



PERMANENT MISSION OF THE REPUBLIC OF ARMENIA
TO THE UNITED NATIONS

UN/3101/357/2022

The Permanent Mission of the Republic of Armenia to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and, with reference to the latter's Note Verbale LA/COD/2/1, dated 17 January 2022, has the honour to transmit the information on implementation of the General Assembly resolution 75/138 of 9 December 2021, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts".

The Permanent Mission of the Republic of Armenia to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

Encl. 6 pages.

New York, 1 June 2022

Republic of Armenia

Information on the Implementation of the GA Resolution 75/138 of 15 December 2020 Entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and Relating to the Protection of Victims of Armed Conflicts"

Armenia is committed to the promotion and protection of the principles of international humanitarian law and welcomes the opportunity to address additional information on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law with respect to its dissemination and full implementation at the national level.

Armenia has ratified all three Additional Protocols to the Geneva Conventions and recognizes the competence of the International Humanitarian Fact-Finding Commission pursuant to Article 90 of Additional Protocol I. Armenia reaffirms the imperative of strengthening compliance with the international humanitarian law and encourages universalization of the Additional Protocols to the Geneva Conventions related to the protection of victims of armed conflicts.

Armenia further reiterates its commitment under the paragraph 4 of the Article I of the 1977 Additional Protocol I "The situations referred to in the preceding paragraph include armed conflicts in which peoples are fighting against colonial domination, as occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations."

Armenia acknowledges the imperative of protecting children in situations of armed conflict and ensuring their right to learn. Armenia is party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and remains committed to protecting education from attack, in line with the Safe Schools Declaration, as well as the provisions outlined in the Paris Principles and the Vancouver Principles, which Armenia has endorsed.

Armenia reaffirms that states have the responsibility of protecting cultural heritage from intentional destruction at all times. Armenia is party to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols; the Paris Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the Convention concerning the Protection of the World Cultural and Natural Heritage; the Convention for the Safeguarding of the Intangible Cultural Heritage and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

Reiterating its prior submissions on the topic of the protection of victims of armed conflict, Armenia continues to actively integrate norms of international humanitarian law in domestic legal frameworks. In 2021, Armenia adopted a new criminal code developed with the support of the legal expertise of the Council of Europe, which contains stronger provisions prohibiting violations of the norms of international humanitarian law and improves their integration at the national level.

International humanitarian law continues to be extensively incorporated into academic curricula in Armenia, including by Yerevan State University, alongside with other academic institutions. Since 2020, the UNESCO Chair on Genocide Education and Prevention has been operational to underpin efforts in fighting impunity for genocide, crimes against humanity, war crimes and violations of international humanitarian law. With the support of ICRC, norms of international humanitarian law continue to be integrated in trainings conducted for military personnel.

Armenia continues to implement the National Strategy for Protection of Human Rights and its derivative Action Plan for 2020-2022, which seeks to raise awareness and improve protection of the right to life, including among conscripts and servicemen. In fulfilling obligations under international humanitarian law, Armenia remains committed to the promotion and protection of the rights of all women and girls. In 2019, Armenia became the 80th UN member state to have adopted a National Action Plan (NAP) to implement the UN Security Council Resolution 1325 on Women, Peace and Security. Armenia's Second NAP developed for the period of 2022-2024 carries a focus on the problems faced by women and girls in the context of emergency situations, taking into account the security challenges stemming from Azerbaijan's military aggression and their impact on women and girls residing in the border areas and in Nagorno-Karabakh (Artsakh).

Armenia acknowledges the challenges posed by the COVID-19 pandemic for the human rights and humanitarian systems, fully cognizant that among the hardest hit are the people trapped in conflict, and that the lack of humanitarian access to conflict areas exacerbates suffering and endangers the right to life and right to health of the affected population. In 2020, Armenia joined the list of 170 signatories endorsing the global appeal for an immediate ceasefire in all corners of the world launched by the UN Secretary-General.

The premeditated military attack against Nagorno-Karabakh, which Azerbaijan has openly admitted to have initiated in the fall of 2020 contrary to the UN Secretary-General's initiative and in violation of the pre-eminent obligations under international law prohibiting the use of force to resolve disputes, led to the most intense and destructive escalation in the region since the 1990s, resulting in thousands of casualties, displacement, destruction and a major humanitarian crisis.

Launched in the middle of global pandemic, in gross violation of existing ceasefire agreement, the 2020 hostilities in Nagorno-Karabakh represented a carefully planned campaign of inflicting maximum casualties on the Armenian population, in full demonstration of an intent to destroy, in whole or in part, an ethnic group as such. Azerbaijan's attempt to resolve the Nagorno-Karabakh conflict by use of force came to be extensively accompanied with the use of prohibited weapons as well as the most disturbing instances of violations of humanitarian law, as reported and documented by various human rights institutions, including the report published by Amnesty International revealing the magnitude of the disproportionate impact upon the older ethnic Armenian population, who became particular targets of war crimes¹. Analysis of more than 300 videos and photos posted by the Azerbaijani servicemen on various social media platforms depict, among other war crimes, multiple instances of humiliation and mutilation of dead bodies of the ethnic Armenians.

¹ <https://www.amnesty.org/en/documents/eur54/5214/2022/en/>

Since the launch of the offensive in 2020, Azerbaijan has been in violation of multiple provisions of international human rights law and IHL, including Articles 44, 47, 51, 52, 54, 76, 77 of the Additional Protocol I to the Geneva Conventions. 18 months into the cessation of hostilities in the Nagorno-Karabakh conflict zone, Azerbaijan is yet to abide by its obligations under the international humanitarian law vis-à-vis the Armenian prisoners of war (POWs) and civilian hostages, whose return Azerbaijan continues to deny in violation of the Geneva Conventions, with many detainees facing bogus criminal charges.

Following the hostilities against Nagorno-Karabakh in 2020, the ICRC has expanded its presence in Armenia by establishing offices in Goris and Ijevan. The cooperation with the ICRC currently includes activities ranging from the search operations for the remains of the dead bodies to the visits of Armenian POWs in Azerbaijan, as well as ensuring communication between POWs and their families.

Armenia values the special role of the ICRC in addressing the immediate life-saving needs of the population in Nagorno-Karabakh and channeling the urgent humanitarian assistance, while noting that Azerbaijan's continued obstruction of safe and unhindered humanitarian access by the UN agencies to Nagorno-Karabakh continues to pose an unjustified challenge for timely delivery of international humanitarian assistance to address the recovery needs and human rights of the affected population on the ground.

Armenia shares the global responsibility to protect civilians, particularly women, children and elderly and calls for action to ensure unrestricted humanitarian access for people residing in conflict areas.

Annex

To the Information on the Implementation of the GA Resolution 75/138 of 15 December 2020 Entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and Relating to the Protection of Victims of Armed Conflicts"

1. Reports of the Human Rights Defender of Armenia

- Ad hoc report on fact-finding activities in village of Gegharkunik province of Armenia damaged by Azerbaijani military attacks (2020)

<https://www.ombuds.am/images/files/dc1b379419a1a9aaeec5191128277502.pdf>

- Ad hoc public report on Azerbaijani drones' targeted attacks against peaceful population of Armenia and Artsakh in grave breach of International Law (2020)

<https://www.ombuds.am/images/files/de3634c257bb698735db318a33f280bf.pdf>

- Ad hoc public report on the treatment of Armenian prisoners of war and civilian captives in Azerbaijan (2021)

<https://www.ombuds.am/images/files/1138b156720bec6ae0fd88dc709eb62c.pdf>

- Ad hoc public report on the Azerbaijan's crimes against humanity in the context of human-made disaster during COVID-19 (2021)

<https://www.ombuds.am/images/files/326290df4f5627efee9967798fdcbcb2.pdf>

- Ad hoc report on violations of the Armenia's Yeraskh community residents' rights by shootings of the Azerbaijani armed forces (July 2021)

<https://www.ombuds.am/images/files/5611c2aeb64c7532ebbb5a800c61c9a4.pdf>

- Ad hoc public report on responsibility of Azerbaijan for torture and inhuman treatment of Armenian captives (September 2021)

<https://www.ombuds.am/images/files/8f33e8ccaac978faac7f4cf10442f835.pdf>

- Ad hoc public report on urgent necessity for a demilitarized security zone in the areas of contact with the Azerbaijani military forces as a fundamental safeguard to protect the rights of population in Armenia (November 2021)

<https://www.ombuds.am/images/files/26a9d7838a4f87fc198e65daadbc4ef1.pdf>

2. Reports of the Human Rights Ombudsman of Artsakh (Nagorno-Karabakh)

- Interim report on the atrocities and other gross violations of human rights of the people of Artsakh, committed by Azerbaijan (03.10.2020)

<https://undocs.org/A/75/489>, <https://undocs.org/S/2020/974>

- Ad hoc public report on the Azerbaijani targeted attacks against the St. Holy savior Ghazanchetsots cathedral of Shushi, Artsakh (Nagorno-Karabakh)

<https://artsakhombuds.am/en/document/740>

- Second interim report on targeted and indiscriminate attacks on the civilian population, critical infrastructure and public institutions, the use of banned weapons, attacks on journalists, war crimes and atrocities committed by Azerbaijan (21.10.2020)

<https://undocs.org/A/75/544>, <https://undocs.org/S/2020/1035>

- General report of the Human Rights Ombudsman of Artsakh. (October 2020)

<https://artsakhombuds.am/en/general-report> (*Section 1. The damages to life, dignity, health, vital needs and property of the people of Artsakh*)

- Ad hoc public report on the use of incendiary ammunition of mass destruction (incendiary weapon) against civilian object of Artsakh (Nagorno-Karabakh) by the Azerbaijani armed forces (07.11.2020)

<https://artsakhombuds.am/en/document/761>

- Ad hoc report on the children rights affected by the Azerbaijani attacks against the Republic of Artsakh (Nagorno-Karabakh) (09.11.2020)

<https://artsakhombuds.am/en/document/766>

- Ad hoc public report on the Armenian cultural heritage in Artsakh (Nagorno-Karabakh): Cases of vandalism and at risk of destruction by Azerbaijan (09.02.2021)

<https://undocs.org/A/75/739>, <https://undocs.org/S/2021/124>

- Interim report on killings of the civilian population as a result of the large-scale military aggression unleashed by Azerbaijan (04.11.2021)

<https://undocs.org/A/76/512>, <https://undocs.org/S/2021/923>

- Interim report on illegal prosecutions and trials of the Armenian prisoners of war and civilian hostages (03.12.2021)

<https://undocs.org/A/76/581>, <https://undocs.org/S/2021/1010>

- Interim report on targeted attacks on the civilian population by Azerbaijan (12.04.2022)

<https://undocs.org/A/76/802>, <https://undocs.org/S/2022/314>

3. Reports of the Armenian National Commission for the UNESCO

- Memorandum of the Armenian National Commission for the UNESCO regarding the destruction of the Armenian cultural heritage of Artsakh (Nagorno-Karabakh) by Azerbaijan (30.04.2021)

<https://undocs.org/A/75/870>, <https://undocs.org/S/2021/427>

- Ad hoc report on the Destruction and Acts of Vandalism Perpetrated Against Armenian Cultural Property in 2020 – 2022 by Azerbaijan (15.04.2022)

<https://undocs.org/A/76/822>, <https://undocs.org/S/2022/358>