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**Le racisme, la discrimination raciale, la xénophobie
et l'intolérance qui y est associée : suivi et application
de la Déclaration et du Programme d'action de Durban**

Note verbale datée du 9 juillet 2019, adressée au Haut-Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de l'Arménie auprès de l'Office des Nations Unies à Genève

La Mission permanente de la République d'Arménie auprès de l'Office des Nations Unies et des autres organisations internationales à Genève présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui transmettre une note d'information du Ministère des affaires étrangères de la République d'Arménie relative au racisme dans le sport (voir annexe).

La Mission permanente de la République d'Arménie prie le Haut-Commissariat des Nations Unies aux droits de l'homme de bien vouloir faire distribuer la présente note verbale et son annexe* en tant que document de la quarante et unième session du Conseil des droits de l'homme, au titre du point 9 de l'ordre du jour.

* L'annexe est reproduite telle qu'elle a été reçue, dans la langue de l'original seulement.



Annex to the note verbale dated 9 July 2019 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

Racism in sport

Sport is a powerful tool to promote peace, tolerance and understanding bringing people together across cultures, religions, values and boundaries, and a useful mean applied in the advancement of solidarity, non-discrimination and social coherence as recognized by a number of UN resolutions. The UN General Assembly resolution 63/135 emphasizes the value of sport as a means to promote education, development and peace and the UN Human Rights Council resolution 13/27 acknowledges the potential of sport in contribution to the promotion of the values of diversity and tolerance. Racism and intolerance may have an adverse effect and may bring harm to the *raison d'être* of sport. Discrimination in sport can occur against teams, players, referees, fans and spectators, be based on religion, nationality or ethnic origin, it can manifest itself at various levels, both nationally and internationally.

Highlighting the fact that discipline and respect play a significant role in sport it becomes essential to voice about and draw the attention of the international community to the incidents becoming more and more common in the policy of Azerbaijan towards Armenia in the sphere of sport, which misuses sporting events for the purposes of propaganda of hatred and racism against Armenian sportsmen and the nation they represent.

As reflected in the reports of international monitoring bodies, such as UN Committee on the Elimination of Racial Discrimination,¹ (CERD) and the European Commission against Racism and Intolerance (ECRI).² Armenians in Azerbaijan are subjected to various manifestations of racism and racial discrimination.

As recognized in the Baseline Study on Cross-Border Mobility in the OSCE Region, elaborated by the OSCE Office for Democratic Institutions and Human Rights (ODIHR),³ Azerbaijan is the only OSCE participating State, which officially implies discriminatory practices on the basis of ethnicity in the field of freedom of movement. Azerbaijan denies entrance to Azerbaijan for not only Armenian citizens, but any persons, suspected to be of Armenian origin, regardless of their nationality.

While signing the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events, Azerbaijan made a Declaration that “the provisions of the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events shall not be applied by the Republic of Azerbaijan in respect to the Republic of Armenia”, which was also confirmed in the instrument of ratification, at the same time using this opportunity to once again distort and misrepresent the essence of the Nagorno-Karabakh issue.⁴ By making such a Declaration, which is of a discriminatory nature in respect of the Republic of Armenia and is in contradiction with the purposes established by Article 2 of the Convention as well as with values of the Council of Europe, Azerbaijan not only refrain from the obligations set forth in the Convention to apply practical measures for ensuring

¹ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fAZEc%2fCO%2f6&Lang=en.

² <https://rm.coe.int/fourth-report-on-azerbaijan/16808b5581>.

³ <https://www.osce.org/odihr/118506?download=true>.

⁴ https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/218/declarations?p_auth=p5pIbCEw&_coconventions_WAR_coeconventionsportlet_enVigueur=false&_coconventions_WAR_coeconventionsportlet_searchBy=state&_coconventions_WAR_coeconventionsportlet_codePays=AZE&_coconventions_WAR_coeconventionsportlet_codeNature=10.

safety and security during the football matches and other sports events but also blatantly incites discrimination.⁵

The negative stereotypes, hate speech, statements demonstrating intolerance are encouraged at the highest political level in Azerbaijan. State-led propaganda of hatred towards Armenia and the Armenians creates conducive ground for hate crimes against Armenians. This is one of the main reasons why in majority of the cases Armenian sportsmen do not participate in the championships held in Azerbaijan.

Some incidents concerning manifestations of hatred and discrimination towards Armenian athletes and nation in the competitions held in Azerbaijan are enlisted below:

- During the opening ceremony of the youth world karate championship, in November 2005, the sportsmen of the Azerbaijani national team have verbally assaulted and attacked the Armenian team, just before they were going to enter the hall. The World Karate Federation disqualified Azerbaijan for one year.
- On 9 November 2007, while commenting his clearly racist attitude towards Armenian chess players, Azerbaijani chess player Teymur Rajabov in an interview to “APA Sport” said: “The enemy is the enemy. We hate Armenians”. No reaction has followed on the part of the Azerbaijani Chess Association or the Government of Azerbaijan.
- The Azerbaijani authorities refused to allow Armenian football players to travel to Baku for the qualifying game between Armenian and Azerbaijani national teams, despite the fact that their Armenian counterparts clearly stated their readiness to secure and welcome Azerbaijani team’s visit to Yerevan. As a result, the Union of European Football Associations (UEFA) has ruled that the qualifying matches between Armenia and Azerbaijan for the Euro 2008 championship will not take place, which in itself meant yielding to Azerbaijan’s attempt to mix politics and sports and is truly deplorable. After this incident UEFA became the only one out of 6 continental confederations to make special request to FIFA to place Armenia and Azerbaijan in different baskets during the raffle. UEFA’s decision is sad reflection of Azerbaijan’s policy to introduce dividing lines also in sport.
- Despite the fact that many Armenian politicians and public figures voiced serious concerns on Armenia’s participation in Baku 2015 European Games, Armenia adopted “Sport winning over politics” policy and 25 Armenian athletes participated in the competitions. During the opening ceremony’s march of nations, the Armenian delegation, made up of coaches and officials led by the Secretary General of the National Olympic Committee of Armenia met boos and whistles from tens of thousands of spectators.⁶ 25 participating athletes did not take part in the opening ceremony’s march. They travelled to Baku only for their individual competitions, instead of staying for the entire games. The initial hostile audience response to these athletes continued in individual sports events, even toward some of those 17 ethnic Armenian athletes who represented countries (Belarus, France, Russia, Sweden and Ukraine) other than Armenia.
- Armenian wrestler, who won a gold for Russia in the 59-kilogram Greco-Roman event, which included a match with an Azerbaijani wrestler condemned the “impolite reception” he had received during the competition, stating that “the enthusiasm and the sporting spirit common for the main sporting events across the world were disrupted for a moment to transform into a chorus of whistles, when the 7 Armenians marched with their flag”. Before the Games the head of the so-called “Karabakh Liberation Organization” (KLO) had voiced a threat to the Armenian

⁵ https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/218/declarations?p_auth=p5pIbCEw&_coconventions_WAR_coeconventionsportlet_enVigueur=false&_coconventions_WAR_coeconventionsportlet_searchBy=state&_coconventions_WAR_coeconventionsportlet_codePays=ARM&_coconventions_WAR_coeconventionsportlet_codeNature=10.

⁶ <https://sports.yahoo.com/news/azeris-jeer-armenian-delegation-european-games-172346430--spt.html>.

national team, stating that they would not give the representatives of Armenia the chance to visit Baku, otherwise they would take any measure to hinder them and even drive them out of Baku.

- During the First European games another Armenian athlete of Yezidi Kurdish descent was jeered, bloodied and defeated in a bronze medal bout with an Azerbaijani wrestler. He left the arena bloodied, beaten and with the crowd booing and giving him thumbs down sign. The crowd continued showing their “appreciation” of the athlete even when the latter was receiving medical attention for a head wound he suffered during the match.⁷
- Two high-profile athletes stayed away from taking part in the First European games because of the negative experience they had in Baku in 2007, when Azerbaijan hosted the Greco-Roman wrestling world championships. As noted by the wrestler, he and his teammates felt like “prisoners” and were shadowed constantly by Azerbaijani security forces. Even going to the bathroom was done under a tight security watch, a security guard checked it in advance and only after that could they use the bathroom. They were separated from the public, couldn’t go into the city. They were convinced things would be the same at the European Games, despite Azerbaijani assurances that Armenian athletes would be treated like everyone else. He explained that in 2007, when the Armenian athletes arrived to compete in the Greco-Roman championships, they were taken to their hotel on a bus with a Turkish flag on it and were told it was “to avoid any attack”.
- The acts of discrimination and hatred are manifested even towards those athletes who are of Armenian origin but have changed their nationality. A Russian wrestler of Armenian heritage, for instance, was booed during his wrestling final.⁸
- The wrestlers and boxers who attended championships held in Baku in 2007 and 2011, respectively, had unpleasant experiences, with hostile crowds throwing rocks. Despite the assurances of security guarantees by Azerbaijan for the Armenian athletes during Baku-hosted World Boxing Championship the members of the Armenian team were attacked. When an Armenian boxer took the ring, a group of activists from the so-called “The Karabakh Liberation Organization” attacked the Armenian boxers throwing stones against them. The activists threatened Armenians to leave Baku. The bouts were soon stopped and the Armenian boxer and team of jury left the gym.
- In 2014 European Rhythmic Gymnastics Championships held in Baku the Belarusian team was asked to refrain from playing music by Armenian composer Aram Khachaturian. According to the coach, the team which had been performing to Khachaturian’s “Sabre Dance” for half a year, had to start training for a different routine, accompanied by a different piece of music. The coach said this was the reason behind the team’s unsuccessful performances in the latest competitions.
- A group of the so-called Azerbaijani “The Karabakh Liberation Organization” (KLO) members organized a demonstration against the delegation of the Armenian chess national team arriving in Baku to take part in the Chess World Cup 2015. The Armenian delegation also included Grandmaster Levon Aronian. They gathered in Azneft square where the opening ceremony of the Chess World Cup was to be held. There was a clash between the police and the demonstrators. KLO members exclaimed: “Armenians! Go away!”, “You are not athletes, you are terrorists”. They attempted to enter the building of the opening ceremony, tore the flag of Armenia and trampled it.

⁷ <https://mirrorspectator.com/2015/06/18/hostility-toward-armenian-athletes-at-european-games-in-baku/>.

⁸ <https://mirrorspectator.com/2015/06/18/hostility-toward-armenian-athletes-at-european-games-in-baku/>.

- In 2016 Armenia did not take part in the World boxing championship held in Baku, because the government of Azerbaijan didn't guarantee the personal security of boxers from Armenia.
- In September 2018 Armenian athlete refused to participate in the World Championships in Baku because of the absence of personal security guarantees.
- Zafer Noyan, a resident of the Turkish city of Diarbekir, flew to Baku to compete in the 2014 European Arm-wrestling Championship along with other members of Turkey's national team, but was barred from entering Azerbaijan, because of his last name which Azerbaijani immigration authorities felt was Armenian.⁹ The young athlete was put on another plane and flown back to Istanbul despite his assurances that his surname and ethnic origin were not Armenian. Similar incident happened in 2011 as well, when two football players from the Russian Club Torpedo of Armavir were deported from Azerbaijan immediately upon their arrival at the airport of the city Ganja because of their Armenian origin. The head coach of the Azerbaijani football club Kapaz, had invited Armenian football players for an audition, however, it was reported that he had no prior knowledge of the Armenian origin of the Russian players. Their arrival drew a great uproar at the airport of Ganja. The officers of the State Border Service returned the Armenian football players who held Russian passports on the same plane in which they had arrived.
- In 2019 Henrikh Mkhitaryan playing for Premier League Club Arsenal and captaining the Armenian national team did not travel with his team for UEFA Europa League final against Chelsea amid concerns for his safety in Azerbaijan's capital Baku. Arsenal said the club had not received "acceptable guarantees" from UEFA, the governing body of European football, that it would be safe for the footballer to travel.¹⁰ Although Azerbaijan said it had done everything to protect the security of the Armenian footballer, the toleration of racist targeting of Armenians in the Azerbaijani public and the media that manifest security risks, have made it impossible for Mkhitaryan to travel to Baku. Ahead of the match, it was reported in the media that the fans of Mkhitaryan wearing shirts with his name, were stopped in the streets by the police to check if they had the name of Mkhitaryan on the backs of their shirts before being allowed to continue their way. They also had a conversation on their radios before letting the supporters go. A number of football fans having Armenian surname but living abroad were not given visas to travel to Baku for the match.¹¹
- In 2018 Mkhitaryan missed the Europa League match against Azerbaijani Qarabag in Baku. As it was stated by an Arsenal spokesman, the safety and security of their players are always a top priority for them, and consequently, because of the absence of the provision of personal security guarantees for Mkhitaryan by the Azerbaijani side, his participation in the match in the territory of Baku was next to impossible. Similar situation occurred in 2015 as well, when Mkhitaryan was playing in Borussia Dortmund and again didn't travel to Baku for the match because of the absence of security guarantees.¹²

Armenia underlines the significance of the concept of the sport free of racism. However, constant armenophobic manifestations in Azerbaijan undermine the essence of the concept and question the role of sporting events in advocating dialogue and respect and promoting the culture of peace, tolerance and solidarity. Armenia believes that these are serious concerns that have to be given close attention while considering organization of any international event in Azerbaijan. We call upon all human rights watchdogs, including UN Special Procedures, to respond actively to contemporary challenges including the cases of discrimination in sports on the basis of nationality or ethnic origin. We encourage to use the

⁹ <https://horizonweekly.ca/fr/39666-2/>.

¹⁰ <https://www.economist.com/europe/2019/05/21/the-footballer-caught-up-in-armenias-conflict-with-azerbaijan>.

¹¹ <https://www.bbc.com/russian/features-48284124>.

¹² <https://www.nytimes.com/2015/10/23/sports/soccer/armenian-henrikh-mkhitaryan-misses-borussia-dortmund-game-in-azerbaijan.html>.

UN human rights mechanisms on fight against racism and hate crime for assessing potential risks as well as strongly and without delay condemn each and every form and manifestation of racism irrespective of the motives.

In this respect we also join the call of the UN Secretary General to the Special Adviser for the Prevention of Genocide to scale up efforts in addressing hate speech through elaboration of a system-wide strategy and a Global Plan of Action.
