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DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Statement

**On Ongoing Violations of the International Humanitarian Law by Azerbaijan
delivered by the Permanent Delegation of the Republic of Armenia at the 1047th
Meeting of the OSCE Permanent Council**

April 16, 2015

Mr. Chairman,

We would like to draw the attention of the Permanent Council on the ongoing violations of international humanitarian law by Azerbaijan in the context of Nagorno-Karabakh conflict. These violations are perpetrated equally against the civilian population and prisoners of war.

In recent years there have been a number of cases of torture and killing of the Armenian civilian hostages and prisoners of war in Azerbaijani captivity. Two civilians from borderline settlements -namely 20 year old Manvel Saribekyan and 32 year old Karen Petrosyan, have been publicly humiliated, tortured and killed. Another civilian – 77 year old Mamikon Khojoyan, died immediately after release because of injuries incompatible with life inflicted on him during captivity.

The torture and killing of Karen Petrosyan is shocking both by its brutality and personal involvement of an Azerbaijani high ranking military officer. The Azerbaijani media broadcasted video images of degrading treatment of Karen Petrosyan in the presence of Azerbaijani lieutenant general Rovshan Akperov. A number of OSCE participating states expressed their concern over this case. The U.S. Department of State in particular «called on the Government of Azerbaijan to conduct a full and transparent investigation into this incident and to make its findings public».

However, the Azerbaijani authorities have not held anyone accountable in connection with this murder. Forensic examination of body of Karen Petrosyan revealed clear signs of torture that led to his death.

The public humiliation and torture have also been practiced against Armenian prisoners of war. The Armenian prisoner of war Hakob Injighulian was compelled to participate in the fabricated interview on Azerbaijani TV which is a blatant violation of Geneva Conventions. Later the secret video materials of interrogation of Mr. Injighulyan by Azerbaijani special services have been confiscated from an Azerbaijani saboteur group, which together with the testimony of the prisoner of war himself stand as yet another clear evidence of brutal treatment of Armenian hostages in the Azerbaijani captivity.

We do realize that overall human rights standards are poor in Azerbaijan. Rejection to accept the delegation of the United Nations Subcommittee on Prevention of Torture last September is very illustrative in this regard. However, there could not be any excuses to the gross and systematic violations of the international humanitarian law. As the Convention itself stipulates, it must be fully applied in all circumstances to all persons who are protected by those instruments.

The Azerbaijani practice of torturing and killing of the Armenian hostages should be adequately condemned and efforts should be undertaken to stop this deplorable practice.

The humane treatment of Azerbaijani civilians and prisoners of war by Armenia and Nagorno-Karabakh should serve as an invitation to follow the suit and equally respect the international humanitarian law. Azerbaijan should not take them as encouragement for impunity.

The Armenian sides have always endorsed the cooperation on humanitarian issues. Exchange of information on the missing persons has been one of those issues on which Armenia and Nagorno-Karabakh have a long history of close collaboration with the ICRC both before and after establishment of the cease-fire regime in 1994.

The Armenian sides have tried to contribute in a good faith to this highly important humanitarian issue and have also used good offices of ICRC to submit to Azerbaijani side the inquiry of whereabouts of 94 persons which went missing in the context of the Nagorno-Karabakh conflict and were reported by various channels to be under the Azerbaijani captivity. For the record - overall there are 413 registered missing persons in Armenia and another 425 in Nagorno-Karabakh. Regrettably, the practice of the past two decades has demonstrated that in this case again Azerbaijan refuses to exchange information or provides only fragmented or incomplete information on the missing persons, thus hampering the humanitarian efforts and continuing to cause sufferings for the families of the missing persons.

In our view the Red Cross Offices in Baku, Yerevan and Stepanakert can play crucial role in gathering information on the missing persons. Armenia supports the project of collecting DNA samples from the relatives of missing persons which is being implemented by the ICRC. Yet, it would be very difficult for the ICRC alone to effectively address this issue. Therefore, Armenia keeps strongly advocating for the resumption of the meetings between state commissions on hostages, prisoners of war and missing persons. However, Azerbaijan rejects all proposals to meet ever since 2006 when the last joint meeting of the state commissions had taken place.

Armenia has welcomed and supported the initiative of ICRC to monitor respect for International Humanitarian Law at borderline villages particularly in the time of harvest. Regretfully, Azerbaijan systematically impedes ICRC activities in this regard. Recently, it has even resorted to target the vehicles clearly bearing the signs of the Red Cross on the Armenian side of the state border, in the vicinity of Chinari village. Needless to say that the full and unimpeded exercise by the ICRC of its duties is instrumental for contributing to the humanitarian situation on the ground especially since Azerbaijan refuses to engage in any type of cooperation with the Armenian side.

Finally, it should be stressed that Azerbaijan did not sign and ratify First and Second Additional Protocols to Geneva Conventions Relating to the Protection of Victims of International and Non-international Armed Conflicts. The reluctance to join international community in adopting legal obligations on issues of protection of victims of armed conflicts singles out Azerbaijan in the OSCE and vividly demonstrates its attitude towards the humanitarian issues. If Azerbaijan is sincere about its proclaimed adherence to the humanitarian issues probably it may start from acceding to relevant international framework.

In conclusion, let me underline that Armenia will continue its cooperation both with the Minsk Group Co-Chairs and the ICRC on humanitarian issues.

Thank you.