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Point 4 de l'ordre du jour

Situations relatives aux droits de l'homme qui requièrent l'attention du Conseil

Note verbale datée du 14 octobre 2020, adressée au Haut-Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de l'Azerbaïdjan auprès de l'Office des Nations Unies à Genève

La Mission permanente de la République d'Azerbaïdjan auprès de l'Office des Nations Unies et des autres organisations internationales à Genève présente au Haut-Commissariat des Nations Unies aux droits de l'homme un communiqué de presse du Service de presse du Ministère des affaires étrangères de la République d'Azerbaïdjan concernant la décision de la Cour européenne des droits de l'homme en date du 29 septembre 2020 (voir annexe).

La Mission permanente prie le Haut-Commissariat de bien vouloir faire distribuer la présente note verbale et son annexe* en tant que document du Conseil des droits de l'homme, au titre du point 4 de l'ordre du jour.

* L'annexe est reproduite telle qu'elle a été reçue, dans la langue de l'original seulement.



Annex to the note verbale dated 14 October 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

Press-release dated 30 September 2020 of the Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the decision of the European Court of Human Rights taken on 29 September 2020

On 29 September 2020, in response to a request lodged by the government of Armenia, the European Court of Human Rights adopted a relevant ruling, in accordance with Rule 39 of the Rules of Court. In its ruling, the European Court called upon both Armenia and Azerbaijan to refrain from taking any measures which might entail breaches of the Convention rights of the civilian population.

Thus, Armenia's attempt to use the European Court – a legal tool - for political purposes, turned against itself. Indeed, while taking this ruling, the European Court confirmed its conclusion reached in the 2015 judgment in the *Chiragov and Others v. Armenia* that Armenia is responsible for the occupation of Azerbaijani territories and human rights violations on these territories. This is another legal acknowledgment of the continuing occupation of Azerbaijani lands by Armenia and of the fact that the current conflict is going on between Armenia and Azerbaijan.

During the present hostilities, Armenian military units have been shelling Azerbaijani towns and villages, including civilian population and numerous civilian objects, which resulted, so far, in the death of at least 12 and injuries of dozens of civilians and irreparable damage to private and public properties. Consequently, the European Court's decision of 29 September 2020 means a call on Armenia to put an end to violent actions against human rights and the international humanitarian law committed on the Azerbaijani land.

In addition, the European Court requested Armenia to inform it, as soon as possible, of the measures taken to comply with its obligations.

It should be noted that, during the counter-offensive launched in response to the act of aggression committed by Armenia on 27 September 2020, the Armed Forces of the Republic of Azerbaijan fully and strictly observe the international humanitarian law, and do not target in any form the civilian population and civilian objects. The Government of Azerbaijan will provide the European Court with the relevant information on the measures taken to comply with its international obligations, in line with the Court's ruling.
