



**UN Human Rights Council  
46<sup>th</sup> Session  
(22 February – 23 March 2021)**

**Interactive Dialogue with the Special Rapporteur on the Special Rapporteur on Torture and  
Other Cruel, Inhuman or Degrading Treatment or Punishment**

**Right of Reply**

**delivered by Mr. Shahriyar Hajiyev**

**Third Secretary of the Permanent Mission of the Republic of Azerbaijan  
to the UN Office and other International Organizations in Geneva**

**08 March 2021**

Mr. Vice-President,

We are exercising our right of reply in response to the statement of the delegation of Armenia and the Office of the Human Rights Defender of Armenia.

After the cessation of hostilities - 10 November 2020, Azerbaijan, by creating the necessary conditions and being respectful to the principles of humanity and public conscience, handed over more than one thousand bodies of the deceased Armenian soldiers. However, today, a malign attempt was made by Armenia, just for the sake of misleading the international community, accusing us for not returning the dead bodies.

When it comes to Prisoners of War, Azerbaijan repatriated fifty-nine of them to Armenia in accordance with the Trilateral Statement of 10 November 2020. The referred captured members of the terrorist-sabotage group of Armenia do not enjoy POW status. Those persons were sent by Armenia to the territory of Azerbaijan after the cessation of hostilities.

Azerbaijan is committed to its treaty and customary obligations under Geneva Conventions of 1949 and those under conduct of hostilities. The rules of IHL are disseminated widely and included in the military training and study programmes of the armed forces.

The armed forces of Armenia have committed decapitations, wilful killings, torture and ill-treatment and other serious breaches of the Geneva Conventions and laws and customs of war. All these has not been investigated and remained unpunished.

The fact that Armenia continues its violations by not launching an investigation, serves an evidence of its state level approval of those brutal crimes. In addition to violating the rules of conduct of hostilities, Armenia violates its obligations with regard to prisoners of war. The acts of torture and other cruel, inhuman or degrading treatment of Azerbaijani POWs have also been documented. All the above-mentioned acts are just documented evidences of Armenia's complete disregard to its obligations under IHL. There have been other numerous cases. Referring to such innumerable cases of disregard to its obligations and the intention behind, it is clear that the above-mentioned violations of Armenia carried out systematically. Armenia incurs

state responsibility for its violations. The impunity enjoyed by Armenia back in the 1990s - when that state perpetuated almost all kinds of brutal and inhuman violations against the people of Azerbaijan - encouraged it to do the same inhumanity.

Today, Armenia continues of its violations. It should be stressed that the territories of Azerbaijan have been heavily mined by Armenia. Since the cessation of hostilities, 18 citizens of Azerbaijan have been killed, 71 citizens have been seriously wounded as a result of mine explosions in the recently liberated territories from occupation of Armenia. Disregarding to release the information concerning the location of minefields, Armenia continuous to cause loss of innocent lives. Importantly, Armenia perpetuates anguish and distress upon Azerbaijani civilians torturing them with mental pain and suffering. This violation is an example of “psychological torture” that has been explored by the Special Rapporteur in his report submitted to the 43<sup>rd</sup> session of the HRC where it is stated that “psychological torture” should be interpreted to include all methods, techniques and circumstances which are intended or designed to purposefully inflict severe mental pain or suffering. Bearing in mind that the mines planted cause death and injury to the citizens of Azerbaijan, Armenia inflicts both physical and mental pain and suffering on them.

I thank you.