



Asamblea General

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Consejo de Derechos Humanos

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Tema 4 de la agenda

**Situaciones de derechos humanos que
requieren la atención del Consejo**

Nota verbal de fecha 21 de febrero de 2022 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente de Armenia ante la Oficina de las Naciones Unidas en Ginebra

La Misión Permanente de la República de Armenia ante la Oficina de las Naciones Unidas y otras organizaciones internacionales en Ginebra transmite adjunta una declaración del Ministerio de Relaciones Exteriores de Armenia relativa a las órdenes dictadas por la Corte Internacional de Justicia (véase el anexo).

La Misión Permanente de Armenia ruega a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos que tenga a bien distribuir la presente nota verbal y su anexo* como documento del Consejo de Derechos Humanos, en relación con el tema 4 de la agenda.

* Se reproduce como se recibió, en el idioma en que se presentó únicamente.



Anexo de la nota verbal de fecha 21 de febrero de 2022 dirigida a la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos por la Misión Permanente de Armenia ante la Oficina de las Naciones Unidas en Ginebra

Statement by the Foreign Ministry of Armenia dated 8 December 2021 regarding the orders issued by the International Court of Justice

On December 7, International Court of Justice issued its orders on the requests for provisional measures made by Armenia and Azerbaijan in the proceedings instituted by Armenia against Azerbaijan and the counterclaim of Azerbaijan against Armenia under the “International Convention on the Elimination of All Forms of Racial Discrimination” (CERD).

The orders reflect the Court’s acceptance of numerous critical arguments raised by Armenia, and the validation of its positions before the Court.

In its request for provisional measures, Armenia presented evidence of Azerbaijan’s racially motivated murders and torture of the Armenian prisoners of war and other detainees, as well as of its consistent policy of racial hatred of Armenians and destruction of Armenian cultural heritage.

The Court found that there is an imminent risk of irreparable harm to the rights of the Armenians under the “International Convention on the Elimination of All Forms of Racial Discrimination”, and ordered Azerbaijan to:

1. “Protect from violence and bodily harm all persons captured and remained in detention in relation to the military conflict of 2020, as well as ensure their security and equality before the law”;
2. “Take all necessary measures to prevent the incitement and promotion of racial hatred and discrimination, including by its officials and public institutions, targeted at persons of Armenian national or ethnic origin”;
3. “Take all necessary measures to prevent and punish acts of vandalism and desecration towards Armenian cultural heritage, including churches and other places of worship, monuments, landmarks, cemeteries and artifacts”.

It should be noted that during the oral proceedings on Armenia’s request for provisional measures the Court took full cognizance on the representation made by the agent of Azerbaijan that the mannequins depicting Armenian soldiers and displays of helmets worn by Armenian soldiers during the Second Nagorno-Karabakh War have been permanently removed from the so-called “Military Trophies Park” and will not be shown in the future.

It is also noteworthy that Azerbaijan has been explicitly obliged by the Court to take all necessary measures to prevent discrimination and its incitement “including by its officials and public institutions.”

The Armenophobic rhetoric consistently espoused by the highest leadership of Azerbaijan, the inhumane treatment of Armenians under Azerbaijan’s control or jurisdiction, and the destruction and desecration of the Armenian cultural and religious heritage are insurmountable obstacles to the de-escalation of the situation and peaceful development of the region.

The Court’s orders on provisional measures recognize these realities and create legally binding obligations under international law to address them.

Armenia will consistently pursue Azerbaijan’s compliance with the Court’s orders, and will inform the Court of any violation.

The Court’s order once again reaffirms the legitimacy of the concerns raised by the Armenian side during this period regarding the prisoners of war and other detainees, endangered

Armenian historical and cultural heritage in the territories of Artsakh fallen under the Azerbaijani control, as well as the Armenophobic rhetoric of Azerbaijan.

The Ministry of Foreign Affairs of the Republic of Armenia draws the attention of the OSCE Minsk Group Co-Chairmanship and other international partners to the orders of the UN International Court of Justice and calls to continue undertaking efforts for the comprehensive addressing of the identified issues.
