



The Court makes a statement on requests for interim measures concerning the conflict in and around Nagorno-Karabakh

Since 27 September 2020 the Court has received several requests for interim measures in the context of inter-State applications concerning the ongoing armed conflict in and around the region of Nagorno-Karabakh.

By a decision of 29 September, the Court applied Rule 39 of the Rules of Court, calling on both Azerbaijan and Armenia to refrain from taking any measures, in particular military actions, which might entail breaches of the Convention rights of the civilian population, including putting their life and health at risk, and to comply with their engagements under the Convention, notably in respect of Article 2 (right to life) and Article 3 (prohibition of torture and inhuman or degrading treatment or punishment) of the Convention.

On 6 October the Court decided to apply Rule 39 again, now calling on all States directly or indirectly involved in the conflict, including Turkey, to refrain from actions that contribute to breaches of the Convention rights of civilians, and to respect their obligations under the Convention.

Subsequently, on 18 October the Government of Armenia lodged a request against Azerbaijan, mainly alleging violations of international humanitarian law in the treatment of prisoners of war and other persons captured during the conflict. On 26 October the Government of Azerbaijan introduced a request against Armenia, in particular alleging that civilian targets were being attacked and raising issues of territorial sovereignty.

The Court notes that, while based on serious concerns, the two inter-State requests address several subject-matters that do not fall within the Court's jurisdiction. In so far as the requests relate to the rights under the Convention of individuals concerned, it is reiterated that the above decisions of 29 September and 6 October specifically mention the rights of civilians but also call on all States involved to comply with their engagements under the Convention. The latter expression includes also the Convention rights of those who are captured during the conflict and those whose rights might otherwise be violated.

In these circumstances, the Court finds that the issues raised in the new inter-State requests, to the extent they concern rights under the Convention, are covered by the decisions already taken. The Court reaffirms these decisions and does not see reason to indicate any further general interim measures under Rule 39.

The Court has also received numerous requests under Rule 39 concerning individual captives, lodged either by the Governments of Armenia and Azerbaijan or by relatives of the captives. In these cases, the Court has suspended the examination of Rule 39 and invited the respondent Government to provide information on whether the named individuals have been captured and, if so, under which conditions they are currently held, including any medical examinations or treatment they have undergone. The Court will keep these requests under review. At this point it further notes the existence of international mechanisms for the protection of persons captured during armed conflict and urges both Armenia and Azerbaijan to participate in the relevant procedures.

Links to the previous press releases

- *Armenia v. Azerbaijan*, no. 42521/20 : [link](#)
- *Armenia v. Turkey*, no. 43517/20 : [link](#)
- *Azerbaijan v. Armenia*, no. 47319/20 : [link](#)

Links to related documents

- Rule 39 of the [Rules of Court](#)
- [Factsheet on interim measures](#)

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.