

**Submission by the Republic of Azerbaijan  
for the report of the UN Secretary-General under the UN General Assembly  
resolution 79/123**

**Introduction**

The submission is presented by the Republic of Azerbaijan with reference to the UN General Assembly resolution 79/123 of 4 December 2024 entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts". While the submission reflects the measures taken by the Republic of Azerbaijan for the implementation of its obligations under international humanitarian law, it should not be construed as a position and/or intention in any form with respect to becoming a party to the Protocols Additional to the Geneva Conventions.

Azerbaijan is not a party to the Protocols Additional, however it takes active measures with a view to giving effect to its obligations arising from the Geneva Conventions and respective rules of customary international humanitarian law many of which are codified in the referred Protocols.

Azerbaijan recognizes all too well the significance of compliance with IHL in light of the three-decade long aggression against it and occupation of its territories, which inflicted on Azerbaijani civilians an immense humanitarian suffering and deprived them of their basic human rights. The ethnic cleansing of the formerly occupied territories of Azerbaijan, forcible displacement of hundreds of thousands of Azerbaijani IDPs, killing and maiming of thousands of civilians, including children, deliberate and indiscriminate attacks against civilian infrastructure are all vivid and grim examples of flagrant violations of international humanitarian law, including key principles governing conduct of hostilities, protection of victims, as well as rules of the law of occupation as a part of body of IHL.

In addition to the submissions made through previous communications, the Republic of Azerbaijan presents the following information concerning the violations that occurred in its territories during the years of occupation the results of which still cause humanitarian sufferings, pose threat to civilian life and hampers the exercise of fundamental rights.

**The landmines in the formerly occupied territories of Azerbaijan**

The massive contamination of the formerly occupied territories of Azerbaijan with the landmines represents a gross violation of IHL and continues inflicting damage and creating obstacles to the ongoing restoration and rehabilitation efforts of the territories negatively affecting the enjoyment of basic human rights by Azerbaijani returnees.

Presently, Azerbaijan is among the most heavily mine-contaminated countries in the world. Only after the end of the of the hostilities of 2020, 427 persons have become direct mine victims with 73 killed, including 58 civilians. Since 1991, more than 3500 persons became mine victims.

Despite these facts, the accurate maps of minefields are still being refused to be provided in clear violation of international humanitarian law. Along with its devastating direct and indirect effects on human safety and security, the continuing non-cooperation in this fields, despite the calls made by Azerbaijan, is one of the major obstacles to the ongoing post-conflict conciliation efforts on public level.

## **Missing persons**

In the course of aggression against Azerbaijan and conflict in its territories since the early 1990s, numerous violations of international humanitarian law, including those on the prohibition of wilful killing, hostage-taking and mistreatment of prisoners of war and civilian detainees, were committed against Azerbaijanis. One of the tragic consequences of the war demanding close attention and action is the fate of persons who went missing in connection with the conflict.

As a direct result of the above atrocity crimes committed against Azerbaijanis, more than 4000 citizens of Azerbaijan are still registered as missing with more than 700 civilians among them, including children, women and elderly.

Against this background, Azerbaijan continues to search for burial sites of the missing in spite of the obstacles created by massive mine contamination of the liberated territories. After the end of the hostilities in November 2020 to this day 32 mass graves have been discovered throughout all the liberated areas of Azerbaijan, demonstrating undeniable evidence of torture, inhumane treatment and arbitrary deprivation of life to which Azerbaijani PoWs and civilian hostages had been subjected. The mass graves unearthed have allowed the identification of 313 missing persons so far, with 226 remains returned to families and buried. Importantly, the number of mass graves clearly shows the scale of the violations perpetrated during the period of occupation. Azerbaijan will continue its efforts for bringing clarity to the fate and whereabouts of its missing citizens in line with its obligations under IHL.

## **Destruction of cultural heritage in the formerly occupied territories**

Azerbaijan reiterates its grave concern regarding the massive destruction of its cultural heritage in its formerly occupied territories. Almost all historical, cultural and religious monuments were completely destroyed or subjected to alteration of their historical background during the period of occupation. As a result, not a single Azerbaijani historic and cultural monument left undamaged, and no sacred site escaped desecration in the occupied territories.

The Ministry of Culture of Azerbaijan has identified more than 400 monuments that have been destroyed in the liberated territories. Cultural and religious property belonging to Azerbaijan has been looted, desecrated, altered and illegally exported. 22 museums and museum branches with over 100,000 artefacts from the liberated territories have been destroyed or illegally appropriated and transported during the years of occupation. All of these actions together with illegal excavation works carried out in some of the historical sites constitute a gross violation of international humanitarian law, including rules governing the law of occupation, the UNESCO standard setting instruments, such as the 1954 Hague Convention for the Protection of Cultural Property on the Event of Armed Conflict and its two protocols, as well as the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Regretfully, appeals to the relevant international organizations to investigate the above-described deliberate destruction, misappropriation and alteration of our cultural heritage, as well as illicit removal of our cultural properties have been ignored throughout the 30

years of occupation. The cultural heritage situated in the territory of the Republic of Azerbaijan, regardless of its origin, whether secular or religious, reflects the cultural diversity of the people of Azerbaijan, which Azerbaijan values and protects.

### **Transitional justice measures**

In line with its right and obligation to exercise its criminal jurisdiction over the breaches of international humanitarian law that occurred in its territory, the Republic of Azerbaijan has been taking consistent measures with a view to investigate, prosecute and punish the perpetrators of grave breaches of international humanitarian law in relation to the former conflict.

Based on substantial evidence and reasonable suspicion of committing grave crimes under national and international law, the individuals presenting themselves as “representatives” or “heads” of the puppet regime once established in the formerly occupied territories of Azerbaijan, including military commanders were detained and prosecuted by the relevant authorities of Azerbaijan. Following an independent, transparent, thorough and objective investigation ensuring also due diligence rules, the court proceedings involving those persons accused of crimes against peace and humanity, war crimes, financing of terrorism, and other offences, have recently been concluded at the Court of First Instance with the approval of the charges. These cases are now being considered by the respective Court of Appeal in line with the principles of justice, transparency and due process.

The ongoing criminal proceedings before the national court are being conducted in full conformity with the domestic law and relevant international obligations of the Republic of Azerbaijan, particularly those under international humanitarian law, including obligations regarding the repression and prosecution of breaches of IHL. They are primarily aimed at addressing the long-standing impunity enjoyed by the perpetrators and thereby will contribute to the prevention of such crimes and overall compliance with the norms of humanitarian law.

### **Conclusion**

As a responsible member of the international community, Azerbaijan has always been and remains committed to its obligations under IHL. It has always advocated for strict adherence to the humanitarian norms, including those on the conduct of hostilities and protection of civilians.