



**Permanent Mission  
of the Republic of Azerbaijan  
to the UN Office and other  
International Organizations**

**GENEVA**

Ref: 0316/12/24/40

The Permanent Mission of the Republic of Azerbaijan 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 in response to the Joint Communication Ref.: AL AZE 3/2024 of 29 July 2024 sent by the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, has the honor to transmit herewith the information prepared by respective institutions of Azerbaijan.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 27 September 2024



Enclosure: 3 pages

**Office of the United Nations  
High Commissioner for Human Rights  
GENEVA**

**Information prepared by respective state institutions of the Republic of Azerbaijan  
in response to the Joint Communication Ref.: AL AZE 3/2024 of 29 July 2024**

It is crystal clear that UN Human Rights Council special procedures mandate holders represent the United Nations, and accordingly the terms used by mandate holders in their communication should correspond to the already established language by the UN, including in the UN Security Council and General Assembly resolutions. In this regard, we express our strong discontent with respect to the repetitive references in this and previous communications to the name of past conflict between Armenia and Azerbaijan as an “armed conflict in and around the former Nagorno-Karabakh conflict zone”. We would like to reiterate that the accurate references to internationally recognized territories of the Republic of Azerbaijan have been underlined in our previous communications (30 December 2020 and 3 February 2021).

A procedural matter of concern is about the intention of the relevant mandate holders stated in the Joint Communication that they “may publicly express concern” even before receiving a response from Azerbaijan. In this regard, referring to our previous letters, we would like to point out that Article 13 (a) of the Code of Conduct for Special Procedures Mandate-holders approved by the Human Rights Council Resolution 5/2 (2007) explicitly stipulates that public statements issued by mandate-holders on allegations of human rights violations must fairly indicate the responses given by the concerned State. Azerbaijan expects that any public statement to be issued by the authors of the Joint Communication shall take into account the present and any other possible responses of Azerbaijan in the interest of a constructive engagement.

The subsequent issue of utmost concern in the text is that while underlining the alleged detention of “Armenian soldiers” in the territories of the Republic of Azerbaijan as an action against international humanitarian law, the mandate holders consider the deployment of armed forces of foreign country to the internationally recognized territories of Azerbaijan, namely in this case to Zangilan as a “normal”, “logical” fact, without any condemnation of this intrusion as an illegal act breaching the norms of international law on the side of Armenia.

Certain aspects of the letter point out that there is still some misunderstanding with regard Azerbaijani side’s previous responses on the matter and we would like to state the following:

- Azerbaijan reaffirms its commitment to upholding its international obligations, including those under international human rights law, and categorically rejects all allegations presented in this Joint Communication that lack reliable evidence.
- Concerning enforced or involuntary disappearances, Azerbaijan has been waiting the mandate-holders to raise the whereabouts of nearly 4000 missing Azerbaijanis and the precise locations of mass grave sites of Azerbaijanis who went missing and/or killed during the course of the act of aggression by Armenia. In this regard, the esteemed mandate-holders are urged to raise the serious human rights and humanitarian law violations around the issue of missing Azerbaijanis with Armenia and inform the Azerbaijani side about the outcomes of their communication, for the

sake of truth, justice, reparation and guarantees of non-recurrence. Otherwise, questions of the impartiality and credibility of the concerned mandate-holders are to arise. From 18 mass graves and individual burial sites discovered in the liberated territories of Azerbaijan from the illegal Armenian occupation, namely Shusha, Khojaly, Khojavand, Aghdam, Kalbajar, Tartar, Fuzuli and Zangilan in the last years the remains of bodies of 300 persons have been exhumed.

- Additionally, Azerbaijan has previously shared updates regarding ongoing investigations into alleged misconduct with detained Armenians in the internationally recognized territories of Azerbaijan and now the latest information from the Prosecutor General's Office is attached for your reference (Annex). It would be relevant to recall that, to date, there has been no communication from the special procedures, nor a response from the Armenian government concerning the cases of physical torture and inhuman treatment of Azerbaijani soldiers (██████████ and ██████████) who were captured by Armenia after they got lost due to limited visibility in adverse weather conditions along the border with Armenia in April 2023.
- Nearly 1 million landmines planted by Armenian armed forces and members of illegal armed groups belonging to Armenia in the internationally recognized territories of Azerbaijan remain as an issue of paramount concern for Azerbaijan in the post-conflict period. Since November 2020, 309 Azerbaijani citizens have been severely injured and 70 have lost their lives, with 55 of those being civilians, as a result of the explosion of these landmines. In total, 3 458 Azerbaijani citizens have been victims of landmines and other explosive remnants of war, with 600 fatalities reported since the beginning of military aggression by the Republic of Armenia.

Azerbaijan has confidence the information provided in this response will assist the concerned Mandate Holders to engage constructively with Azerbaijan, and the answers will be reflected in any report to be submitted to the Human Rights Council or other public reference on the mentioned case.

### **Information of the Prosecutor General's Office of the Republic of Azerbaijan**

Regarding the received inquiry, information concerning to the fact pertaining to the videos depicting the capture of individuals suspected of being Armenian military personnel and acts of humiliation on their corpses, which were spread on some social media platforms, has been investigated by adding to the criminal case materials with regard to the dissemination of other video recordings with similar content ongoing at the Investigation Department of the Prosecutor General's Office under Article 115.2 (torture of prisoners, cruel or inhuman treatment, and violation of the laws and customs of war) of the Criminal Code of the Republic of Azerbaijan.

During the investigation, the video recordings were examined, 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.

At the current stage of the investigation, it has not been possible to ascertain the identities of the individuals in the video recordings, determine whether the captured individuals and the deceased are the same, or determine who recorded the videos as well as when and where they were filmed.

In the Investigation Department of the Prosecutor General's Office, a total of nine criminal cases are currently under preliminary investigation, with five cases initiated under Article 115.2 of the Criminal Code of the Republic of Azerbaijan (torture of prisoners, cruel or inhuman treatment, and violation of the laws and customs of war) and four cases initiated under Article 115.4 (intentional killing of prisoners and violation of the laws and customs of war) concerning the dissemination of video recordings depicting illegal actions against the corpses of Armenian military personnel and captured Armenian military personnel.

In total, a judgment of conviction has been issued against 8 individuals in relation to 5 criminal cases concerning those video recordings.