

Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls

Ref.: AL AZE 1/2022
(Please use this reference in your reply)

28 November 2022

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 44/5, 43/20, 51/21, 50/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **alleged unlawful killings of Armenian Prisoners of War and civilians, as well as torture and ill-treatment of Armenian Prisoners of War, by Azerbaijani armed forces and the desecration of bodies of dead Armenian soldiers, including women, during renewed fighting along the Armenian-Azerbaijani border commencing on 13 September 2022**. We are also concerned about reports that Armenian prisoners of war have not been provided with prompt and adequate medical assistance, allegedly resulting in their deaths.

Previous communications under references [AL AZE 1/2021](#), sent on 2 February 2021, and [UA AZE 4/2020](#), sent on 11 December 2020, expressed concerns in relation to the alleged torture and ill-treatment of prisoners of war during the armed conflict in and around Nagorno-Karabakh and the return of captives and bodies of the dead to their respective countries of origin and to their families. We regret that we have not received a response to the first-mentioned communication. We thank your Excellency's Government for the [reply](#) to the second-mentioned communication received on 30 December 2020. While we welcome the initiation of criminal investigations into the alleged violations raised in UA AZE 4/2020, we note that we are yet to receive information on the results of such investigations, the factual and legal reasons for the continued detention of the POWs after the cessation of hostilities, and the measures taken to inform families of the disappeared about their fate and the exact whereabouts.

According to the information received:

Alleged unlawful killing of Armenian prisoners of war and civilians by Azerbaijani forces

On 13 September 2022, renewed fighting occurred along the eastern and south-eastern contact lines along the Armenian-Azerbaijani border, targeting, among others, the communities of Kapan, Goris, Kharashen, Verishen, Khnatsakh, Kornidzor, Khoznavar, Ishkhanasar, Tchakaten, Nerqin Hand,

Tsav, Davit Bek, Artanish, Srashen, Jermuk, Vardenis, Sotk, Norabak, Kut, Geghamasar, and other municipalities in the Armenian provinces of Gegharkunik, Vayots Dzor, and Syunik. In this context, the killing of Armenian prisoners of war (POW) and civilians by Azerbaijani soldiers was documented by multiple sources.

A video footage circulated anonymously on social media shows at least 15 members of the Azerbaijani armed forces rounding up at least eight surrendered Armenian servicemen. The latter are identifiable as members of the Armenian armed forces by their uniforms and helmets. The footage depicts these captured Armenian POWs on their knees, unarmed and shouting, “don’t shoot” and “stop firing” in Azerbaijani when at least three Azerbaijani soldiers started shooting at them, killing seven of them through sustained close-range automatic and semi-automatic rifle fire. The killings reportedly occurred at the Azeri military posts of Mount Ishkhanasar, located close to Lake Sev on Armenia’s south-eastern border with Azerbaijan.

The Military Prosecutor's Office of the Republic of Azerbaijan has issued a statement indicating that it will conduct investigations to determine whether the video footage is authentic and if that is the case, to take appropriate legal measures to prosecute the perpetrators. No preliminary results of the investigations have been made public.

Desecration of the bodies of dead Armenian soldiers, including women

Another video footage shows the desecration of the dead bodies of soldiers, presumably Armenian soldiers, by Azerbaijani soldiers, purposefully kicking and stepping on them while engaging in hate speech against Armenians. The mistreatment of bodies depicted in the video footage also includes the mutilation of bodies of women.

In one case, an Azerbaijani soldier repeatedly stepped on the chest of a naked dead woman. In other cases, the code name of the Azerbaijani forces responsible for the killings was allegedly inscribed on the bodies of dead women, as evidenced by video footage purportedly showing the dead body of a female Armenian soldier being kicked in front of the camera. The Azerbaijani soldiers insults the body while they do so. "YAŞMA," the code name of the Azerbaijani forces responsible for the killings of these individuals, has been carved into her stomach, while her hands have been placed above her head and a cut finger inserted into her mouth. The footage looks like that her throat had been cut earlier. The body of this Armenian female soldier reportedly remains held by the Azerbaijani authorities.

It is reported that such video footage of this alleged mistreatment of corpses would have been widely distributed on various online platforms in Azerbaijan.

Deaths of Armenian prisoners of war resulting from inadequate medical treatment

In addition, we received allegations that Armenian soldiers died as a result of lack of medical treatment and the failure of Azerbaijan authorities to provide lifesaving medical treatment.

On 17 September 2022, the remains of 32 Armenian soldiers were returned to Armenia. The forensic medical examination conducted in Armenia concluded that the primary cause of death of one of the soldiers was severe blood loss, which they attributed to medical negligence and a lack of necessary surgical intervention.

In addition to the above, it is alleged that many Armenian POWs were denied required medical care while being detained by Azerbaijani armed forces.

Allegations of torture and ill-treatment of Armenian prisoners of war by Azerbaijani forces

Audio-visual footage shows a range of behaviour that conflicts with the absolute prohibition against torture and other cruel, inhuman or degrading treatment or punishment, including an Azerbaijani soldier punching and kicking captured Armenian soldiers while they were handcuffed and blindfolded, and intentionally stamping on the wounded foot of an Armenian POW. At least eight Armenian POWs are seen cowering in trenches with their hands tied behind their backs while being verbally insulted.

Other footage purportedly shows Armenians being forced to repeat phrases which would be considered degrading to them on camera and uploading this footage to social media. In this context, one of the soldiers appears to have ordered Armenian prisoners to say "Karabakh is Azerbaijan." In several cases, Armenian POWs were allegedly forced by Azerbaijani soldiers to repeat against their will welcoming formulas to new citizens in territories recently annexed to Azerbaijan.

While we do not wish to prejudge the accuracy of these allegations, we express our grave concern about them and call on your government to conduct prompt, independent and thorough investigations into each allegation.

Should the information alleged be confirmed, they would amount to violations of the right to life and the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment, as codified in articles 6 and 7, of the International Covenant on Civil and Political Rights (ICCPR) to which Azerbaijan acceded on 13 August 1992 and the latter as also codified in articles 2 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Azerbaijan acceded to on 16 August 1996.

They would also amount to a violation of the protection against discrimination and violence against women contained in article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, ratified by Azerbaijan on 10 July 1995; and the right of everyone to the enjoyment of the highest attainable standard of physical and mental health contained in article 12 and 2.2 of the

International Covenant on Economic, Social and Cultural Rights, which Azerbaijan also acceded to on 13 August 1992.

Furthermore, they could amount to various war crimes in contravention of the Geneva Conventions of 1949, of which Azerbaijan is a party. The killing of POWs or detained civilians captured during or in the context of combat, is strictly prohibited under international humanitarian law, and if confirmed, may constitute war crimes. Similarly, conduct that endangers protected persons or objects or violates important values, such as by the disrespectful handling of human remains corpses, may also constitute war crimes.

Azerbaijan has the duty to treat any Armenian detainees humanely and without discrimination in full compliance with its obligations under international humanitarian law.

Under international human rights law and international humanitarian law, States have the obligation to promptly and independently investigate alleged or suspected violations of the right to life and the universal prohibition of torture, as well as any other acts that may constitute war crimes, committed either by their own nationals or armed forces or on their territory by a foreign State and to prosecute perpetrators and afford full reparation for the harm caused. In doing so, we advise that such investigations be guided by the *Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016))*,¹ and the *Revised Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2022)*.²

Should your Excellency's Government require forensic expertise to develop its capacity to carry out these investigations, guided by the Minnesota Protocol or the Istanbul Protocol, we reiterate our readiness to provide technical assistance to help the Government to ensure its compliance with international humanitarian law and human rights obligations and applicable standards of forensic best practices.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide specific information on investigations undertaken into the allegations of killings, of torture and other cruel, inhuman or degrading treatment, and of desecration of human remains. Please also include information on their current status, the specific investigative steps taken in compliance with international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death

¹ <https://www.ohchr.org/sites/default/files/Documents/Publications/MinnesotaProtocol.pdf>.

² https://www.ohchr.org/sites/default/files/documents/publications/2022-06-29/Istanbul-Protocol_Rev2_EN.pdf.

and the Istanbul Protocol on the Documentation and Investigation of Torture. If no investigations have yet been undertaken, please explain how and when such investigations will be undertaken.

3. Please provide detailed information, and where available the results, of investigation, judicial or other inquiries carried out to verify the authenticity of the videos purporting to show the allegations referred to in this letter.
4. Please indicate what steps are being taken – criminal, disciplinary or educational - to ensure that Azerbaijan armed forces operate strictly within the parameters of international human rights and humanitarian law, to ensure non-repetition, appropriate punishment of those involved, and to end impunity.
5. Please provide information on steps being taken to promptly return any remains held by Azerbaijan to the families of the deceased and in that regard, to ensure the respectful treatment of those remains.
6. Please indicate what steps have been taken to ensure that injured Armenian soldiers receive prompt and adequate medical care with a view to effectively protecting their rights to life and to health.
7. Please provide information on measures adopted by your Excellency's Government to ensure the right of persons to an effective remedy and reparation for violations under international human rights and international humanitarian law.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary measures be taken to halt the alleged violations, notably the desecration of the bodies of dead Armenian soldiers, and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the allegations in question.

We would like to inform your Excellency's Government that a copy of this letter will be sent to the Government of Armenia.

Please accept, Excellency, the assurances of our highest consideration.

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Tlaleng Mofokeng

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Alice Jill Edwards

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Reem Alsalem

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Dorothy Estrada-Tanck

Chair-Rapporteur of the Working Group on discrimination against women and girls

Annex

Reference to international law

In connection with above alleged facts and concerns, we refer your Excellency's Government to the relevant international norms and standards that are applicable.

At the outset, we would like to reiterate that international human rights law continues to apply in times of armed conflict, alongside international humanitarian law, and that both bodies of law are intended to be complementary, rather than mutually exclusive. This has been acknowledged, inter alia, by the International Court of Justice (Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996, paras. 24-25) and the Human Rights Committee (General Comment 29, States of Emergency, para. 3).

Right to life and prohibition of unlawful killing

Bearing in mind this legal framework, we wish to refer to the International Covenant on Civil and Political Rights (ICCPR) to which Azerbaijan acceded on 13 August 1992. Article 6 of the ICCPR provides that "no one shall be arbitrarily deprived of his [or her] life." It "is the supreme right from which no derogation is permitted even in situations of armed conflict and other public emergencies which threaten the life of the nation." The State has "an obligation to respect and to ensure the rights under article 6 of all persons who are within its territory and all persons subject to its jurisdiction, that is, all persons over whose enjoyment of the right to life it exercises power or effective control." Practices "inconsistent with international humanitarian law", including the "failure to apply the principles of precaution and proportionality", violate article 6. States that "fail to take all reasonable measures to settle their international disputes by peaceful means might fall short of complying with their positive obligation to ensure the right to life".

Under international human rights law any loss of life that results from the use of force without strict compliance with the principles of necessity, proportionality, and precaution is unjustified. The lethal use of force cannot be justified or allowed when it is not necessary, it is likely to cause disproportionate harm, or it reasonably could have been avoided by feasible precautionary measures. The targeting of civilian objects without military presence in the area, these would constitute a blatant violation of the principles of necessity and proportionality and constitute a blatant violation of the prohibition against arbitrary killings and point to their deliberate targeting. No contextual or situational analysis could justify such attacks and killings. Under international criminal law, such attacks may amount to war crimes.

In this context, we refer to Human Rights Committee, General Comment No. 36, in particular, paragraph 64 which states "like the rest of the Covenant, article 6 continues to apply also in situations of armed conflict to which the rules of international humanitarian law are applicable, including to the conduct of hostilities. While rules of international humanitarian law may be relevant for the interpretation and application of article 6 when the situation calls for their application, both spheres of law are complementary, not mutually exclusive. Use of lethal force consistent with international humanitarian law and other applicable international law norms is, in

general, not arbitrary. By contrast, practices inconsistent with international humanitarian law, entailing a risk to the lives of civilians and other persons protected by international humanitarian law, including the targeting of civilians, civilian objects and objects indispensable to the survival of the civilian population, indiscriminate attacks, failure to apply the principles of precaution and proportionality, and the use of human shields, would also violate article 6 of the Covenant. States parties should, in general, disclose the criteria for attacking with lethal force individuals or objects whose targeting is expected to result in deprivation of life, including the legal basis for specific attacks, the process of identification of military targets and combatants or persons taking a direct part in hostilities, the circumstances in which relevant means and methods of warfare have been used, and whether less harmful alternatives were considered. They must also investigate alleged or suspected violations of article 6 in situations of armed conflict in accordance with the relevant international standards.”

We further refer to paragraph 69 of General Comment No. 36 which notes “wars and other acts of mass violence continue to be a scourge of humanity resulting in the loss of lives of many thousands of lives every year. Efforts to avert the risks of war, and any other armed conflict, and to strengthen international peace and security, are among the most important safeguards for the right to life.”

We further refer your Excellency’s government to customary international rules governing situations of armed conflict, and in particular regards to alleged killings and ill-treatment of hors de combat soldiers:

- Rule 47. Attacking persons who are recognized as hors de combat is prohibited.
- Rule 87. Civilians and persons hors de combat must be treated humanely.
- Rule 89. Murder is prohibited.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment

Article 7 of the ICCPR, to which Azerbaijan is a party, as well as the Convention against torture and other cruel, inhuman or degrading treatment or punishment (CAT), alongside a wide number of other international treaties, provide that there are no justifications for such treatment or punishment of any person, regardless of their status or actions. The prohibition against torture is a jus cogens norm, for which no derogations during context of war or other public emergency or any other circumstances are permitted nor are any defenses of superior orders applicable.

The absolute prohibition of torture under the Convention against Torture (CAT) remains applicable during armed conflict, since it authorizes no derogation, even in times of war. In addition, under International Humanitarian Law (IHL) torture includes any intentional violence to the life, health, physical or mental well-being, as well as “outrages upon personal dignity, in particular humiliating and degrading treatments” toward persons who are not, or no longer, taking part in the hostilities (GIII art. 17, API art. 75.2, APII art. 4.2). The Geneva Conventions further prohibit torture, at all times and in all circumstances. They provide that no physical or mental

torture, nor any other form of coercion, may be inflicted on protected persons (civilians, wounded and sick, prisoners of war, or detained persons), notably to secure from them information of any kind whatever (GIII art. 17, GIV art. 31).

Furthermore, common article 3 of the Geneva Conventions consolidate this prohibition as a fundamental protection for civilians and persons hors de combat. We would also like to underline Rule 90 of the study on the rules of customary international humanitarian law – applicable in international and non-international armed conflicts – which provides that “torture, cruel or inhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment, are prohibited.” Humanitarian law further requires States and non-State actors to prevent torture by setting up minimal guarantees for all persons deprived of their liberty, whatever their status. These are fundamental and judicial guarantees as well as guarantees of treatment in case of detention.

We would like to recall paragraph 5 of Human Rights Council Resolution 16/23, which, “emphasizes that acts of torture are serious violations of international human rights law and humanitarian law and can constitute crimes against humanity and, when committed in a situation of armed conflict, war crimes, and that the perpetrators thereof are liable to prosecution and punishment.”

The duty to investigate and prosecute crimes of torture is a well-established norm, reflected, inter alia, in article 12 of the CAT.

Rules governing treatment of prisoners of war especially right to health

We refer to the Geneva Convention relative to the Treatment of Prisoners of War (GC III), in particular article 13, 19 and 20, providing guarantees against actions that lead to a serious endangerment to the health of POWs.

We also wish to remind your Excellency’s Government the right to the enjoyment of the highest attainable standard of physical and mental health with no discrimination, recognized in articles 12 and 2.2 of the International Covenant on Economic, Social and Cultural Rights which Azerbaijan acceded to on 13 August 1992. In its General Comment No. 14, the Committee on Economic, Social and Cultural Rights reiterates that “States are obliged to respect the right to health by, inter alia, refraining from denying or limiting equal access for all persons, including prisoners or detainees, to preventive, curative and palliative health services”. Furthermore, the Committee indicates that States should also refrain from limiting access to health services as a punitive measure, e.g. during armed conflicts in violation of international humanitarian law. (General Comment No. 14, para. 34).

Treatment of human remains

We further note that parties to an international armed conflict must take all possible measures to prevent despoilment of the dead as enshrined in article 15(1) of the Geneva Convention on the Wounded and Sick in Armed Forces in the Field (GC I) and article 16(2) of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (GC IV). Il-treatment and mutilation of dead bodies is prohibited as provided by article 3(1)(c) GC I-IV. Parties to an international armed conflict must endeavour to facilitate the return of the remains of the deceased upon request pursuant to article 17(3) of GC I, article 120(6) of GC III, and article 130(2)

of GC IV. Every death of a prisoner of war or a civilian deprived of his liberty must be followed by an official enquiry by the Detaining Power, and all necessary measures to prosecute those responsible, as appropriate, must be taken according to article 121 of GC III, and article 131 of GC IV.

Customary international law also reaffirms the obligation of respectful treatment of human remains, per ICRC Commentary:

- Rule 113. Each party to the conflict must take all possible measures to prevent the dead from being despoiled. Mutilation of dead bodies is prohibited.
- Rule 114. Parties to the conflict must endeavor to facilitate the return of the remains of the deceased upon request of the party to which they belong or upon the request of their next of kin. They must return their personal effects to them.
- Rule 115. The dead must be disposed of in a respectful manner and their graves respected and properly maintained.

Prohibition on discrimination and violence against women

We would like to recall your Excellency's attention to the Convention on the Elimination of All Forms of Discrimination against Women that Azerbaijan ratified on 10 July 1995. In relation to gender-based violence against women in conflict and post-conflict contexts, the CEDAW Committee in General Comment No. 30 has stated that 'irrespective of the character of the armed conflict, duration or actors involved, women and girls are increasingly deliberately targeted for and subjected to various forms of violence and abuse, ranging from arbitrary killings, torture and mutilation...' and that it is 'indisputable that, while all civilians are adversely affected by armed conflict, women and girls are primarily and increasingly targeted by the use of sexual violence, "including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group" and that this form of sexual violence persists even after the cessation of hostilities (Security Council resolution 1820 (2008))' and has recommended that States prevent, investigate and punish all forms of gender-based violence, in particular sexual violence perpetrated by State and non-State actors; and implement a policy of zero tolerance.

Customary international law in armed conflict also requires specific protection for women affected by armed conflict, per ICRC Commentary:

- Rule 134. The specific protection, health and assistance needs of women affected by armed conflict must be respected.

Regarding addressing the acts of violence against women and girls in Azerbaijan, we recall that the Declaration on the Elimination of Violence against Women adopted by the General Assembly resolution 48/104 of 20 December 1993, which defines violence against women in article 2 as encompassing, but not limited to, physical, sexual and psychological violence. Article 4 (c) of the Declaration also enumerates that States should 'exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether

those acts are perpetrated by the State or by private persons.’

We would like to stress that many acts of gender-based violence, including rape and any other form of sexual violence, are strictly prohibited by international humanitarian law and constitute a grave breach of the Geneva Conventions. When committed in the context of armed conflict, such acts are prohibited through (i) grave breaches provisions such as art. 147 of the Fourth Geneva Convention and art. 85 of Additional Protocol I, which prohibit torture, inhuman treatment, and wilfully causing great suffering or serious injury to body and health; (ii) Common art. 3, which prohibits violence to life and person, cruel treatment and torture, and outrages upon personal dignity; and other provisions, such as art. 27 of the Fourth Geneva Convention, arts. 75-77 of Additional Protocol I and art. 4(2) of Additional Protocol II, which explicitly prohibit attacks against women, including rape, enforced prostitution and any form of indecent assault.

As highlighted in its thematic report on Health and Safety (A/HRC/32/44), the Working Group on discrimination against women and girls stressed that women’s safety should be addressed as an integral aspect of women’s health. Women’s exposure to gender-based violence in both the public and private spheres, including in conflict situations, is a major component of women’s physical and mental ill health and the destruction of their well-being, and constitutes a violation of their human rights.

In addition, in its report on women deprived of liberty (A/HRC/41/33), the Working Group on discrimination against women and girls noted that measures to combat terrorism and corresponding national security measures sometimes profile and target women, in particular those from certain groups and sometimes even women human rights defenders. It has further recommended States to ensure that measures addressing conflict, crisis, terrorism, and national security incorporate a women’s rights focus and do not instrumentalise women’s deprivation of liberty for the purposes of pursuing government aims. In this regard, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stressed that “conflict-related sexual violence has sweeping implications for the health of millions of people worldwide, especially, but not solely, women and girls” and further indicated that “a comprehensive health response to violence should look at the nature and extend of the harm caused by types of violence, should take into consideration the context [...conflict...] and should take into account the intersecting forms of discrimination that exacerbate the impact of violence on the survivors’ enjoyment of the right to health” (A/HRC/50/28).

Investigations into war crimes

All war crimes must be investigated, as a customary norm, per ICRC Commentary:

- Rule 156. Serious violations of international humanitarian law constitute war crimes.
- Rule 158. States must investigate war crimes allegedly committed by their nationals or armed forces, or on their territory, and, if appropriate, prosecute the suspects. They must also investigate other war crimes over which they have jurisdiction and, if appropriate, prosecute the

suspects.

Right to a remedy for victims

Finally, we would like to refer your Excellency's Government to article 8 of the Universal Declaration of Human Rights, article 2 paragraph 3 of the International Covenant on Civil and Political Rights (ICCPR), articles 1, 14 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as article 3 of the Hague Convention respecting the Laws and Customs of War on Land of 18 October 1907 (Convention IV), and article 91 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 8 June 1977. These legal provisions all provide for a right to a remedy for victims of serious human rights violations.