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Совет по правам человека

Пятьдесят седьмая сессия

9 сентября — 9 октября 2024 года

Пункты 3, 8 и 9 повестки дня

**Поощрение и защита всех прав человека,
гражданских, политических, экономических,
социальных и культурных прав,
включая право на развитие**

Последующие меры и осуществление

Венской декларации и Программы действий

**Расизм, расовая дискриминация, ксенофобия
и связанные с ними формы нетерпимости:**

последующие меры и осуществление

Дурбанской декларации и программы действий

Вербальная нота Постоянного представительства Азербайджана при Отделении Организации Объединенных Наций в Женеве от 10 октября 2024 года в адрес Управления Верховного комиссара Организации Объединенных Наций по правам человека

Постоянное представительство Азербайджанской Республики при Отделении Организации Объединенных Наций и других международных организациях в Женеве настоящим препровождает свои замечания по докладу Специального докладчика по вопросу о содействии установлению истины, правосудию, возмещению и гарантиям неповторения о его посещении Армении¹, представленному Совету по правам человека на его пятьдесят седьмой сессии (см. приложение).

Постоянное представительство любезно просит Управление Верховного комиссара Организации Объединенных Наций по правам человека распространить настоящую вербальную ноту и приложение к ней* в качестве документа Совета по правам человека по пунктам 3, 8 и 9 повестки дня.

¹ [A/HRC/57/50/Add.2](#).

* Воспроизводится в полученном виде только на том языке, на котором оно было представлено.



Приложение к вербальной ноте Постоянного представительства Азербайджана при Отделении Организации Объединенных Наций в Женеве от 10 октября 2024 года в адрес Управления Верховного комиссара Организации Объединенных Наций по правам человека

Observations of the Permanent Mission to the report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on his visit to Armenia (16-24 November 2023)

Paragraphs 5, 11,12, 26,50,57, 58, 62,67, 71, 72	<p>We would like to draw attention to persisting inaccurate and wrong references in the report to the geographical names within the territory of Azerbaijan. The use of distorted names, such as “Nagorno-Karabakh” is understood to be infringing upon the sovereignty and territorial integrity of the Republic of Azerbaijan in contravention to the UN Charter. Azerbaijan has repeatedly called to use only official geographic toponyms while referring to the territories of the Republic of Azerbaijan, the list of which has been submitted to the UN Group of Experts on Geographic Names (UNGEGN) by the Government of the Republic of Azerbaijan through its national report (GEGN.2/2023/140/CRP.140) ². The report was forwarded as an Annex to the Note Verbale Ref. 0275.12.23.33 dated 22 May 2023 addressed to the Office of the United Nations High Commissioner for Human Rights by the Permanent Mission of Azerbaijan and official request was made to take all necessary measures with a view to ensuring that the Office and the United Nations human rights mechanisms, including Special Procedures Mandate Holders, in discharge of their mandates, including in their communications, are strictly guided by the list of the geographical names contained in the abovementioned report while referring to the territory of the Republic of Azerbaijan. Therefore, any geographic name used with regard to the territory of the Republic of Azerbaijan, other than the one officially submitted to the UNGEGN and adopted by the competent state authority, is unacceptable.</p>
Para. 5	<p>The report indicates that “The Armenian people have endured a succession of gross human rights violations in the twentieth and twenty-first centuries, including: ...international crimes in the context of the conflict in the former Nagorno-Karabakh region”.</p> <p>Reference is made to the Human Rights Council resolution 5/2 on the Code of Conduct for Special Procedures Mandate-Holders of the Human Rights Council which defines that mandate holder during his activity should “always seek to establish the facts, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible” as well as “regulate his conduct in a manner totally in keeping with the terms of his mandate, the Charter of the United Nations, the interests of the United Nations ...”³. In this regard, biased and unsubstantiated narratives regarding alleged historical events related to Armenian people that took place in the XX-XXI centuries presented by the mandate holder in his report are nothing else</p>

² https://unstats.un.org/unsd/ungegn/sessions/3rd_session_2023/documents/GEGN.2_2023_140_CRP140.pdf.

³ <https://www.ohchr.org/en/documents/procedural-documents/code-conduct-special-procedures-mandate-holders-human-rights-council>.

	<p>than a personal, subjective product of imagination and interpretation of these events. Thus, it cannot constitute basis for the report. The only international definition of the events that took place in the territory of Azerbaijan is reflected in the relevant resolutions of the United Nations Security Council (822 (1993), 853 (1993), 874 (1993) , 884 (1993) as well as of the United Nations General Assembly which condemn the occupation of territories of the Republic of Azerbaijan and demand immediate, complete and unconditional withdrawal of occupying forces from all the occupied territories.</p>
Para. 11	<p>The report asserts that “the search for missing persons from the conflict, which totals about 5,000 people across the different stages of the conflict, has not been sufficiently addressed. While Armenia had access to some territory in the conflict zone, as a result of a lack of cooperation among the parties, progress on search for missing persons was slow and results were insufficient. In 2020, joint efforts by members of the international community, Armenia and Azerbaijan led to the recovery of the bodies of some soldiers in the battlefield. However, having lost access to those territories and lacking cooperation as a result of the conflict in 2020 and 2023, that work, regrettably, was no longer possible.”</p> <p>In accordance with the principle of impartiality of his mandate, it would be pertinent if the Special Rapporteur presented the source of the information on missing persons from the conflict, which he indicated in the report. What is more, describing the illegal occupation of Azerbaijani lands by Armenia as a result of the conflict which the latter caused – as “access to the conflict area” and the restoration of territorial integrity of Azerbaijan – as “losing access to those areas by Armenia” is deliberately misleading.</p>
Para. 12	<p>It is stated in the report that “the Government reported that many unidentified bone samples from corpses recovered from the 44-day war in 2020 were sent to the centre for DNA profiling and that it had identified and recorded signs of torture in many of the samples; those records have been forwarded to an investigative committee.”</p> <p>Regarding the allegations of torture during the 44-day war in 2020, the investigation is being carried out by the Investigation Department of the Prosecutor General's Office of Azerbaijan under Article 115.2 (torture of prisoners, cruel or inhuman treatment, and violation of the laws and customs of war) and under Article 115.4 (intentional killing of prisoners and violation of the laws and customs of war) of the Criminal Code of the Republic of Azerbaijan. During the investigation operational tasks and inquiries were issued to all operational and investigative agencies and intelligence-counterintelligence entities operating in the Republic of Azerbaijan, responses were received, numerous witnesses were interrogated, and other necessary investigative actions were carried out.</p> <p>At the current stage of the investigation, it has not been possible to ascertain the identities of the individuals in the video recordings depicted alleged acts of torture.</p>
Para.26	<p>With regard to the Tsitsernakaberd Memorial complex in Yerevan, it is stated that “civil society organizations have also erected memorials in the complex to “commemorate the victims of pogroms in Baku, Sumgait and Kirovabad and the conflict”.</p> <p>In reference to the so-called “pogroms”, we observe the Special Rapporteur re-echoing Armenian myths without duly cross-checking with reliable sources.</p>

	<p>The truth is that among the perpetrators and accomplices of mob violence committed in Sumgayit in 1988, there was Eduard Grigorian, an Armenian and resident of the city. He was sentenced to long-term imprisonment as one of the organizers and perpetrators of the offenses. As the Office of the Prosecutor General of the Union of Soviet Socialist Republics concluded in the bill of indictment of the criminal case, “<i>taking an active part in the mass disorders on February 28, 1988, in the Sumgayit city, Grigorian E.R. called the group of rowdy persons several times to commit destructions in the houses of the citizens of the Armenian nationality</i>” and “<i>distinctly directed the people to commit destructions of the flats and property of only the citizens of the Armenian nationality</i>”. The investigation established that the unrest in Sumgayit was a pre-planned and well-prepared provocation masterminded to discredit Azerbaijan and cover up Armenia’s unlawful territorial claims and annexationist objectives. This is confirmed also by the fact that the Armenian authorities released E. Grigorian shortly after his transfer to serve the sentence in Armenia⁴</p>
Para. 57	<p>The report asserts that “the population in the former Nagorno-Karabakh region suffered the egregious consequences of the war in the 1990s and has suffered once again since the resurgence of the conflict in 2020. The nine-month closure of the Lachin corridor, from December 2022 to September 2023, despite the provisional measures ordered by the International Court of Justice, led to a humanitarian crisis – virtually all access to food, water, medical supplies and essential services was halted by the blockade imposed by Azerbaijan. In the latest stage of the conflict, more than 115,000 residents of the region, virtually its entire population, were displaced to Armenia following the military offensive of Azerbaijan in September 2023. Currently, as few as 17 persons remain in the region.”</p> <p>The population of Garabagh region were citizens of Azerbaijan residing in the internationally recognized territories of the Republic of Azerbaijan. As such the consequences of military aggression by Armenia and occupation of the territories of Azerbaijan in the 1990s have nothing to do with the territory of Armenia and the visit by the Special Rapporteur to Armenia. In 2020 Azerbaijan carried out a counter-offensive operation to restore its sovereignty and territorial integrity. The so-called “military offensive of Azerbaijan in September 2023” in reality were the local counter-terrorism measures carried out by Azerbaijan on 19-20 September 2023 on its sovereign territories in line with the Article 51 of the UN Charter and its Constitution. As a result of legitimate measures, Azerbaijan neutralized violent separatism in its territories and started reintegration of Garabagh region into its political, economic, social and legal frameworks. Azerbaijani Government encouraged residents of Armenian origin in Garabagh to remain in Azerbaijan, to register with social services and enjoy all human rights and freedoms according to the Constitution on an equal basis with other residents of Azerbaijan⁵. The</p>

⁴ See <https://documents.un.org/doc/undoc/gen/n24/073/21/pdf/n2407321.pdf>.

⁵ Reintegration Plan, “Statement by the Presidential Administration of the Republic of Azerbaijan”, *Azerbaijan State News Agency* (2 October 2023), https://azertag.az/en/xeber/statement_by_the_presidential_administration_of_the_republic_of_azerbaijan-2771617; Statements by Azerbaijan’s Officials on the Safe Return and Reintegration of Garabagh Armenians (2022–2024), President of the Republic of Azerbaijan Ilham Aliyev, *Ilham Aliyev attended Forum titled “Karabakh: Back Home After 30 Years. Accomplishments and Challenges”* (6 December 2023), <https://president.az/en/articles/view/62400>. See also Commissioner for Human Rights of the Republic of Azerbaijan, *Statement of the Ombudsman on ensuring and protecting the rights and freedoms of the Armenian-origin citizens living in Karabakh* (29 September 2023), <https://ombudsman.az/en/view/news/4209/statement-of-the>

	<p>Special Rapporteur has to respect the right to choose the place of residence by the Armenian residents of Garabagh as Azerbaijani authorities rendered all possible assistance and support for the smooth relocation to Armenia.</p> <p>On the allegations related to the closure of the Lachin road, we underline that the International Court of Justice (ICJ) in its decision of 6 July 2023 unanimously rejected the request of Armenia. Thus, the Court's Order has reconfirmed that Armenia's request to modify its Order of 22 February 2023 by including additional provisional measure requiring Azerbaijan to "withdraw any and all personnel deployed on or along the Lachin Corridor since 23 April 2023 and refrain from deploying any such personnel on or along the Lachin Corridor" is unfounded.</p> <p>Azerbaijan's decision to establish its border checkpoint at the entrance of the Lachin road halted the illegal flow of weapons, military equipment, and soldiers into the sovereign territory of Azerbaijan, which threatened Azerbaijan's security and the prospects for peace⁶. Since the establishment of the Border Checkpoint, residents of ethnic Armenian origin had been passing through the Border Checkpoint, where border controls on entry and exit were being implemented in a non-discriminatory manner as required by Azerbaijan's domestic and international obligations.</p> <p>Allegations related to the humanitarian crisis are part of the misinformation policy undertaken by Armenia to mislead the international community. The International Committee of the Red Cross (ICRC), which has been present in Garabagh since the early 1990s⁷, as well as the Russian peacekeepers confirmed that humanitarian supplies were delivered to Garabagh without any impediments. The ICRC had also publicly confirmed that it was facilitating medical transfers to Armenia, and Armenian media had likewise confirmed transfer of patients from Garabagh to Armenia for medical treatment⁸.</p> <p>As a result of Azerbaijan's cooperation, the ICRC had provided food, bread, medicine, and hygiene kits to the ethnic Armenians in Garabagh⁹; assisted ethnic Armenians in Garabagh to remain in contact with their families in Armenia¹⁰.</p> <p>The Government of Azerbaijan on several occasions declared its readiness to address any humanitarian concern of the Armenian residents on the ground. Moreover, Azerbaijan initiated parallel use of Aghdam-Khankendi and Lachin-Khankendi roads for cargo delivery to the Armenian residents through the ICRC¹¹.</p>
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[ombudsman-on-ensuring-and-protecting-the-rights-and-freedoms-of-the-armenian-origin-citizens-living-in-karabakh.](#)

⁶ <https://mfa.gov.az/en/news/no38123>.

⁷ International Committee of the Red Cross, *Facts and Figures 2022: Azerbaijan* (2022), https://www.icrc.org/en/download/file/261904/facts_and_figures_2022.pdf.

⁸ International Committee of the Red Cross, *Armenia/Azerbaijan: Civilian population, whether leaving or staying, must be protected* (26 September 2023), <https://www.icrc.org/en/document/armenia-azerbaijan-civilian-population-whether-leaving-or-staying-must-be-protected>; International Committee of the Red Cross, *Armenia/Azerbaijan Operational Update: 70 metric tons of humanitarian supplies cross the Lachin road; medical evacuations carried out* (23 September 2023), <https://www.icrc.org/en/document/armenia-azerbaijan-operational-update-70-metric-tons-humanitarian-supplies-cross-lachin-road-and-medical-evacuation>.

⁹ Interview with ICRC Director, "Release of hostages in Gaza, truce, collapse of hospitals, casualties of wars, demining of territories", *RTVI News* (29 November 2023), <https://www.youtube.com/watch?v=NXSEyc7LjbE&t=1255s>.

¹⁰ *Ibid.*

¹¹ <https://mfa.gov.az/en/news/no47923>; <https://mfa.gov.az/en/news/no50123>.

Para. 58	The report asserts that “the displaced population faced numerous challenges as a result of their sudden forced relocation to Armenia, including loss of means of livelihood, employment, property, material and intangible cultural heritage, family ties and access to vital records and registries. Upon their arrival in Armenia, the authorities, with support from the population, has spared no efforts to provide them with food, housing, education and health care.”
Para. 62	“With regard to documentation left behind in the former Nagorno-Karabakh region during the displacement, the Government reported that it was aware of the difficulties faced by many displaced persons to access their records and was devising appropriate solutions.”
Para. 71	<p>“The arrival of the Special Rapporteur in Armenia coincided with the forced displacement of 115,000 Armenians from the Nagorno-Karabakh region as a result of the conflict. He met with refugees and authorities in receiving communities as well as in Yerevan, where he observed the pain and the urgent needs of the displaced population, as well as the immense tasks being carried out by the authorities to address their basic and urgent needs. He extends his solidarity to the refugees and commends the authorities for their commitment and expediency in assisting the victims.”</p> <p>“In addition to these essential needs, refugees have insisted on the urgency in ensuring preservation and access to documentation and registration papers left in the former Nagorno-Karabakh region, as well as the safeguarding of their cemeteries and cultural heritage in those territories. The Special Rapporteur echoes the call of the refugee community and urges the parties to the conflict and the relevant members of the international community to heed their request.”</p> <p>Allegations on “forced displacement” contradict the findings of international organizations that visited Garabagh on several occasions. Azerbaijan has facilitated access to Garabagh by the first United Nations delegations to visit the region in over 30 years, due to Armenia barring any such access during its occupation¹², as well as by the ICRC and other international observers. These efforts resulted in three technical United Nations missions to Garabagh, two in October and one in December 2023. From 16 to 23 October 2023¹³, Azerbaijan invited the Commissioner for Human Rights of the Council of Europe, Dunja Mijatović, to Azerbaijan. The Commissioner met with the highest levels of Azerbaijan’s Government to learn more about reintegration measures. She also visited Fuzuli, Shusha, Shusha’s Malibayli village, Khankendi, Khojaly, and Aghdam, and spoke with Garabagh residents¹⁴.</p>

¹² See, e.g., UNESCO, *Report on the Implementation of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and Its Two 1954 and 1999 Protocols, Report on the Activities from 1995 to 2004* (2005), p. 7, https://en.unesco.org/sites/default/files/2005-National-Reports-EN_0.pdf (UNESCO observed in 2005 that it was “prevented” from sending a mission to Garabagh because it and other specialized United Nations agencies had “not been able to enter these territories since their occupation by Armenian military forces”).

¹³ United Nations: Azerbaijan, *UN team completes mission to Karabakh* (2 October 2023), <https://azerbaijan.un.org/en/248051-un-team-completes-mission-karabakh>; “UN mission makes next visit to Azerbaijan’s Garabagh”, APA (9 October 2023), <https://en.apa.az/foreign-policy/un-mission-makes-next-visit-to-azerbajjans-garabagh-photo-video-413747>.

¹⁴ Council of Europe, *Council of Europe Commissioner for Human Rights concludes her visit to Armenia and Azerbaijan with a focus on the human rights situation of people affected by the conflict in and around the Karabakh region* (26 October 2023), <https://www.coe.int/ca/web/commissioner/-/council-of-europe-commissioner-for-human-rights-concludes-her-visit-to-armenia-and-azerbaijan->

	<p>On 11 December 2023, a third United Nations Mission comprising representatives from the United Nations High Commissioner for Refugees (UNHCR), the World Health Organization (WHO), the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the International Organization for Migration, the United Nations Development Programme, the United Nations Resident Coordinator, and the United Nations Department of Safety and Security visited Khankendi to assess the situation of the ethnic Armenians who remained in Garabagh. The Mission visited facilities providing support for the remaining ethnic Armenian residents of Garabagh, including Khankendi Hospital and a shelter established to care for the most vulnerable members, and observed “close collaboration and coordination” between the Azerbaijani government agencies tasked with ensuring the safety and humanitarian needs of those residents, as well as with the ICRC. The United Nations and other international observers, including the Islamic World Educational, Scientific and Cultural Organization (ICESCO), have confirmed their plans to continue to visit Garabagh in the future, and Azerbaijan is committed to facilitating such visits¹⁵.</p> <p>The UNHCR representative in Armenia observed on 30 September 2023 that “[t]here are no recorded incidences of mistreatment” among those departing Garabagh and that “[n]obody shared instances of being harassed”¹⁶. Consistent with the UNHCR and United Nations Mission reports highlighted by Azerbaijan at the hearing of 12 October¹⁷, in ICJ, Azerbaijan has not received any <i>prima facie</i> credible allegations of mistreatment of ethnic Armenians in Garabagh.</p> <p>On the points related to “preservation and access to documentation and registration papers left”, Azerbaijan is working to salvage and preserve all documents and records found in Garabagh, including individuals’ registration, identity, and property documents. In this respect, Azerbaijan notes that it has found evidence corroborating the public accounts on 21 September 2023 that “officials” of Armenia’s installed regime in Garabagh (the “Installed Regime”) were instructed to deliberately destroy documents and records before Azerbaijan could gain access to them¹⁸. Azerbaijan thus has taken steps to: record the state of records and other documents that it has been able to recover in photographs and videos; preserve evidence of the prior destruction of such records by the Installed Regime where available; and ensure the protection and preservation of these materials going forward. In this regard Azerbaijan also notes the</p>
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with-a-focus-on-the-human-rights-situation-of-people-affected-by-the-conflict-in-and-around-the-karabakh-region.

- ¹⁵ See, e.g., Annex 49 to 12 October Hearing Submission, United Nations: Azerbaijan, *UN team completes mission to Karabakh* (2 October 2023), <https://azerbaijan.un.org/en/248051-un-team-completes-mission-karabakh>; President of the Republic of Azerbaijan Ilham Aliyev, *From Salim bin Mohammed Almalik, Director General of ICESCO* (22 December 2023), <https://president.az/en/articles/view/62669>.
- ¹⁶ See, e.g., “UN refugee agency says it has no reports of mistreatment of Armenians fleeing Karabakh”, *Anadolu Agency* (30 September 2023), <https://www.aa.com.tr/en/europe/un-refugee-agency-says-it-has-no-reports-of-mistreatment-of-armenians-fleeing-karabakh/3004385>.
- ¹⁷ CR 2023/22, pp. 17–18, paras. 15–17 (Mammadov).
- ¹⁸ “Monitoring Ethnic Cleansing in Nagorno-Karabakh”, *University Network for Human Rights* (21 September 2023), <https://www.humanrightsnetwork.org/nk-live-monitor> (reporting on a “[d]irect communication from the Office of the Human Rights Defender of Nagorno-Karabakh” that “[a]ll government bodies in Nagorno-Karabakh received orders to fully destroy their archives”). See also “Armenians starting fires in Khankendi to destroy archives: Azerbaijan”, *Anadolu Agency* (22 September 2023), <https://www.aa.com.tr/en/asia-pacific/armenians-starting-fires-in-Khankendi-to-destroy-archives-azerbaijan/2999091> (“The Azerbaijani Ministry of Internal Affairs announced Friday that intentional fires were started by Armenians in Khankendi in the Karabakh region while administrative archives were also burned and destroyed.”).

	<p>recent statement of the purported “State Minister and Human Rights Ombudsman” of Armenia’s Installed Regime, who maintains that “the main state-owned databases have been transferred to Armenia, at least those that were in electronic form: property, identification documents, the residential registry, civil registration (marriage, birth, death, etc.). The electronic data is in Armenia”, but there were “some difficulties for old archives that date back prior to 2012. Part of these hard copy documents are hard to retrieve or restore.”¹⁹.</p> <p>To ensure the protection and preservation of cultural sites in Garabagh:</p> <p>Azerbaijan has publicly reaffirmed, including on 9 November 2023, its commitment to protecting cultural sites on an equal basis, “regardless of their secular or religious origins”, consistent with Azerbaijani law²⁰. This commitment is consistent with the findings of international observers; for example, the United Nations Mission confirmed on 2 October 2023 that it “saw no damage to cultural and religious structures”²¹. Azerbaijan also continues to protect and preserve cultural sites throughout Garabagh, including territories liberated prior to 19 September 2023, and continues to work to restore safe access to cultural sites on an equal basis by removing hundreds of thousands of landmines that Armenia laid during its occupation, which is taking substantial time due to Armenia’s failure to cooperate by sharing reliable information on their location. In addition, the Presidential Administration’s instructions directing construction crews to follow specific procedures to minimize the risk of damage to cultural heritage sites during reconstruction²² are in effect in Garabagh.</p> <p>We believe that the report presented by special procedure mandate holder should not contain baseless allegations that have not been cross-checked with reliable sources to prevent the abuse of thematic mandate for advancing malign political agenda of certain countries. It must also be ensured that the information provided in the reports is reflected in a balanced and even-handed manner following an impartial assessment by the special mandate holder. With this in mind, we share information on the destruction of Azerbaijani cultural heritage, the full extent of which was revealed after the liberation of the territories occupied by Armenia for a 30-year-long period. International observers have consistently acknowledged the tremendous damage inflicted on Azerbaijan’s cultural heritage. The OIC-IPHRC delegation expressed deep concern over the significant and irreversible damage caused to the cultural and religious heritage of the liberated areas during their fact-finding visit in September 2021. The ICESCO organized a technical expert mission in May 2022, which visited 46 cultural heritage sites in various districts over a span of 10 days. The team of independent experts, consisting of specialists in archaeology, architecture, and cultural heritage protection, preservation, and restoration, has verified the extensive damage inflicted upon mosques and cultural sites. Additionally, they have documented cases of vandalism</p>
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¹⁹ “Artak Beglaryan: The best option for the Karabakh Government is Armenia”, *Caucasus Watch* (1 January 2024), <https://caucasuswatch.de/en/interviews/artak-beglaryan-the-best-option-for-the-karabakh-government-is-armenia.html>.

²⁰ Ministry of Foreign Affairs, *Commentary of the MFA Spokesperson Aykhan Hajizada regarding the groundless allegations by the Armenian Foreign Minister Ararat Mirzoyan during his speech at the 42nd session of the UNESCO General Conference* (November 2023), <https://mfa.gov.az/en/news/no63923>.

²¹ Annex 49 to 12 October Hearing Submission, United Nations: Azerbaijan, *UN team completes mission to Karabakh* (2 October 2023), <https://azerbaijan.un.org/en/248051-un-team-completes-mission-karabakh>.

²² See Letter dated 21 February 2023 from the Permanent Mission of the Republic of Azerbaijan to the UN Office and other International Organizations in Geneva addressed to Ms. Alexandra Xanthaki, Special Rapporteur in the field of cultural rights, 0084/12/2327 (21 February 2023), p. 5.

	and looting in museums. The team also discovered disturbing evidence that mosques in the previously occupied territories were repurposed as animal pens for pigs and cows ²³ .
Para.72	<p>The Special Rapporteur calls on the parties to peace negotiations and the members of the international community relevant to the process to ensure that any discussions or agreements concerning the former Nagorno-Karabakh region include the adoption of mechanisms of truth (including facilitating the search-of-missing persons and fact-finding processes), criminal accountability, reparation for victims (including restitution, satisfaction, rehabilitation and compensation), the preservation of archives and the cultural heritage of the displaced population and guarantees of non-recurrence, in consultation with the affected population and victims. Such mechanisms should be established under the auspices of the international community to ensure impartiality and trust from all parties and to prevent the recurrence of violence.</p> <p>Rule of law, justice, accountability and redress serve to ensure the rights and interests of conflict-affected population, they are important parts of the post-conflict normalization and reconciliation process, and will be properly addressed in due course.</p>

²³ ICESCO report, Post-Conflict Condition Assessment of the Cultural Heritage in the Karabakh and East Zangezur Regions, Azerbaijan – International Technical Mission Report (15 June 2022) <https://culture.gov.az/medias/report.pdf>.