

THE STATEMENT

of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan on the 27th anniversary of the Khojaly Genocide

Twenty seven years pass from the Khojaly Genocide, an integral part of the long-lasting aggression and ethnic cleansing policy of Armenia against Azerbaijan, resulted in mass and gross violation of international norms and principles, human rights and freedoms, engraved into the world history as a bloody tragedy. This massacre is another horrible evidence of the genocide policy of the Armenian nationalists and their supporters against the Azerbaijani people.

Thus the crime committed in Khojaly city of Azerbaijan at the night from the 25th to the 26th of February jointly by the Armenian armed forces and the 366 Motorized Rifle regiment of the former Soviet army dislocated in Khankendi city should be assessed as genocide from the international law perspective. A great number of heavy military equipment of this regiment were suddenly deployed to the city, the perpetrators annihilated mercilessly the civilian population that were forced to leave the city in horror, residency objects and social infrastructure were razed and burned down.

During the Khojaly Genocide committed 27 years ago, surrounded by the Armenian armed forces, 613 citizens, including 106 women, 63 children, 70 elderly were killed because of their national origin; hundreds of civilians were severely injured; 1275 people were taken hostages. 8 families were totally exterminated, 130 children lost one, whereas 25 children lost both parents, at the same time numerous captives and hostages were subjected to merciless torture. Thus, first of all, the right to life and other fundamental rights of these people were grossly violated.

This tragedy proved once again the deliberately ethnic cleansing and genocide policies continued for a long-lasting period time by the Armenian terrorists and their supporters against the Azerbaijani people, with the purpose to drive our nationals out of their historical lands and to create "Great Armenia" also by seizure of ancient Azerbaijani territories.

This massive killing of human beings in Khojaly by the Armenian aggressors is a fact of genocide and one of the gravest crimes against humanity. Thus, the UN General Assembly Resolution 96(I) states, genocide is a denial of the right of existence of entire human groups, shocks the conscience of mankind and is contrary to the moral law, the spirit and aims of the UN, and the world community condemns it.

The international legal definition of the crime of genocide is contained in the UN Convention on the Prevention and Punishment of the Crime of Genocide adopted by the

Resolution 260 (III) of the UN General Assembly of 9 December 1948. The commitment of criminal acts, planned in advance and aimed at mass murder of people on the ground of their nationality in Khojaly classifies this crime as genocide. During the aggression against Azerbaijan, all elements of the crime of genocide stated in the mentioned Convention were applied. However, such terrible acts of genocide against the Azerbaijani civilians, all these facts, including Khojaly Genocide has not yet received legal and political assessment, the planners, organizers and perpetrators of these crimes were not prosecuted and punished, no action has been taken for this purpose.

As a result of ethnic cleansing policy of Armenia that expanded the scope of military aggression against Azerbaijan by committing the Khojaly Genocide and occupied Nagorno-Karabakh which is an integral part of Azerbaijan and adjacent seven rayons, 20,000 of our citizens were killed, 20 percent of country territories were occupied, more than one million people became refugees and IDPs, their rights were severely and massively violated. Within the invasion, besides Khojaly, the Armenian nationalists and terrorists also committed massacres in Karkijahan, Malibayli, Gushchular, Garadagli, Agdaban villages and other settlements in Azerbaijan.

Our National Leader Heydar Aliyev had a special urge on the Khojaly Genocide in 1994, and in February of the same year Milli Mejlis of the Republic of Azerbaijan gave legal and political assessment to this event.

The occupied Nagorno-Karabakh and adjacent seven rayons are proved to be the integral part of the Republic of Azerbaijan under the international law, as well as UN Security Council Resolutions 822, 853, 874, 884 from 1993, UNGA Resolution on "Situation on the occupied territories of Azerbaijan" dated on 14 March, 2008, Resolution 1416 from 2005 and Recommendation 1690 of the Parliamentary Assembly of the Council of Europe, as well as European Parliament's Resolution on Nagorno-Karabakh from October 23, 2013.

However, the Armenian side regularly violates the ceasefire regime and creates obstacles to the peace in the region demonstrating unconstructive position as always. The genocide policy of Armenia against our civilian population is still continuing up to now that results in the killing of civilians, including children.

The Azerbaijani side strives for putting an end to this aggression continuing for about 30 years and for peaceful settlement of the conflict. The President of the Republic of Azerbaijan Ilham Aliyev has repeatedly stated the necessity of resolution of the conflict within the territorial integrity of our country in accordance with the norms and principles of international law, withdrawal of occupying forces from the Azerbaijani lands, returning of IDPs to their homes, from the tribunes of influential international organizations, including the UN General Assembly. It has been reflected in the relevant decisions of

international organizations, including the Resolution of European Parliament adopted on December 12, 2018, stressing upon the territorial integrity of Azerbaijan.

The Order on the 27th anniversary of Khojaly Genocide dated February 5, 2019 was signed by the President of the Republic of Azerbaijan and implementation of relevant measures was considered. As previous years, this year, the relevant Order on Plan of Actions on the commemoration of the 27th anniversary of the Khojaly Genocide was approved with the purpose of directing the focus of the world community to this tragedy and is being implemented.

“Justice for Khojaly” International Awareness Campaign carried out with the support of the Heydar Aliyev Foundation in many countries and cities plays an important role in the recognition of the Khojaly tragedy as an act of genocide in the world.

The Organization of Islamic Cooperation (OIC) is the first international organization that recognized Armenia as an aggressor and Khojaly tragedy as genocide.

The Parliaments of Mexico, Colombia, Peru, Pakistan, Bosnia and Herzegovina, Romania, the Czech Republic, Sudan, Jordan, Honduras, Guatemala, Panama, Slovenia, Djibouti and Paraguay already recognized the massacre in Khojaly according to the international legal norms.

In addition, legislative bodies of 22 States of the USA, including Massachusetts, Texas, New-Jersey, Maine, New Mexico, Arkansas, Georgia, Oklahoma, Tennessee, Pennsylvania, Connecticut, Florida, Mississippi, West Virginia, Indiana, Utah, Nebraska, Hawaii, Montana, Arizona, Idaho and Nevada have adopted relevant Resolutions.

However, Nagorno-Karabakh conflict has not yet been resolved in framework of the norms and principles of international law, territorial integrity and sovereignty of our country within the internationally recognized borders, despite four Resolutions of the UN Security Council and the decisions of the OIC, OSCE, Non-Aligned Movement and relevant decisions of other international organizations.

On the eve of the 27th anniversary of the Khojaly Genocide, commemorating the blessed memory of those killed in the tragedy, our martyrs with deepest sorrow, guiding the above mentioned, as well as norms and principles of international law, I resolutely declare that this crime shall be investigated by the special international commission and recognized as an act of genocide by competent international organizations, necessary punitive measures shall be imposed on the perpetrators of this crime. Once again I urge all the states and international organizations to recognize this act of genocide in the name of justice, to consolidate and increase efforts for punishment of its perpetrators.

Impunity of persons committed such kind of acts is contrary to the targeted universal priorities, UN Principles and Sustainable Development Goals.

The Khojaly Genocide should be legally and politically assessed by the international organizations, the Armenian side should fulfill the requirements set out in the international legal documents on this conflict, the calls to peace and justice, restore the territorial integrity of Azerbaijan, the violated rights of refugees and IDPs, liberate the captives and hostages, they shall be returned to their homes, also the criminals who killed innocent, civilian people should be soon prosecuted and punished before the tribunal.

Elmira Suleymanova

The Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan

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The Statement is addressed to the UN Secretary-General, UN Security Council, UN Office of High Commissioner for Human Rights, UN Office of High Commissioner for Refugees, UN Human Rights Council, to the heads of UNICEF, UNESCO, European Union, Council of Europe, OSCE, to International and European Ombudsman Institutes, Asian Ombudsman Association, OIC and the Ombudsman Association of its member states, European Network of Ombudsmen for Children, International Peace Bureau, ombudsmen of different countries, embassies of the Republic of Azerbaijan and foreign embassies in our republic, the Azerbaijani Diaspora organizations.