

INTERNATIONAL COURT OF JUSTICE

**INTERPRETATION AND APPLICATION OF THE  
INTERNATIONAL CONVENTION ON THE ELIMINATION OF  
ALL FORMS OF RACIAL DISCRIMINATION**

**(REPUBLIC OF ARMENIA *v.*  
REPUBLIC OF AZERBAIJAN)**

**PRELIMINARY OBJECTIONS OF  
THE REPUBLIC OF AZERBAIJAN**



VOLUME II

ANNEXES 1-46

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Annexes 1-45 not reproduced

## **Annex 46**

Table of Armenia's Claims and Factual Allegations That Do Not Fall Within CERD



**TABLE OF ARMENIA'S CLAIMS AND FACTUAL ALLEGATIONS THAT DO NOT FALL WITHIN CERD**

ARMENIA'S CLAIM	RELEVANT RELIEF REQUESTED	ARMENIA'S EVIDENCE IN SUPPORT OF ITS CLAIM
<p>“Azerbaijan has violated Articles 2(1), 4(a) and 5(b) of the CERD by engaging in and failing to prevent the murder, torture, inhuman and degrading treatment and other abuse of ethnic Armenians as well as the mutilation of their dead bodies;<sup>71</sup></p>	<p>“Azerbaijan must immediately: Desist from any ongoing act of torture, inhumane treatment, arbitrary detention or forced disappearance of ethnic Armenians;<sup>72</sup></p>	<p align="center"><b>Allegations of mistreatment of members of Armenia's armed forces.</b></p> <p>[Addressed in Preliminary Objections of the Republic of Azerbaijan (21 April 2023), Section III.B.1.a]</p> <p><b>Part III, Chapter 1, Section II</b></p> <ul style="list-style-type: none"> <li>• Pages 93, 95–96, 99–101, paras. 3.55–3.56, 3.58, 3.63–3.66</li> </ul> <p><b>Part III, Chapter 2, Section II</b></p> <ul style="list-style-type: none"> <li>• Pages 235–245, 251–255, paras. 3.246–3.260, 3.270–3.275 Including Annexes: 117, 124, 125, 128, 131, 132, 133, 134, 135, 136, 137, 159, 160, 166, 167, 168, 169, 171, 173</li> </ul> <p><b>Part III, Chapter 3, Section I</b></p> <ul style="list-style-type: none"> <li>• Pages 285–286, 291, 296–298, 302–304, paras. 3.307–3.309, 3.317, 3.325–3.326, 3.332–3.335</li> <li>• Including Annexes: 120, 121, 126, 127, 135, 136, 154, 161, 162, 163, 164, 165, 171</li> </ul> <p><b>Part IV, Chapter 1</b></p> <ul style="list-style-type: none"> <li>• Pages 428–429, para. 4.6</li> <li>• Including Annexes: 192, 193</li> </ul> <p><b>Part IV, Chapter 2, Section I</b></p> <ul style="list-style-type: none"> <li>• Pages 434–438, 440–443, 446–447, paras. 4.14–4.18, 4.22–4.23, 4.29–4.31</li> <li>• Including Annexes: 148, 156, 172, 174</li> </ul> <p><b>Part IV, Chapter 2, Section IV.A</b></p> <ul style="list-style-type: none"> <li>• Pages 494, 497–501, paras. 4.102, 4.106, 4.108, 4.110</li> </ul> <p><b>Part IV, Chapter 2, Section IV.B</b></p> <ul style="list-style-type: none"> <li>• Pages 512–518, paras. 4.129–4.132, 4.134</li> <li>• Including Annexes: 118, 119, 155, 203</li> </ul>

<sup>1</sup> Armenia's Memorial, Part VI.3.IB, p. 586, para. 6.81.

<sup>2</sup> Armenia's Memorial, Part VIII.1.1, pp. 732–733, para. 8.5.

ARMENIA'S CLAIM	RELEVANT RELIEF REQUESTED	ARMENIA'S EVIDENCE IN SUPPORT OF ITS CLAIM
	<p><b>Allegations of mistreatment of individuals who crossed the international boundary or the line of contact during Armenia's occupation.</b> [Addressed in Preliminary Objections of the Republic of Azerbaijan (21 April 2023), Section III.B.1.b.]</p> <p><b>Allegations of targeting or mistreatment of civilians during armed conflict.</b> [Addressed in Preliminary Objections of the Republic of Azerbaijan (21 April 2023), Section III.B.1.c.]</p>	<p><b>Part III, Chapter 1, Section II</b></p> <ul style="list-style-type: none"> <li>• Pages 83–96, paras. 3.36–3.58</li> </ul> <p><b>Part III, Chapter 1, Section II</b></p> <ul style="list-style-type: none"> <li>• Pages 83–93, 95, 98–99, 101, paras. 3.36–3.53, 3.57, 3.61–3.62, 3.66</li> </ul> <p><b>Part III, Chapter 2, Section II</b></p> <ul style="list-style-type: none"> <li>• Pages 230–233, 235–237, 239, 248–250, 255, paras. 3.240, 3.242–3.243, 3.246–3.247, 3.248–3.249, 3.265–3.268, 3.274</li> <li>• Including Annexes: 117, 123, 130, 135, 136, 170, 171, 204</li> </ul> <p><b>Part III, Chapter 3, Section I</b></p> <ul style="list-style-type: none"> <li>• Pages 282–284, 292–294, 296, 298, 300–301, 304–306, paras. 3.305–3.306, 3.318–3.320, 3.324, 3.327, 3.330, 3.336–3.339</li> <li>• Including Annexes: 123, 129, 130, 204</li> </ul> <p><b>Part IV, Chapter 1</b></p> <ul style="list-style-type: none"> <li>• Pages 429–432, para. 4.7</li> </ul> <p><b>Part IV, Chapter 2, Section I</b></p> <ul style="list-style-type: none"> <li>• Pages 439, paras. 4.19–4.20</li> </ul> <p><b>Part IV, Chapter 2, Section IV.A</b></p> <ul style="list-style-type: none"> <li>• Pages 494–499, 502–503, paras. 4.103–4.106, 4.108, 4.112</li> <li>• Including Annex: 196</li> </ul> <p><b>Part IV, Chapter 2, Section IV.B</b></p> <ul style="list-style-type: none"> <li>• Pages 515, 518–519, paras. 4.131, 4.135</li> </ul>

ARMENIA'S CLAIM	RELEVANT RELIEF REQUESTED	ARMENIA'S EVIDENCE IN SUPPORT OF ITS CLAIM
<p>"By discriminatorily and arbitrarily detaining ethnic Armenians, Azerbaijan has breached Articles 2 and 5(a) of the CERD"<sup>3</sup></p>	<p>"Release all Armenian prisoners of war and civilian detainees"<sup>4</sup>.</p> <p>"Provide for the rehabilitation of physically or mentally injured ethnic Armenians, notably through medical and psychological care as well as legal and social services"<sup>5</sup></p>	<p>In alleged support of its claim, <b>Armenia relies on the same facts enumerated</b> in support of its claim that "Azerbaijan has violated Articles 2(1), 4(a) and 5(b) of the CERD by engaging in and failing to prevent the murder, torture, inhuman and degrading treatment and other abuse of ethnic Armenians".</p> <p>It also alleges facts set out in the following sections of Armenia's Memorial, related to allegations that detained Armenian servicemen and civilians were subject to sham proceedings:</p> <ul style="list-style-type: none"> <li>• <b>Part III, Chapter 3, Section I</b> <ul style="list-style-type: none"> <li>○ Pages 311–319, 322–327, paras. 3.352, 3.355–3.356, 3.359–3.364, 3.370–3.371</li> </ul> </li> <li>• <b>Part IV, Chapter 2, Section I</b> <ul style="list-style-type: none"> <li>○ Page 451, para. 4.37</li> </ul> </li> </ul>
<p>"By discriminatorily subjecting ethnic Armenians to enforced disappearances, Azerbaijan has breached Articles 2 and 5 of the CERD"<sup>6</sup></p>	<p>"Facilitate the search for the disappeared and assist in the recovery, identification and reburial of the bodies of those killed in accordance with Christian Armenian rites"<sup>7</sup></p>	<p>In alleged support of its claim, <b>Armenia relies on the same facts enumerated</b> in support of its claim that "Azerbaijan has violated Articles 2(1), 4(a) and 5(b) of the CERD by engaging in and failing to prevent the murder, torture, inhuman and degrading treatment and other abuse of ethnic Armenians".</p> <p>It also alleges facts set out in the following sections of Armenia's Memorial:</p> <ul style="list-style-type: none"> <li>• <b>Part III, Chapter 3, Section I</b> <ul style="list-style-type: none"> <li>○ Pages 307–308, paras. 3.344–3.346</li> </ul> </li> <li>• <b>Part IV, Chapter 2, Section I</b> <ul style="list-style-type: none"> <li>○ Page 435, para. 4.15</li> </ul> </li> </ul>

<sup>3</sup> Armenia's Memorial, Part VI.3. III, p. 595, para. 6.104.

<sup>4</sup> Armenia's Memorial, Part IX, p. 752.

<sup>5</sup> Armenia's Memorial, Part VIII.1.II, p. 738, para. 8.17.

<sup>6</sup> Armenia's Memorial, Part VI.3. IV, p. 611, para. 6.138.

<sup>7</sup> Armenia's Memorial, Part VIII.1.II, p. 738, para. 8.17.