



Press Release on 24th Anniversary of the Khojaly Genocide

On 26 February 1992, unprecedented atrocities were committed against the Azerbaijani population in the town of Khojaly. This act of genocide carried out by the Armenian forces against innocent civilians was the largest single massacre of the Azerbaijani civilians in the course of the Armenia-Azerbaijan conflict. The attack and capture of the town by the Armenian forces, involved the extermination of hundreds of Azerbaijanis while the town was razed to the ground. On that night, 613 persons, including 106 women, 63 children and 70 elderly were killed. 1,275 inhabitants of Khojaly were taken hostage, while the fate of 150 persons remains unknown. In the course of the tragedy 487 inhabitants of Khojaly were wounded, including 76 children not yet of age; six families were completely wiped out; 26 children lost both parents; and 130 children one of their parents. Of those who perished, 56 persons were killed with a particular brutality.

Referring to the reports available from independent sources, the European Court of Human Rights pointed out that "... at the time of the capture of Khojaly on the night of 25 to 26 February 1992 hundreds of civilians of Azerbaijani ethnic origin were reportedly killed, wounded or taken hostage, during their attempt to flee the captured town, by Armenian fighters attacking the town". The Court qualified atrocities committed in Khojaly as "acts of particular gravity which may amount to war crimes or crimes against humanity" (judgment of 22 April 2010, paragraph 87).

There are sufficient grounds to conclude that the Government of the Republic of Armenia, its armed forces and the subordinate forces for which it is liable under international law are responsible for serious violations of international humanitarian and human rights law during the conflict, including in Khojaly, which amount to crimes under international law.

Khojaly massacre took place in a period when the incumbent president of the Republic of Armenia Serzh Sargsyan served as head of the illegal separatist regime's "Self- Defence Forces Committee" and, accordingly, his recollections constitute one of the most important sources of evidence. The president Serzh Sargsyan of Armenia, was quoted in the book "Black Garden: Armenia and Azerbaijan through Peace and War" (by Thomas de Waal, NYU Press, 2003, page 85) as saying: "Before Khojaly, Azerbaijanis thought that they [Armenians] were joking with us, they thought that the Armenians were people who could not raise their hand against the civilian population. We were able to break that

stereotype." These words by Serzh Sargsyan leave no doubts as to the question of the perpetrator of the act of genocide in Khojaly.

Khojaly is a tragic and brutal reminder of the fundamental importance of the protection of civilians in armed conflict and the need to ensure the rule of law. Ensuring the protection of civilians requires uncompromising respect for international humanitarian and human rights law and serious efforts to prevent and respond to violations of international humanitarian and human rights law in situations of conflict.

There can be no long-term and sustainable peace without justice and respect for human dignity, rights and freedoms. More resolute and targeted measures are required to end impunity for the most serious crimes of concern to the international community. Impunity still enjoyed by the perpetrators of the crimes continues to impede progress in achieving the long-awaited peace between Armenia and Azerbaijan. Consequently, ending impunity is essential not only for the purposes of identifying the responsibility of parties to the conflict and individual perpetrators, the achievement of which is undoubtedly imperative per se, but also for ensuring sustainable peace.