, Shamkir 80 km from the territory of military operations and 50 km from Armenia, Goygol 50 km from the territory of military operations, i.e. 12 regions and cities are at least 30-220 km away from war zone and minimum 50 km away from Armenia).

Attacks were also directed not only at civilian areas, but also at important targets, the explosions of which could cause significant damage. Baku-Novorossiysk oil pipeline (Khizi Turkoba, Absheron Pirashukul), Mingachevir Water and Thermal Power Stations (Mingachevir), Baku-Tbilisi-Ceyhan, West-Export Pipeline, South Caucasus Expanded Pipelines (Yevlakh), Gabala International Airport, Baku-Tbilisi-Ceyhan (Kurdamir) pipelines were also targeted.

Ganja

As a result of the firing on the 2nd largest city of the Republic of Azerbaijan - Ganja on October 04, 05, 08, 11 and 17, 2020 during the aggressive war, 26 civilians (25 citizens of the Republic of Azerbaijan, 1 citizen of the Russian Federation) were deliberately killed. 142 civilians received various degrees of injuries. According to the preliminary investigation, a total of 867,700 m², including 478 residential and 33 non-residential facilities, was destroyed and damaged, resulting in a total of millions in property damage. On October 11 and 17, 2020, 6 families were completely destroyed and deliberately killed.

In connection with the above-mentioned facts, on October 4, 2020, October 11, 2020 and October 17, 2020, 3 criminal cases numbered 202006065, 202006076 and 202006081 were initiated under Articles 100.1, 100.2, 116.0.1, 116.0.6, 116.0.7, 116.0.8, 116.0.9, 116.0.10, 117.2, 120.2.1, 120.2.4, 120.2.7, 120.2.11, 120.2.12, 29,120.2.1, 29,120.2.4, 29,120.2.7, 29,120.2.11, 29,120.2.12, 214.2.1, 214.2.3, 214.2.4, 218.3, 186.3, 228.3, 279.3 and other articles of the Criminal Code of the Republic of Azerbaijan, preliminary investigation is underway in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

On October 17, 2020, all 3 cases - 202006065, 202006076 and 202006081 were combined in one proceeding under the last number.

Mingachevir

Unprotected territories, settlements and demilitarized zones of of Mingachevir, an industrial city of the Republic of Azerbaijan, as well as non-military targets, clearly visible and distinguished objects were targeted by the armed forces of the Republic of Armenia, and as a result of firing with use of high-destructive missiles against individual civilians who did not take part in the fighting, 3 civilians were injured, 9 properties belonging to 8 civilians were deliberately destroyed.

In connection with the above-mentioned, on October 5, 2020, Criminal proceedings have been instituted under Articles 100.1, 100.2, 116.0.1, 116.0.6, 116.0.7, 116.0.10, 117.2, 29,120.2.1, 29,120.2.4, 29,120.2.7, 29,120.2.12, 29,186.3, 214.2.1, 214.2.3, 218.3, 228.3 and

279.3, and the preliminary investigation is under way in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

As a result of the mentioned event, 6 private houses, including 2 completely destroyed and 4 partially damaged, 3 cars and 1 state object, as well as asphalt cover were damaged in total by 107,975 manat, the area of destruction and damage was 327 m².

Yevlakh

Unprotected territories, settlements and demilitarized zones, special strategic objects, as well as non-military objects, and visible objects of the Aran zone of the Yevlakh region, individual civilians who did not take part in the hostilities were targeted by the Armenian armed forces and were fired from a highly destructive rocket-propelled grenade launcher. They were neutralized by the Azerbaijani armed forces in the air.

In connection with the abovementioned, on October 06, Criminal proceedings have been instituted under Articles 100.1, 100.2, 116.0.1, 116.0.6, 116.0.7, 116.0.10, 116.0.12, 116.0.16, 117.2, 29,120.2.1, 29,120.2.4, 29,120.2.7, 29,120.2.12, 29,186.3, 214.2.1, 214.2.3, 218.3, 228.3, and 29,279.3 with the initiation of criminal case No. 202006070. The preliminary investigation is under way in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

During the shelling of the Aran village of Yevlakh region on October 6, 2020 at about 18:00 with a SMERCH rocket, which was neutralized in the air, and its shells were scattered on the territory of the Aran village, along which the South Caucasian extended pipeline, the Western export pipeline, the Baku-Tbilisi-Ceyhan oil pipeline, as well as the Goran village of the Goranboy region.

Goranboy

Unprotected territories, settlements and demilitarized zones of Goranboy region of the Republic of Azerbaijan, as well as non-military targets, clearly visible and distinguished objects were targeted by the armed forces of the Republic of Armenia, and as a result of firing with use of missiles with high destructive power against individual civilians who did not take part in the fighting, 7 civilians were deliberately killed, 11 civilians were injured, and 186 private houses, 14 of them completely, 2 non-residential facilities and etc. were damaged, causing property damage totalling 407,000 manat.

In connection with the mentioned facts, on September 27, September 29, September 30, October 3, October 5, October 8 and October 9, 2020, Criminal proceedings have been instituted under Articles 100.2, 116.0.1, 116.0.7, 116.0.10, 120.2.1, 120.2.4, 120.2.7, 120.2.12 and 186.3, and the preliminary investigation is under way in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

Barda

Unprotected territories, settlements and demilitarized zones of Barda region of the Republic of Azerbaijan, as well as non-military targets, clearly visible and distinguished objects were targeted by the armed forces of the Republic of Armenia, and as a result of the fire opened in the direction of Barda on October 5, 27, 28 and November 7, 2020, using missiles with high destructive power 29 civilians were deliberately killed, 104 civilians received various injuries, as well as 156 properties were particularly damaged.

In connection with the above-mentioned facts, on October 5, October 27, October 28 and November 7, 2020, Criminal proceedings have been instituted under Articles 100.1, 100.2, 116.0.1, 116.0.6, 116.0.7, 116.0.10, 117.2, 120.2.1, 120.2.4, 120.2.7, 120.2.12, 29,120.2.1, 29,120.2.4, 29,120.2.7, 29,120.2.12, 186.3, 214.2.1, 214.2.3, 218.3, 228.3 and 279.3, and the preliminary investigation is under way in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.

Aghdam

The Armenian Armed Forces, using war methods that can cause significant destruction, from 27.09.2020 to 09.11.2020 attacked unprotected territories, settlements and demilitarized

zones of Aghdam region of the Republic of Azerbaijan, as well as non-military targets, clearly visible and distinguished objects, using Smerch missiles against individual civilians who did not take part in the fighting, and as a result 7 civilians were deliberately killed, 44 civilians were injured, and a total of 1402 residential and non-residential areas were damaged. The value of the mentioned properties so far was 32,959,788 manat.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 2 civilians were injured in the Jabrayil region. Also, as a result of the mentioned fires, a total of 44 residential and non-residential areas were damaged in the Jabrayil region on the mentioned dates. The value of the mentioned properties so far was 73,294.23 manat.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, 1 civilian was injured in the Dashkasan region. Also, as a result of the mentioned fires, a total of 1 residential and 1 non-residential object were damaged in the Dashkasan region on the mentioned dates. The value of the mentioned properties so far was 3735 manat.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 3 civilians were murdered and 17 were injured in the Fuzuli region. Also, as a result of the mentioned fires, a total of 267 residential and non-residential areas were damaged in the Fuzuli region on the mentioned dates. The value of the mentioned properties so far was 714.100 AZN.

On 28.11.2020 4 civilians died as result of an explosion of Toyota Land Cruiser on an anti-tank mine planted by Armenian armed forces on the dirt road in Ashagi Seydamadli village of Fizuli region, which was liberated from Armenian occupation. In connection with the abovementioned, on November 28, Criminal proceedings have been instituted in prosecutor's office of the Fuzuli district under Articles 100.2, 116.0.1, 116.0.7, 116.0.10, 120.2.1, 120.2.4, 120.2.7 and 120.2.12 of Criminal Code.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 17 civilians were murdered and 58 were injured in the Tartar region. Also, as a result of the mentioned fires, a total of 1783 residential and non-residential areas were damaged in the Fuzuli region on the mentioned dates. The value of the mentioned properties so far was 4.768.619 AZN.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 17 civilians were murdered and 58 were injured in the Tartar region. Also, as a result of the mentioned fires, a total of 1783 residential and non-residential areas were damaged in the Fuzuli region on the mentioned dates. The value of the mentioned properties so far was 4.768.619 AZN.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, 1 civilian was injured in the Garachinar, Ashagi Agjakend, Meshali and Yenikend villages, a territorial unit of Goranboy region, which are temporarily accepted as the jurisdiction of the Khojaly district prosecutor's office of the Republic of Azerbaijan. Also, as a result of the mentioned fires, a total of 66 residential and non-residential areas were damaged in the Khojaly region on the mentioned dates.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, 1 civilian was murdered and 18 were injured in the Agjabadi region. Also, as a result of the mentioned fires, a total of 649 residential and non-residential areas were damaged in the Agjabadi region on the mentioned dates. The value of the mentioned properties so far was 308.100 AZN.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 2 civilians were murdered and 5 were injured in the Beylagan region. Also, as a result of the mentioned fires, a total of 99 residential and non-residential areas were damaged in the Beylagan region on the mentioned dates. The value of the mentioned properties so far was 909.827 AZN.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 4 private houses were damaged in the Goygol region.

As a result of intensive firing by the Armenian Armed Forces using war methods that could cause significant destruction from 27.09.2020 to 09.11.2020, a total of 19 private houses were damaged in the Gabala region.

The ambulance car with 4 civilians who voluntarily assisted in the evacuation of martyred and wounded servicemen from the occupied territories in the Fizuli District Medical Center since the beginning of military operations against the Armenian Armed Forces of the Republic of Azerbaijan, while crossing the territory of Gubadli region to Lachin region, was fired upon by unknown people in military uniform similar to those of Armenian descent in Lachin region, as a result of which 2 of them were murdered and 2 were injured.

So far, according to the documents collected during the preliminary investigation from September 27, 2020 to November 20, 2020 overall 191 settlements were attacked and according to estimates, a total of 29,100 shells and 227 missiles were fired from the liberated territories of the Republic of Azerbaijan and the territory of the Republic of Armenia at various coordinates.

In 5 out of 60 criminal cases, 8 people were brought in as suspects and put on the international wanted list (Arutunyan Araik Vladimirovich, Jalal Anatolyevich Harutunyan, David Klimovich Babayan, Arman Babajanyan, Vaaqn Chaxalyan, Artur Oganisyan, Gilbert Minasyan, Vladimir Vartanov)

Besides, 8 criminal cases out of those initiated since Sep 27, 2020 have been on the use of mercenaries in military operations. In the course of aggressive wars premeditatedly started and dragged on by Armenia since 1988 against Azerbaijan, national cultural heritage including cultural resources which are not military objects has been subjected to attacks besides residential, educational, industrial and agricultural sites located in Khankendi, Shusha, Khojaly, Khojavand, Kalbajar, Lachin, Gubadly, Aghdam, Zangilan, Jabrayil, Terter, Fuzuli and other occupied territories of the Republic of Azerbaijan. The cultural resources have faced severe damages, theft, vandalism, as well as misappropriation of cultural heritage resources. They were illicitly transferred from the occupied territories, misappropriated, modified for the purpose of destruction or concealing the cultural, historical and scientific essence of it, moreover, the purpose of use of some has been deliberately changed, as a result of which cultural institutions, real or personal estates that worth billions of AZNs have been deliberately destroyed by putting fire, blasting or other hazardous ways. Furthermore, the environment in the occupied lands has suffered from enormous long-lasting and serious damage due to the illicit pillage of underground and land resources of Azerbaijan. Criminal case No 202006096 has been instituted on 28.10.2020 on the given facts under the Articles of 116.0.2, 116.0.8-1, 116.0.8-2, 116.0.8-3, 183.2.1, 183.2.3, 186.3, 193-1.3.1, 193-1.3.2, 206.4, 218.3, 246 of the Criminal Code of Azerbaijan.

Apart from all, in connection with the facts of torture and inhuman treatment of the injured:

On the fact that a soldier of the Armed Forces of the Republic of Azerbaijan captured by Armenian Armed Forces and tortured to death as seen in the video in some mass media and different social networks, a criminal case № 202006080 have been instituted under Articles 100.2, 115.4, 116.0.3 and 228.3 and the preliminary investigation is under way in the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan.