Naciones Unidas A/HRC/38/G/1

Asamblea General

Distr. general
23 de abril de 2018
Español
Original: inglés

Consejo de Derechos Humanos
38º período de sesiones
18 de junio a 6 de julio de 2018
Tema 4 de la agenda
Situaciones de derechos humanos que requieren la atención del Consejo

Carta de fecha 3 de abril de 2018 dirigida al Presidente del Consejo de Derechos Humanos por el Encargado de Negocios Interino de Azerbaiyán ante la Oficina de las Naciones Unidas en Ginebra

Tengo el honor de adjuntar a la presente la declaración conjunta del Ministerio de Relaciones Exteriores y la Oficina del Fiscal General de la República de Azerbaiyán sobre los disturbios ocurridos en Sumgayit en 1988 (véase el anexo).

Le agradecería que tuviese a bien distribuir la presente carta y su anexo* como documento del 38º período de sesiones del Consejo de Derechos Humanos, en relación con el tema 4 de la agenda.

(Firmado) Emil **Hasanov**
Encargado de Negocios Interino

* Se reproduce como se recibió, en el idioma en que se presentó únicamente.

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[Inglés únicamente]

Annex to the letter dated 3 April 2018 from the Chargé d'affaires a.i. of Azerbaijan to the United Nations Office at Geneva addressed to the President of the Human Rights Council

Joint statement by the Ministry of Foreign Affairs and the Prosecutor General's Office of the Republic of Azerbaijan on the Sumgayit disturbances of 1988 — Baku, 25 February 2018

Since the end of the 1980s, Armenia has resorted to violence, terror, provocations on ethnic grounds and the use of military force in an attempt to realize its baseless and illegal territorial claims against Azerbaijan. Those actions started with the attacks on the Azerbaijani population both in the Nagorno-Karabakh region of Azerbaijan and in Armenia itself, continued with Armenia's direct military aggression against Azerbaijan since 1991 and culminated in the brutal killing of thousands of Azerbaijani civilians, the ethnic cleansing of about 1 million indigenous Azerbaijanis from their homes in both Armenia and the occupied territories of Azerbaijan and the extensive destruction and pillaging of the seized areas.

The Armenian leadership, chauvinist Armenian ideologists and extremist organizations have planned and carried out inter-ethnic disturbances in other parts of Azerbaijan as well, which were necessary to them as a means of launching an extensive anti-Azerbaijani campaign to cover up the mass expulsion of the indigenous Azerbaijani population from Armenia, the separation of Nagorno-Karabakh from Azerbaijan, Armenia's unlawful annexationist intentions and the violent methods for their achievement.

At that time, the peak of inter-ethnic unrest was masterminded in Sumgayit in February 1988 and it was one of such deliberate provocations.

By 1988, Sumgayit, which is located about 30 km away from Baku, was a multinational city, since the local population was made up of 15 different nationalities. The number of the overall population was 258,000, out of which 18,000 were ethnic Armenians. No ethnic tensions were recorded in Sumgayit until February 1988. Nowadays, Sumgayit continues to preserve its multinational and multi-confessional features, like other cities of Azerbaijan.

On 26 February 1988, the central square of Sumgayit was captured by protestors who objected to the killing of two Azerbaijanis who had been shot by Armenians in the Nagorno-Karabakh region of Azerbaijan on 22 February. By Armenian extremists and agent-provocateurs the protest was instigated towards the disturbances.

To investigate the unrest, the USSR General Prosecutor's Office opened a criminal case; the special operative-investigative group, headed by an investigator on especially important criminal cases Vladimir Galkin, consisting of 231 investigators and the same number of operatives from different parts of the USSR was formed. As it was revealed by the investigation of the USSR General Prosecutor's Office, the riots claimed the lives of 32 people, 26 of which were Armenians and 6 Azerbaijanis. With the verdict of the court, 92 persons were sentenced to lengthy imprisonment, and 1 was sentenced to the death penalty.

However, an investigation conducted by the USSR General Prosecutor's Office identified only some of perpetrators of the Sumgayit disturbances and provided their punishment with the decisions of the courts. Under pressure from the USSR political leadership and State Security Committee (KGB) of the USSR, the investigation failed to come to a logical conclusion and to determine the ones who ordered and organized the unrest in Sumgayit.

As a manifestation of Azerbaijan's decisive political will to investigate the true essence of this crime, the episodes on which USSR General Prosecutor's Office tried to

pass in silence, with the order of the President of the Republic of Azerbaijan Ilham Aliyev and the Decree of the Prosecutor General of the Republic of Azerbaijan dated 19 March 2010 suspended five criminal proceedings of the former USSR General Prosecutor's Office on mass disorders in Sumgayit were renewed and combined into a single criminal case. The investigation was entrusted to the investigative-operative group under the First Deputy of the Prosecutor General, consisting of the investigators and operatives of the Prosecutor's Office, the Ministry of Internal Affairs and the State Security Service.

The assessments and analysis of evidence collected by this investigation group confirm that the Sumgayit unrest was a provocation against Azerbaijan by the intelligence services of Armenia and the State Security Committee of the USSR. Armenian ideologists and their supporters in the high political leadership of the USSR, understanding the illegality of the separation of Nagorno-Karabakh from Azerbaijan based on the Soviet Constitution, resorted to such provocation with the aim of justifying the idea of impossibility of further coexistence of Armenians together with Azerbaijanis, providing the complete ethnic cleansing of the Azerbaijani population in Armenia and discrediting Azerbaijan.

The USSR State Security Committee's interest in the perpetration of this provocation was driven by the intention to destabilize the situation in the Soviet periphery in order to cut the intensified centrifugal aspirations, justify further repressive methods and to demonstrate that the Soviet Republics cannot survive alone without the strong centralized power of the USSR. Similar unrest and provocations were carried out by the KGB in Osh (Kyrgyzstan), Fergana (Uzbekistan), Tbilisi (Georgia), Vilnius (Lithuania) and other peripheral parts of the Soviet Union.

Despite the fact that on the eve of the disturbances and during their occurrence in Sumgayit and in the surrounding areas, there were sufficient personnel and mechanized equipment of the Internal Troops of the USSR Interior Ministry and defence forces, no preventive action was taken by them to bring the situation under the control.

The assaults against apartments and other violent actions were carried out on the basis of an advance prepared list of residents and plan under the leadership and command of Eduard Grigoryan, repeatedly convicted, an ethnic Armenian and a resident of Sumgayit. The Armenians who were subjected to attacks were the ones who refused to donate to the covert "Krunk" and "Karabakh" Armenian committees seeking the separation of Nagorno-Karabakh from Azerbaijan.

During the unrest, E. Grigoryan exercised special cruelty against Armenians and was fully identified by Armenian Majlumian sisters, whom he subjected to rape. E. Grigoryan was sentenced to imprisonment with the decision of court; however, after the collapse of the USSR he was transferred to Armenia's prison and was immediately released in suspicious circumstances. According to an ongoing investigation, he is accused of deliberate murder in aggravating circumstances, gang rape and other grave crimes and by a court decision, a preventive measure in the form of arrest was chosen in his respect and he was declared wanted by Interpol. His current address has been identified by operative means and brought to the knowledge of the public. However, E. Grigoryan, currently under the patronage of Armenia's intelligence services, continues to live freely in a third country.

Investigative materials demonstrate that if not for the humanism and audacity of the Azerbaijani population of Sumgayit, the scale of disturbances would have been bigger as planned by the organizers of this provocation. The testimonies of Armenian eyewitnesses prove that dozens of Armenians were sheltered and rescued by Azerbaijani families during the unrest.

Despite the special control and censorship of the USSR on photo-video recording, surprisingly photo/video filming of the events was carried out with pre-installed recording equipment and was immediately taken out of the territory of the USSR and widely disseminated by Armenian lobby organizations as part of the propaganda against Azerbaijan.

Although the events in Sumgayit were used deliberately for propaganda and disinformation purposes against Azerbaijan by Armenia and Armenian lobbying

organizations, as a result of measures taken by the Government of Azerbaijan and the objective and fact-based investigative materials it has been proved with sufficient and irrefutable facts that the Sumgayit unrest was organized by Armenian chauvinist nationalists and their supporters to achieve their insidious intentions.

At present, in order to identify and prosecute all organizers and perpetrators of the Sumgayit disturbances, as well as to disclose their supporters, comprehensive investigative-operative actions are being continued by the investigative group.

More detailed information on the Sumgayit events can be found at the following link: http://www.mfa.gov.az/files/file/Sumgayit_events.pdf.