



# General Assembly

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## Human Rights Council

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Agenda item 3

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

### **Note verbale dated 4 March 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, with reference to the report by the Special Rapporteur on the right to food on her visit to Azerbaijan (A/HRC/43/44/Add.1), has the honour to communicate its comments.

United Nations special procedure mandate holders are required to exercise their functions in strict observance of their mandates, free from any kind of extraneous influence and in compliance with the Code of Conduct, which requires that they uphold the highest standards of competence, integrity, impartiality, equity and honesty. Furthermore, special rapporteurs “shall always seek to establish the facts based on objective, reliable information emanating from relevant credible sources that they have duly cross-checked”.

It is our conviction that the Special Rapporteur on the right to food, Hilal Elver, exceeded her mandate by making references to the Nagorno-Karabakh conflict, which could neither be in the focus nor related to her visit and report. Obviously, the Special Rapporteur on the right to food does not have the competence to address such complicated issues as conflicts and, thus, she should have refrained from entering into such detail and the intricacies of them. The Nagorno-Karabakh conflict does not concern only the specific country she visited, and there are other sides to the conflict as well. Throughout the process she did not reach out to other parties to the conflict and get their perspective on it. Moreover, the attempt that the Permanent Mission made to contact her remained unanswered. At the end of the day, she failed to provide accurate information that was cross-checked with all sides to the conflict.

We believe that there is a need to make relevant clarifications on several erroneous statements made by the Special Rapporteur pertaining to the Nagorno-Karabakh conflict. In particular, she distorted the name of the conflict, referred to one-sided information with regard to refugees and internally displaced persons, and made highly politicized allegations on the nature of the conflict, the parties to it, and control over the territories.

In this regard, we would like to recall that the “Nagorno-Karabakh conflict” is the internationally recognized name used by the United Nations and other organizations. This is how the mediators of the conflict – the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE), namely France, the Russian Federation and

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the United States of America – refer to it in their numerous documents and statements. The conflict has the same name in documents supported by all OSCE participating States, including Azerbaijan itself.

When it comes to protracted displacement, no hierarchy can be established with regard to the suffering of people, and the fate of more than 350,000 Armenian refugees from Azerbaijan should not be neglected. Nevertheless, the Special Rapporteur on the right to food, conveniently for her Azerbaijani hosts, preferred to disregard the plight of Armenian refugees.

The report contained numbers of displaced persons in Azerbaijan that were based on government figures, while many impartial sources indicate considerably lower numbers, which should have at least required careful cross-checking by the Special Rapporteur. The International Displacement Monitoring Centre, for example, indicates a number of internally displaced persons that is three times lower than the number given in the national report of Azerbaijan itself.

Finally, with regard to her claims about the nature of the conflict and the alleged involvement of the Republic of Armenia, we would like to recall that the Security Council, in its resolutions, recognizes the Armenians of Nagorno-Karabakh as a party to the conflict. As for the Republic of Armenia, the Council, in the same resolutions, merely calls upon it to use its good offices with Nagorno-Karabakh in the framework of the peace process.

As Armenia mentioned in its statement during the interactive dialogue with the Special Rapporteur on the right to food, we refute the references made to the conflict situation as reflected in the report on her visit to Azerbaijan.

The Permanent Mission of the Republic of Armenia to the United Nations Office and other international organizations in Geneva kindly requests the Office of the High Commissioner to circulate the present note verbale as a document of the forty-third session of the Human Rights Council, under agenda item 3.

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