

Reference: C.N.575.2020.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

AZERBAIJAN: NOTIFICATION UNDER ARTICLE 4 (3) ¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 29 September 2020.

(Translation) (Original: English)

“N°5/11-3284/01/20

The Ministry of Foreign Affairs of the Republic of Azerbaijan presents its compliments to the Secretary-General of the United Nations and has the honour to inform that on September 27, 2020 the armed forces of Armenia blatantly violating the ceasefire regime have launched another aggression against Azerbaijan, by intensively shelling the positions of the armed forces of Azerbaijan along the frontline, as well as the villages of Qapanli of Terter district, Chiragli and Orta Garavend of Aghdam district, Alkhanli and Shukurbeyli of Fizuli district and Jojuq Merjanli of Jabrayil district, using large-caliber weapons, mortar launchers and artillery.

As a result there have been casualties among the civilians and military servicemen of Azerbaijan. Extensive damage has been inflicted on many houses and other civilian infrastructure.

The new act of aggression by Armenia against Azerbaijan is the continuation of the latest provocations of the Armenian side, including the attempt to an armed attack in the direction of Tovuz region on 12-16 July, 2020, the provocation in the direction of Goranboy region, illegal settlement policy in the occupied territories of Azerbaijan, as well as the provocative statements and activities of Armenian leadership.

In order to repel military aggression by Armenia and ensure the security of civilians and densely populated residential areas deep inside the internationally recognized territories of Azerbaijan, the armed forces of the Republic of Azerbaijan undertake counter-offensive measures within the right of self-defence and in full compliance with the international humanitarian law.

¹ The text of Decree No. 1166 of 27 September 2020, the Decision of 27 September 2020 of the Milli Majlis (Parliament) of the Republic of Azerbaijan on approval of the Presidential Decree on martial law and extracts from the Law of the Republic of Azerbaijan “On martial law” (Article 10) 530-VQ of 14 February 2017 attached to the notification, are on file with the Secretary-General and are available for consultation.

Taking into account the occupation of the Nagorno-Karabakh region of the Republic of Azerbaijan and its adjacent districts by the armed forces of the Republic of Armenia, armed attacks against the Republic of Azerbaijan and regular military provocations, martial law was declared throughout the country starting from 00:00 on 28 September 2020 according to the Article 109 paragraph 29 and Article 111 of the Constitution of the Republic of Azerbaijan by the Decree of the President of the Republic of Azerbaijan dated September 27, 2020 approved by the Decision of the Milli Majlis (Parliament).

During the martial law, curfew shall be introduced from 21:00 hrs. to 06:00 hrs. in Baku, Ganja, Sumgayit, Yevlakh, Mingachevir, Naftalan cities, Absheron, Jabrayil, Fuzuli, Aghjabadi, Beylagan, Aghdam, Barda, Terter, Goranboy, Goygol, Dashkasan, Gadabay, Tovuz, Shamkir, Gazakh and Aghstafa districts of the Republic of Azerbaijan.

Pursuant to Article 4 paragraph 1 of the International Covenant on Civil and Political Rights, the Ministry informs that during the martial law the Government of the Republic of Azerbaijan exercises the right of derogation from its obligations under Articles 9, 12, 14, 17, 19, 21 and 22, and kindly requests the Secretary-General to disseminate the above-mentioned information among other States Parties to the Covenant.

It is hereby specified that the measures taken by the Government are proportionate and targeted. Pursuant to Article 4 paragraph 1 of the International Covenant on Civil and Political Rights, the measures are required by the exigencies of the situation and consistent with the State's other obligations under international law.

The Ministry will inform the Secretary-General about future developments with regard to the martial law and will notify him on the date on which Azerbaijan terminates the derogation.

The Ministry of the Foreign Affairs of the Republic of Azerbaijan avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

Baku, September 28, 2020”

31 December 2020

A handwritten signature in black ink, consisting of a stylized 'D' and 'N' with a horizontal line underneath.