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# الجمعية العامة



مجلس حقوق الإنسان

الدورة التاسعة والأربعون

28 شباط/فبراير - 1 نيسان/أبريل 2022

البند 4 من جدول الأعمال

حالات حقوق الإنسان التي تتطلب اهتمام المجلس بها

## مذكرة شفوية مؤرخة 25 شباط/فبراير 2022 موجهة من البعثة الدائمة لأذربيجان لدى مكتب الأمم المتحدة في جنيف إلى مفوضية الأمم المتحدة السامية لحقوق الإنسان

تتشرف البعثة الدائمة لجمهورية أذربيجان لدى مكتب الأمم المتحدة والمنظمات الدولية الأخرى في جنيف، بأن تقدم طيّه، البيان الذي أدلت به مفوضية حقوق الإنسان (أمانة المظالم)، سابينا علييفا، بمناسبة الذكرى السنوية الثلاثين للإبادة الجماعية التي ارتكبت في خوجالي (انظر المرفق).

وترجو البعثة الدائمة من مفوضية الأمم المتحدة السامية لحقوق الإنسان أن تعمم هذه المذكرة الشفوية ومرفقها\* باعتبارهما وثيقة من وثائق مجلس حقوق الإنسان في إطار البند 4 من جدول الأعمال.

\* يُعمّم كما ورد، وباللغة التي قُدم بها فقط.



## **Annex to the note verbale dated 25 February 2022 from the Permanent Mission of Azerbaijan to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights**

### **Statement of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan on the 30<sup>th</sup> Anniversary of Khojaly Genocide**

30 years have passed since the Khojaly genocide, which entered into history as one of the most horrific tragedies of the 20th century and a grave crime against humanity.

Throughout history, as a result of Armenia's ethnic cleansing and genocide policies against Azerbaijanis, hundreds of thousands of civilians have been massacred and expelled from their native lands.

Enjoying the prevailed environment of impunity, Armenian armed groups committed massacres in settlements of Azerbaijan and the most horrific one occurred in Khojaly.

On the night from February 25 to 26, 1992, the Armenian armed forces, Armenia-backed terrorist groups and the 366th motorized infantry regiment of the Former Soviet Army deployed in Khankendi town committed an act of genocide against the civilian population in Khojaly.

This genocidal act resulted in brutal killing of 613 people, including 106 women, 63 children and 70 elderly, whereas 1275 people were taken hostage and subjected to torture. The fate of 150 hostages, including 68 women and 26 children, is still unknown. 487 people were severely injured during this genocidal act. Moreover, 8 families were totally exterminated, 130 children lost one and other 25 children lost both parents.

A number of world's leading news agencies, "The Times", "The Guardian", "Reuters" and "BBC" reported about the brutal scenes of the criminal acts committed against humanity in Khojaly.

The Memorial Human Rights Center and Human Rights Watch also provided information about this horrific crime, which was committed against the civilian population in Khojaly, in their reports.

According to the UNGA Resolution 96 (I) of 11 December 1946 and the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) adopted by Resolution 260 (III) of 9 December 1948, the mass extermination of civilians in Khojaly on the grounds of their ethnicity and with deliberate intent must be interpreted as genocide.

As a result of Armenian policies of ethnic cleansing and genocide against Azerbaijanis, the requirements of several international binding documents, especially of the 1949 Geneva Conventions, the Genocide Convention, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child and the Convention for the Protection of Human Rights and Fundamental Freedoms, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights have been grossly violated.

Armenia targeted densely populated cities and villages located kilometers away from the combat zone with ballistic missiles and cluster bombs during the Second Karabakh War as well, by continuing its genocidal policy. These attacks resulted in the deaths of about 100 civilians, including 12 children, and injuring of more than 400 people, including 50 children. Armenia's indiscriminate attacks on civilian objects destroyed more than 3,410 houses, 120 multi-apartment residential buildings and 512 civilian infrastructure, including numerous schools, hospitals and kindergartens.

The Azerbaijani military liberated our native lands, which were under the occupation of Armenia for about 30 years, as a result of its counter-offensive operations with the aim to

stop the military aggression against our State and to protect the lives of civilians. Consequently, this laid the ground for the restoration of the violated rights of our compatriots.

At the initiative of the National Leader Heydar Aliyev, in 1994, the Milli Majlis of the Republic of Azerbaijan gave its political and legal assessment to the Khojaly genocide, the date of February 26 was declared the “Day of the Khojaly Genocide”, and the truth about the genocide was conveyed to the international community.

The international campaign "Justice for Khojaly!", implemented on the initiative of the Heydar Aliyev Foundation, played an exceptional role to promote the truth about Karabakh, especially the Khojaly genocide in the world.

At present, the legislative bodies of 17 countries, as well as 24 States of the USA have adopted resolutions and decisions condemning the massacre of civilians in Khojaly. Also, the Organization of Islamic Cooperation (OIC) recognized Armenia as an aggressor and the Khojaly tragedy as genocide.

It should be particularly noted that the fate of nearly 4,000 Azerbaijanis taken captive or hostage and went missing, including those missing in Khojaly, is still unknown since Armenia began its unlawful territorial claims against Azerbaijan.

The world community must take effective and drastic measures against Armenia that grossly violates the norms of international humanitarian law, and put pressure on the responsible state to provide information about the fate of Azerbaijani citizens taken prisoner, hostage and went missing.

The Khojaly genocide is one of the most horrific crimes of genocide committed in the history of humanity in the 20th century due to its scale, brutality and inhuman treatment.

Unfortunately, although 30 years have passed since the commission of the act of genocide in Khojaly, applying double standards, the international community has not yet established due political and legal assessment of this brutal act, and its perpetrators have not yet been brought to justice.

The world community and relevant international organizations must adequately respond to the brutal act committed in Khojaly, recognize it as a genocide and bring its instigators and perpetrators to justice.

Sabina Aliyeva  
Commissioner for Human Rights  
(Ombudsman) of the Republic of Azerbaijan,

24 February 2022

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