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Asamblea General

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Consejo de Derechos Humanos
22º período de sesiones
Tema 4 de la agenda
Situaciones de derechos humanos que requieren la atención del Consejo

Nota verbal de fecha 7 de marzo de 2013 dirigida al Presidente del Consejo de Derechos Humanos por la Misión Permanente de la República de Armenia ante la Oficina de las Naciones Unidas en Ginebra

Deseo referirme a la nota verbal de fecha 21 de febrero de 2013 dirigida al Presidente del Consejo de Derechos Humanos por la Misión Permanente de Azerbaiyán (A/HRC/22/G/6).

Dicho documento es una repetición, palabra por palabra, de una muestra similar de la propaganda desaforada que las autoridades de Azerbaiyán dirigen contra mi país contenida en una nota verbal que fue distribuida hace un año como documento del Consejo de Derechos Humanos en su 19º período de sesiones (A/HRC/19/G/3).

La República de Armenia respondió tanto de palabra como por escrito (A/HRC/19/G/10) a esta manipulación de los hechos por parte del Gobierno de Azerbaiyán, que induce constantemente al error a la comunidad internacional, especula con la memoria de las víctimas y utiliza los trágicos sucesos de Khojalu para sus propios fines políticos: desacreditar a la parte armenia de todas las formas posibles.

Entendemos que Azerbaiyán está actuando de acuerdo con el principio de que "una mentira repetida constantemente se convierte en la verdad". Sin embargo, el Consejo de Derechos Humanos no es un espacio para difundir constantemente declaraciones falsas, especulaciones políticas y hechos tergiversados, ni tampoco para implicar a otros Estados en sesiones interminables de acusaciones mutuas.

Lamento que la Misión Permanente de Azerbaiyán no me haya dejado otra alternativa que transmitirle una vez más la información preparada por el Ministerio de Asuntos Exteriores de la República de Nagorno-Karabaj, que cita documentos publicados en los medios de comunicación azeríes de ese período concreto.

Le agradecería que hiciera distribuir la presente carta y su anexo* como documento del Consejo de Derechos Humanos en su 22º período de sesiones en relación con el tema 4 de la agenda.

(Firmado) Charles **Aznavour**
Embajador, Representante Permanente

* Se distribuye tal como se recibió, únicamente en el idioma en que fue presentado.

Se ruega reciclar

Anexo

[Inglés únicamente]

“Khojalu” is political capital for official Baku’s manipulations

Azerbaijan has started its traditional anti-Armenian campaign related to the 1992 events in the settlement of Khojalu - a village in the territory of Nagorno Karabakh, which, in 1988-1990, was intensively populated by the Azerbaijani SSR authorities, in particular, with Meskhetian Turks from the Fergana valley of Uzbekistan. The official propaganda does not disdain to use any means to put the blame for the tragedy on the Armenian side and inject a new portion of hatred towards Armenians into the conscious of the international community and in the opinions of its own people.

On February 25-26, 1992, the authorities of the Nagorno Karabakh Republic (NKR) organized a military operation for lifting the blockade off the airport near the settlement of Khojalu and for neutralizing the enemy’s firing positions located in Khojalu itself, which , since the spring of 1991, served as a basis for periodic attacks on the NKR settlements by the Azerbaijani OMON (Special Purpose Militia Detachments) groups and systematic shelling from Alazan, Crystal, and Grad rocket volley fire facilities. firing positions. In the period before the neutralization of firing positions in Khojalu, over 20 Armenian civilians were killed and hundreds were kidnapped; cattle and small cattle numbered in thousands were driven away from the nearby collective and private farms.

As a result of the continued blockade, inflow of great number of refugees, lack of fuel, forced stagnation of enterprises, the siege of the inter-regional roads and others, the situation in the NKR, and especially in its capital town of Stepanakert, was worsening with the passage of time, food, medicines, and fuel ran out, and consequently lifting the blockade off the airport and neutralizing the enemy's firing positions in Khojalu became a matter of life--and-death for the population of Nagorno Karabakh , which Azerbaijan was trying to starve to death.

The necessity of neutralizing the military base in Khojalu was, in particular, arising from the fact of concentration of military manpower and offensive weapons there. The Azerbaijani authorities deployed numerous OMON units to Khojalu; in addition, the fighters of the Azerbaijani Popular Front were positioned there. The NKR leadership had to prevent the intended attack of the Azerbaijani armed forces on the Armenian regional center of Askeran and later on capital Stepanakert.

The military operation on liberating Khojalu and deblocking the airport started on February 25, 1992, at 11:30 pm and ended on February 26, at 3:00 am. The units of the NKR self-defense forces left a humanitarian corridor for the civilians to safely leave the zone of the military operations, of which the Azerbaijani side had been informed in advance. The corridor extended from the eastern end of Khojalu to the north-east, along the Karkar Riverbed and from the north end of the settlement to the north-east. However, the Azerbaijani authorities did nothing to evacuate the civilian population from the zone of the military activities.

During the military operation in Khojalu, the NKR self-defense forces freed 13 Armenian hostages, including one child and six women, took as trophies two Grad MM-21 volley fire rocket facilities, four Alazan facilities, one 100-milimeter howitzers, and three units of armored equipment. The NKR Artsakh Rescue Service discovered 11 bodies of civilians in Khojalu and its suburbs. The area, where later shots were taken with numerous

bodies of civilians killed , is situated three kilometers away from the town of Aghdam and 11 kilometers away from Khojalu. The area had been under an uninterrupted control of the Azerbaijani units up to the point of Aghdam's fall in the summer of 1993, which excluded any access to that area for the units of the Nagorno Karabakh Army.

Two months before the start of the operation, the NKR authorities informed the Azerbaijani side about the scheduled operation on neutralizing the firing positions in Khojalu. This was repeatedly confirmed even by Azerbaijani officials, in particular, the then President Ayaz Mutalibov. Nonetheless, the column of civilians, as it was noted above, was fired at near the approaches to Aghdam, on the border between the NKR and the Aghdam region of Azerbaijan, and this was later confirmed by Mutalibov who interpreted this criminal act as the opposition's attempt to remove him from his position by putting the blame for all that had happened on him.

Later, the shots made by an Azerbaijani cameraman Chingiz Mustafaev were disseminated. He was also given access to the place of exchange of the bodies of the deceased Armenians and Azerbaijanis,. It is known that Mustafaev did the filming twice, with a two-day interval. The film shows that some bodies had been disfigured by the time of the second filming.

On March 2, 1992, during the second flight over the area of the mass killing of the people, , the journalists noticed a stark difference in the positioning of the bodies and the degree of the injuries and wounds in comparison to the first time of the filming. And this was in a territory that was under full control of the Azerbaijani Popular Front up until the summer of 1993. This very fact is painstakingly concealed by the Azerbaijani propaganda machine. It is quite obvious that the bodies' positioning was changed to put all the blame for the events on the Armenians, making the semblance of the Khojalu inhabitants having been killed as a result of the fire from the Armenian side.

This fact was so shocking to Mustafaev that he presented it to President Mutalibov who had, by then, obviously guessed the reasons for that tragedy . Mutalibov answered with really prophetic words, "Chingiz, do not tell anybody that you have noticed that something is not right. Otherwise, you'll be killed".

Doubting that is was committed by the Armenian side, Mustafaev started his own independent investigation. However, after his piece was published in DR-Press Information Agency in Moscow on the possible participation of the Azerbaijani side in the crimes against the Khojalu inhabitants, the journalist was killed not far from Aghdam, under unclear circumstances.

As a matter of fact, the same fate was shared by field commander Ala Yakub who had the imprudence to state that: "...he could cast light on the slaughter near Nakhijevanik (an Armenian village near Khojalu), as well as give sufficient details on the recent downfall of the helicopter over Karabakh, with state officials in it," for which the Azerbaijani Popular Front, on coming to power in the summer of 1992, arrested him and brought to death in the prison ward.."..

Czech journalist Yana Mazalova, who, by an oversight of the Azerbaijanis, was included in both groups of the mass media representatives to whom the "bodies disfigured by Armenians" were demonstrated, noticed a considerable difference in the bodies' condition. Having visited the place immediately after the events, Mazalova didn't see any traces of barbarity on the bodies. And two days later, the journalists were shown the disfigured bodies already "prepared" for filming.

Some details of the military operation on neutralization of the enemy's firing positions in Khojalu are still uncovered, on which official Baku actively cashes in for achieving its political goals. The topic of 'Khojalu' is still one of the corner-stones of the

Azerbaijani domestic and foreign information, or rather, misinformation policy in the context of the Nagorno Karabakh issue. Meanwhile, the statements on and assessments of the Khojalu events made by some high-ranking Azerbaijani officials, human rights activists, journalists, and inhabitants of Khojalu refute completely Baku's false hypothesis.

Thus, Azerbaijani human rights activist Arif Yunusov wrote at the time: “The town and its inhabitants were deliberately sacrificed to political goals” (Zercalo Azerbaijani newspaper, July 1992).

Tamerlan Karaev, the then Chairman of the Supreme Soviet of the Azerbaijani Republic, stated: “The tragedy was committed by the Azerbaijani authorities, specifically – by a top official” (Mukhalifat Azerbaijani newspaper, April 28, 1992).

Heydar Aliev himself admitted that “the former leadership of Azerbaijan is also guilty” for the Khojalu events. Yet in April 1992, according to Bilik-Dunyasi Agency, he expressed an extremely cynical idea, “We will benefit from the bloodshed. We shouldn’t interfere in the course of events”.

Later, when representatives of the Popular Front came to power, Azerbaijani former Minister of National Security Vagif Guseynov stated shortly before his arrest: “the January events of 1990 in Baku and the events in Khojalu are the doing of the same people,” hinting at some political figures from the Azerbaijani Popular Front.

The abovementioned facts testify unambiguously that the Azerbaijani side is guilty of killing the civilians in Khojalu, and that it committed a monstrous crime against its own people for political intrigues and power struggle.

It is noteworthy that the number of victims stated by the Azerbaijani side increases from year to year. A few days after the neutralization of the firing positions in Khojalu, the number of casualties stated by the Azerbaijani officials made 100, increasing in a week to 1234; the parliamentary commission “corrected” it to 450, and in Heydar Aliev’s decree “On the Azerbaijani Genocide” the casualties were estimated at thousands.

Meanwhile, at the start of the military operation in Khojalu the settlement did not inhabit such a number of civilians, which is, by the way, confirmed even by the Azerbaijani official sources. The majority of about 2000-2500 inhabitants of Khojalu, or those who really lived there and were not just registered during the Azerbaijani intensive construction campaign aimed at giving it the status of a town, had left the village beforehand.

Thus, in late April 1993, at the CSCE Conference in Prague, the Azerbaijani MFA disseminated document #249 entitled:“The list of the Azerbaijani-populated and mixed villages occupied by the Armenian armed forces.” In this document, the 'population' column stated 855 inhabitants for ‘Khojalu’.

In the first decade of March 1992, Azerbaijani journalists Ilya Balakhanov and Vugar Khalilov brought into the office of Memorial Human Rights Center a videocassette with the recording of the place of Khojalu inhabitants' killing made by TV reporters from Baku from a military helicopter flying over the area. In actuality, all those present in the office had admitted that the number of the casualties in the video did not exceed 50-60 people.

It should also be noted that the NKR Foreign Ministry disclosed a fake photo placed at some Azerbaijani websites, including the webpage of The Heydar Aliev Fund, which allegedly testifies to mass killings of Azerbaijanis in Khojalu. In fact, the photo has a direct relationship to the events in Kosovo. The Azerbaijani propaganda uses also other fabricated materials, in particular, photos of the Kurdish pogroms’ victims in Turkey, to mislead those uninformed.

A month after his resignation, Mutalibov gave an interview to Czech journalist Dana Mazalova, which was published in the Nezavisimaya Gazeta. Speaking of Khojalu, Mutalibov noted, “According to the Khojalu inhabitants who escaped, all this was organized to remove me. Some forces acted to discredit the President. I don't think that the Armenians, who act very skillfully and accurately in similar situations, could let the Azerbaijanis gain any documents exposing them in fascist actions... The general reasoning is that a corridor for the people to escape was really left by the Armenians. Then why did they need to fire? Especially in an area near Aghdam, where there were sufficient forces able to come out and help people”.

About 10 years later, the Azerbaijani ex-president confirmed his own idea in an interview to Novoye Vremya magazine, “The massacre of the Khojalu inhabitants was obviously organized by somebody for achieving cout-d'etat in Azerbaijan”.

In February 2005, Azerbaijani journalist Eynulla Fatullaev from Monitoring independent magazine spent ten days in the NKR, describing his visit in his materials and interviews. He also dared to doubt the truthfulness of Baku's official version on the death of some Khojalu inhabitants: “...Once, ten years ago, I met with the Khojalu refugees, temporarily living in Naftalan, who frankly told me... that a few days before the attack, the Armenians, with the help of loudspeakers, kept warning the population of the scheduled operation, suggesting the civilians to leave the settlement and break out of encirclement via a humanitarian corridor, along the Karkar River. Even according to the Khojalu people, they took advantage of this corridor and the Armenian soldiers on the other side of the corridor didn't really open fire at them... Getting acquainted with the geographical area, I can confidently say that the inventions on the lack of an Armenian corridor have no grounds. The corridor really existed; otherwise, the Khojalu people, fully encircled and isolated from the outer world, couldn’t have broken out of encirclement. But, having passed the area beyond the Karkar River, the refugees divided into groups and, for some reason, a part of them made their way to Nakhijevanik. Apparently, the APF battalions sought more blood on their way to Mutalibov's removal rather than the liberation of the Khojalu inhabitants.”.

On March 2, 2005, a few days after the Monitor's publication of Eynulla Fatullaev's first report from Karabakh, the magazine's editor Elmar Guseynov was shot, at the entrance into his house in Baku by a stranger. And Eynulla Fatullaev was convicted based on a series of accusations, including of high treason...

Azerbaijan's former Minister of Defense Ragim Gaziev also confirmed that: “a trap was prepared for Mutalibov in Khojalu.” In this way, the organizers of the massacre of the Khojalu inhabitants achieved two goals at once – removed Mutalibov, who became needless after the USSR collapse, and gained a reason for starting a noisy campaign on accusing the Armenians of inhuman war methods. The fact that since February 13, 1992, the Azerbaijani army had been systematically firing Grad rockets aimed at destroying town of Stepanakert with its 55 thousand inhabitants and other nearby Armenian settlements was pushed back.

A Khojalu woman said in her interview to the Helsinki Watch on April 28, 1992: “The Armenians delivered an ultimatum… that it was better for the Khojalu inhabitants to leave the town with a white flag. Alif Gajiev (leader of the Khojalu defense) informed us about it on February 15 (10 days before the attack), but this didn’t frighten either me or the rest. We didn’t believe at all that they would be able to capture Khojalu.”

However, following these warnings, the majority of the civil population of Khojalu, being informed of the planned operation, moved to a safe place beforehand. The mass out-migration of the Khojalu population was widely covered by the Azerbaijani TV and Radio. The Azerbaijani mass media created deliberately a negative attitude to those leaving

Khojalu and disgraced them constantly. We should note that Khojalu, which was turned into a town, was first left just by the people who had been forcedly moved there, mainly Meskhetian Turks, though they were constantly obstructed. Moreover, the municipal administration of Khojalu, which had been warned by the Armenian party, asked for assistance in evacuation of the population, but in vain. The Khojalu Mayor noted in his interview to Megapolis-Express Moscow newspaper that "after getting the news on the expected operation on the capture of the town I asked Aghdam to send helicopters for evacuation of the old people, women, and children. We were assured that an operation to break the encirclement was being prepared. But, no assistance was provided." Whereas, board member of the APF Aghdam branch R. Gajuev stated: "We could help the Khojalu people, having the corresponding forces and abilities. But, the republican leaders wanted to demonstrate to the people that they had no forces, wishing to call upon the CIS Army again to help also to suppress the opposition with its support."

As we see, the Khojalu inhabitants were merely left at the mercy of fate. Moreover, they were destined to become victims of a power struggle.

However, before the start of the military operation, part of the civilian population of Khojalu had left the settlement, and by late February 1992, according to different sources, about 1,000-2,500 people had stayed there, the majority of them making soldiers of the Azerbaijani armed forces. Investigating the destructions in Khojalu, the observers of Memorial Human Rights Center confirmed the fact of artillery shelling and not persistent street battles, which could have resulted in numerous casualties. It should be also noted that the corresponding order, regulating the behavior of the NKR self-defense forces, strictly prohibited any violence against the civilians at the enemy side.

After the operation, all the civilians that remained in Khojalu were moved to Stepanakert, and a few days later, according to their will and without any conditions, they were passed to the Azerbaijani side. After a thorough investigation, the fact of voluntary passing of the Khojalu citizens to Azerbaijan was confirmed in the conclusions of the Moscow based Memorial Human Rights Center, as well as testified in the documentary film of Petersburg journalist Svetlana Kulchitskaya.

After the operation, the teams of Artsakh Republican Rescue Service, besides members of the armed detachments in military uniforms, found 11 civilian bodies, including a child and four women, in Khojalu and its suburbs. So, the true nature of the Azerbaijani assertions on the alleged massacre of Azerbaijani civilians in Khojalu are being exposed. This is also testified by radio interceptions of the Azerbaijani servicemen in Aghdam, later published even in the Azerbaijani mass media.

It is noted in the report of Moscow based Memorial Human Rights Center that a state forensic medical examination of 181 bodies (130 men and 51 women, including 13 children) was carried out in Aghdam, where all the refugees were located. The experts' conclusion states that 151 people's death was caused by bullet wounds, 20 people's by missile shrapnel, 10 people's as a result of a blow with a blunt item. The NKR official structures informed the observers that they had handed over to Aghdam about 130 bodies (all those killed in Khojalu and near Nakhijevanik), 96 of which were buried in Aghdam, and the bodies of the rest were taken by their relatives.

The comparison of the information of different sources, including the Azerbaijani ones, convincingly demonstrates that the NKR self-defense forces didn't plan and especially didn't carry out any actions targeted at mass killing of the civilians in the settlement of Khojalu.

It should be also noted that as of February 26, 1992, 47 Armenians were being held hostages in Khojalu, but only 13 were left there after the operation (including 6 women and a child); the remaining 34 hostages were taken by the Azerbaijanis in an unknown

direction, and no information is available confirming them being further held as hostages in Azerbaijan.

Summarizing the abovementioned, we can state that the inhabitants of Khojalu became hostages of the dirty games of the Baku authorities who later turned this tragedy into a political capital for manipulations. Official Baku tries to present the Azerbaijani authorities' betrayal of the Khojalu inhabitants as Armenians' revenge for the bloody bacchanalia in Sumgait. And the entire propaganda is realized with expressive insinuations and aggravation of ethnic intolerance and hatred towards Armenians. By regularly launching the issue of 'Khojalu', official Baku tries to draw the attention of the international community away from the Armenian massacres in Sumgait, Baku, Kirovabad, Khanlar, and other settlements of Azerbaijan, in the whole territory of which open extermination of Armenians was, actually, carried out. It also took place in the borderline settlements of the NKR, in particular, Maragha village where, in April 1992, the invaded subunits of the Azerbaijani regular army fiercely killed about 100 civilians.

Unfortunately, the crimes committed by Azerbaijan are not given yet a corresponding assessment by the international community.

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