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Written submission by the Office of the Human Rights Defender* of Armenia

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the written submission by the Office of the Human Rights Defender of Armenia,** which is being circulated in accordance with rule 7 (b) of the rules of procedure of the Council (see resolution 5/1, annex) and with the arrangements and practices agreed upon by the Commission on Human Rights in its resolution 2005/74.

* National human rights institution with A status accreditation from the Global Alliance of National Institutions for the Promotion and Protection of Human Rights.

** Circulated as received, in the language of submission only.



Report of the Human Rights Defender of Armenia On Organized Hate Speech and Animosity Towards Ethnic Armenians in Azerbaijan as Root Causes of Ethnically-Based Torture and Inhuman Treatment by Azerbaijani Armed Forces

INTRODUCTION

From early morning of 27 September 2020, Azerbaijan began launching indiscriminate military aggressive air and artillery attacks against Artsakh (Nagorno-Karabakh) along the entire line of the border, targeting also civilian communities and peaceful population.

The Azerbaijani military aggression of September-November 2020 was accompanied by organized intensively hate speech and animosity against ethnic Armenians (Armenophobia) enjoying state support in this country.

Targeted and professional monitoring of Azerbaijani and Turkish mass media and social networks by the Human Rights Defender of Armenia and the Human Rights Ombudsman of Artsakh have revealed hatred and incitement to hatred and calls for violence, including calls for killings, torture and inhuman treatment. It's about widespread and organized social network users and group pages, as well as mass media from Turkish and Azerbaijani sources.

The torture, inhuman treatment and brutalities of Armenian soldiers and civilians by the Azerbaijani armed forces, as well as the acts of vandalism and deliberate destruction of Armenian religious and historical-cultural heritage are a result of Azerbaijani's hatred policy towards ethnic Armenians.

The mentioned materials were being disseminated and still continue to be spread through Facebook, Twitter, TikTok and other social media networks by targeting Armenian mass media and social network users, including minors. Monitoring revealed that all the above-mentioned is being encouraged by authorities of Azerbaijan.

The analyzed data shows a worrying trend of extremist Armenophobia in all segments of Azerbaijani society.

The current report documents Armenophobia by public authorities, including high-ranking officials and public figures (cultural, sports representatives, etc.) of Azerbaijan, as well as hate speech in general public. This report paid particular attention to hate speech and animosity towards Armenian children.

The report illustrates the widespread and organized hate speech and animosity as root causes ethnically-based killings, torture and inhuman treatment of ethnic Armenians.

These are parts of a state policy of Armenophobia in Azerbaijan. Thus, as illustrated in the current report, Armenophobia is in a closed chain in Azerbaijan being generated by through state policy; encouraged by cultural and other public figures and praised in the society with special targets towards children.

The report is based on evidence confirming hate speech towards and animosity ethnic Armenians, particularly original citations of all evidence.

All the evidence of hate speech and animosity towards Armenians presented in this report is not meant to be exhaustive or is not meant to cover all cases of Armenophobia in Azerbaijan.

All these factors evidence Azerbaijani policy of ethnic cleansing and genocide with terroristic methods against the population of Artsakh by Azerbaijani armed forces during the September-November 2020 war.

NARRATIVE

1. Hate speech and animosity by public authorities, including high-ranking officials as parts of a state policy of Armenophobia in Azerbaijan

This is a continuation of long-lasting state policy of Armenophobia and massive hate speech against ethnic Armenians which is coordinated and supported by Azerbaijani authorities. It had been thoroughly analyzed and documented by independent experts and published by the Ombudsman of Artsakh in the report of 2018 on Armenophobia in Azerbaijan organized hate speech and animosity towards Armenians.¹

The results of Azerbaijani state supported hate speech against ethnic Armenians were revealed also during the outbreak of Nagorno-Karabakh conflict on April 2016. Within his ad hoc reports, the Ombudsman of Artsakh presented Azerbaijani's hatred policy towards people of Armenian ethnicity and its horrific consequences, including beheading, torture, and mutilation of combatants' and civilians' dead bodies, as well as indiscriminate shelling of civilian objects, etc.²

Azerbaijani state officials at the highest level have regularly been involved in fuelling anti-Armenian xenophobia and hatred, glorifying murderers of Armenians, and contributing to the increase of the divide between the two Nations.

Below are a number of statements made by Ilham Aliyev, the President of Azerbaijan, during his official appearances and in his public statements and addresses.

Most statements are published on the official webpage of the President of Azerbaijan and in other official sources.

"Armenia as a country is of no value. It is actually a colony, an outpost run from abroad, a territory artificially created on ancient Azerbaijani lands."³

"Armenia keeps cows and pigs in our mosques. (...) It is fascists, vandals and savages who have done this."⁴

It is worth mentioning that the Azerbaijani systematic policy of Armenophobia has been an integral part of the system of large-scale torture and atrocities, cruelties during the September-November 2020 war being spread and encouraged at high levels in Azerbaijan.

From the first day of the Azerbaijani military attacks, the dissemination of hatred and calls for cruel treatment and killings have become more coordinated – culminating into excessively dangerous volumes. This has all been confirmed by the evidence collected within the framework of the independent monitoring.

This includes mainly objective evidence, such as photographs, screenshots of the social network pages, and video materials.

In his nationwide address, the President of Azerbaijan, Ilham Aliyev stated: "We are driving them (Armenians) away like dogs! Azerbaijani soldiers drive them away like dogs".⁵

This phrase made by the President of Azerbaijan has become a hashtag, a mobilizing motto among Azerbaijanis. Evidence obtained shows that such treatment is a result of the organized

¹ Artsakh ombudsman: "Interim public report on Armenophobia in Azerbaijan organized hate speech and animosity towards Armenians" 25 September 2018, <https://artsakhombuds.am/hy/document/570>.

² Artsakh ombudsman: "Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016, <https://artsakhombuds.am/ru/document/560>.

³ <https://twitter.com/presidentaz/status/270827003521929216>.

⁴ Appeal of President Ilham Aliyev to the people <http://ask.org.az/en/2020/09/28/appeal-of-president-ilham-aliyev-to-the-people/>. *These words have nothing to do with reality. In reality, Armenians have been always treating mosques with care. The evidence (Gohar Agha Upper Mosque in Shushi) is available at <https://www.youtube.com/watch?v=sPGQCdmA0u8>.

⁵ The video is available in Russian at <https://www.youtube.com/watch?v=6eAVs7fjUFM> // <https://www.voltairenet.org/article211050.html>.

and disseminated hatred and the style and words used by general public are identical to Armenophobic speeches and words used by the Government bodies and politicians.

A member of the Parliament of Azerbaijan (also a member of the ruling party in Azerbaijan⁶) stated: “There is no need to sit at the negotiating table with terrorists and vandals, you need to continue operations to destroy them”.⁷

Calls for hatred and violence, including killings are being also disseminated through mass media, especially by social media platforms by Turkish sources.

Armenians were the most targeted group in hate speech in the Turkish media in the past year, according to an annual report prepared by the Hrant Dink Foundation. The report titled “Hate Speech and Discriminatory Discourse in Media, 2019” said that there were 5,515 instances of hate speech in the past year and Armenians were targeted 803 times.^{8,9}

According to Garo Paylan, member of the Turkish Parliament: “the Turkish government engages in war propaganda by openly supporting the military conflict and is publicly resorting to belligerent rhetoric against the Armenian State. Turkey’s Armenian community has also been intimidated in this climate of hate speech.

Provocateurs gathered at the Armenian patriarchate with Azeri flags and Turkey’s Armenian community and citizens of Armenia who live and work in Turkey no longer feel safe.”¹⁰

All these publicly expressed calls of Azerbaijani high officials are absolutely forbidden under all internationally requirements known to humanity.

In particular, the above statements and actions of the Azerbaijani authorities are in clear violation of the rule set forth in Article 4 of the UN International Convention on the Elimination of all Forms of Racial Discrimination, according to which “States Parties condemn all propaganda (...) which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination.” They are also in breach of the particular rule described under paragraph (c) of Article 4, which stipulates that States parties shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.¹¹

As the Committee on the Elimination of Racial Discrimination has clarified in its General Recommendation XV and General Recommendation VII, the obligations provided under CERD, Article 4, are of a mandatory character.

2. Hate speech and animosity by cultural, sports and other figures of Azerbaijan

Monitoring of the mass media and social networks of the Human Rights Defender of Armenia and the Human Rights Ombudsman of Artsakh has collected credible facts confirming that in Azerbaijan, cultural and sport figures, artists spread hatred and calls for violence, including killings against ethnic Armenians. To be specific, the mass media are full of articles,

⁶ https://az.wikipedia.org/wiki/Az%C9%99rbaycan_Milli_M%C9%99clisinin_V_%C3%A7a%C4%9F%C4%B1r%C4%B1%C5%9F_deputatlar%C4%B1.

⁷ “Не надо сидеть за столом переговоров с террористами и вандалами, нужно продолжать операции по их уничтожению. Они должны пасть на колени перед нашей армией.... Мы должны вести наступательные операции, пока не будет уничтожен последний террорист оккупационных войск” <https://www.trend.az/azerbaijan/karabakh/3314834.html>.

⁸ Armenians most targeted by hate speech in Turkish media, report shows <https://www.duvarenglish.com/human-rights/2020/09/23/armenians-most-targeted-by-hate-speech-in-turkish-media-report-shows>.

⁹ “Report on Hate Speech and Discriminatory Discourse in Media, 2019” <https://hrantdink.org/attachments/article/2727/Hate-Speech-and-Discriminatory-Discourse-in-Media-2019.pdf>.

¹⁰ Garo Paylan-Чурпо Фашлун: “Press Statement,” 3 October 2020 <https://www.facebook.com/792138110876107/posts/3362613830495176/>.

¹¹ UN International Convention on the Elimination of all Forms of Racial Discrimination <https://www.ohchr.org/en/professionalinterest/pages/cerd.aspx>.

interviews, posts and other materials, the sole aim of which is to spread hatred and animosity against ethnic Armenians.

The collected evidence has revealed that calls for hatred and violence are disseminated through mass media and social networks (Facebook, Twitter and other social media networks) which are widespread and highly encouraged by social media users resulting in multiplying insult and hatred. All the above-mentioned is being encouraged by authorities of Azerbaijan.

This sustains and increases the highly negative climate in society towards Armenians, by constantly inciting hatred and earning public praise. The consistent policy of spreading hatred and violence against Armenians has been implemented for a long period of time which become increasingly more dangerous.

It is worth mentioning that the style and words they use are identical to Armenophobic speeches and words used by the Government bodies and politicians. Speeches and words of cultural representatives and artists, as well as Government bodies and politicians containing hatred towards ethnic Armenians mean that spread of hatred is in a closed chain and is encouraged by all parties in Azerbaijan.

The PR and media manager of the Azerbaijani football club “Qarabag”, Nurlan Ibrahimov: “We must kill Armenians. No matter whether a woman, a child, an old man. We must kill everyone we can and whoever happens. We should not feel sorry; we should not feel pity. If we do not kill (them), our children will be killed.” This person confirmed and justified the fact of Armenian genocide committed by Turkey.

After these statements made on social media calling for the killing of all Armenians, Nurlan Ibrahimov UEFA stated that its Control, Ethics and Disciplinary Body had decided to ban Nurlan Ibrahimov from exercising any football-related activity for life¹².

3. Hate speech and animosity towards ethnic Armenian children

It is already well proofed fact that Azerbaijan was intentionally targeting civilian communities of Artsakh (Nagorno-Karabakh): peaceful population, including children, women and elderly people; infrastructures vital for civilians. Along with the aforesaid, the special working groups in the Offices of the Human Rights Defender of Armenia and the Human Rights Ombudsman of Artsakh have documented a number of cases confirming that Armenian children are also targeted by hate speech and animosity by Azerbaijani social media users. Particular attention was paid to the mass media communications and discussions in social networks.

Hate speech towards Armenian children refers to a whole spectrum of negative discourse. In Azerbaijani social media, hate speech is used to intimidate and incite violence against minors.

People openly express their desire in social media to kill Armenian children and women. ***For example, a lawyer stated on Facebook: “It is necessary to kill both the mother and the child of an Armenian.”***

It covers not only written communication but also any other form of expression such as surveys, polls that encourage killings and cruel treatment of Armenian children.

An open photo of an Armenian child is posted in Azerbaijani social networks and the following question is asked: “Will you kill an Armenian child”. Polls targeting children with violence and calls for violence have been widely spread in social networks.

These kinds of polls are organized with exceptional cynicism and intention of incitement to hatred. This is clearly confirmed by the attachments to this report.

The results of the investigations of the Human Rights Defender affirm that these vicious events, which are beyond any human imagination and against all international requirements, have systematic and well-spread nature, starting from Azerbaijani political authorities and ending with cultural and sport figures.

¹² “UEFA bans former Qarabag official for racist behaviour” <https://www.reuters.com/article/uk-soccer-uefa-qarabag/uefa-bans-former-qarabag-official-for-racist-behaviour-idUKKBN2861QX>.

Hate speech and calls for violence is a gross violation of a child's rights and absolute ignorance of fundamental requirements of international law. It can have irreversible and even tragic consequences for a child's life and health, completely undermining his healthy development.

Using children for such illegal purposes is absolutely unacceptable. It further intensifies the tension leads to dangerous consequences and multiplies insult. The dangerous practice of insulting and violating one's dignity should be eliminated and completely eradicated.

4. Public praise for widespread ethnically-based torture and inhuman treatment of Armenians in Azerbaijani society as a result of a state policy of Armenophobia

The military attacks by the Azerbaijani armed forces of September-November 2020 was accompanied by beheadings, torture, mutilation, atrocities and inhuman treatment inflicted on the bodies of Armenian servicemen, prisoners of war and civilians which are the result of hatred towards ethnic Armenians. Further deep concern is caused by the fact that these cruelties are followed by photographing or videotaping the atrocities and publishing them.

These atrocities are grave violation of all universal human rights, including the right to life, the right to be free from torture and inhuman or degrading treatment, the right to privacy, etc.

A very explicit example is the appalling case of a member of the Azerbaijani army, Ramil Safarov, who brutally murdered an Armenian officer – Gurgen Margaryan – while he was asleep by decapitating him with sixteen blows of an axe during the night of February 19, 2004 in Budapest¹³.

On 13 April 2006, the Budapest City Court found Ramil Safarov guilty of premeditated murder of Gurgen Margaryan and preparation for murder of another Armenian soldier, Hayk Makuchyan.

After R. Safarov transferred to Azerbaijan, he was immediately granted a presidential pardon, set free, promoted to the rank of a major during the course of a public ceremony, awarded eight years of salary arrears, and given a flat. He was declared a National Hero of Azerbaijan by virtue of the fact that he killed a person of Armenian origin.¹⁴

Azerbaijani state officials praised the actions of the murderer and went as far as to pardon the criminal and grant him a hero's welcome after his extradition from Hungary.

Ganira Pashayeva, a member of Azerbaijani delegation to the Parliamentary Assembly of the Council of Europe (PACE) of that period (also a member of the Parliament of Azerbaijan) declared: "Ramil Safarov has been released! Congratulations, Azerbaijani people! We are grateful to the President of the country for returning R. Safarov to Azerbaijan and for pardoning him."¹⁵

Another disturbing fact is that the Commissioner for Human Rights (Ombudsman) of Azerbaijan Elmira Suleymanova that period declared that Ramil Safarov should become an exemplary model of patriotism for the Azerbaijani youth. She also mentioned that it has become yet another proof of humanism of President Ilham Aliyev, of his care for Azerbaijani citizens.

In its judgement in the case of "Makuchyan and Minasyan v. Azerbaijan and Hungary" (application no. 17247/13), the European Court of Human Rights recorded that Ramil Safarov's pardon, benefits and encouragement at the highest state level and glorification among the entire Azerbaijani society were ethically motivated. According to the European

¹³ Artsakh ombudsman: "Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016, <https://artsakhombuds.am/ru/document/560>.

¹⁴ Artsakh ombudsman: "Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016, <https://artsakhombuds.am/ru/document/560>.

¹⁵ Artsakh ombudsman: "Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016, <https://artsakhombuds.am/ru/document/560>.

Court, this is evidenced from the statements of the high-ranking officials expressing their support for the conduct.

The European Court of Human Rights recorded the documented words of the Azerbaijani Ombudsperson Ms. Elmira Suleymanova that “Ramil Safarov should become an exemplary model of patriotism for the Azerbaijani youth.” Immediately after Ramil Safarov’s pardon by the President of Azerbaijan, the Azerbaijani Ombudsperson stated that “It has become yet another proof of humanism of President Ilham Aliyev, of his care for Azerbaijani citizens.”

In the judgement, the European Court condemned for the release and glorification of a person who committed murder as a result of ethnic hatred, which is a dangerous impetus for creating an atmosphere of impunity.

The brutalities and inhuman treatment against ethnic Armenians were revealed also during the outbreak of Nagorno-Karabakh conflict on April 2016.

Another horrifying example is the case of Kyaram Sloyan who was beheaded, after which his head was taken by the Azerbaijani military forces and was extensively demonstrated to the soldiers and to the Azerbaijani general public.¹⁶

This case was very widely disseminated through social media and wholeheartedly welcomed by the Azerbaijani social media users. Later, it transpired that Mr. Kyaram Sloyan, the beheaded soldier, was a representative of the Yezidi nation¹⁷.

The cruelties committed by Azerbaijani armed forces was also an integral part during the September-November 2020 war being widely spread through the social media and encouraged at high levels in Azerbaijan.

In particular, monitoring of the Azerbaijani social media networks reveals numerous comments inciting hatred and violence against Armenians, which were made under the postings and shared by Azerbaijanis.

It is clear that the beheadings and demonstration of brutalities to the wider public are perceived as a symbol of encouragement of hatred and aggression towards Armenians. The purpose is clear: to gain public praise for the atrocities committed, to showcase the inhuman treatment, and to demonstrate a purported advantage.

It is even more concerning that perpetrators warn a family member 5-6 hours prior to posting that they will be posting a photo of a slain soldier on the Internet and thus torturing the family for such period of time. It is done with exceptional cynicism and clear hatred. The real intent is to spread stress, anxiety in society and do everything possible to prolong, as much as possible, the family’s mental pain and suffering.

A large number of videos and photos about the war crimes and atrocities are also sent to Armenian social network pages and private users from Azerbaijani social media sources, simultaneously spreading hatred against ethnic Armenians.

The alarming complaints sent to the Human Rights Defender of Armenia and their daily monitoring show that the mentioned videos and photos are sent in the form of separate/private messages, and are accompanied by exceptional cynicism and threats.

Moreover, the monitoring of social networks shows that Azerbaijani or Turkish accounts or pages are opened or activated with the specific purpose of distributing the videos and photos that show the killed soldiers or the process of the killing itself which is accompanied by atrocities.

¹⁶ Artsakh ombudsman: “Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016, <https://artsakhombuds.am/ru/document/560>.”

¹⁷ Artsakh ombudsman: “Interim public report on atrocities committed by Azerbaijani military forces against the civilian population of the Nagorno Karabakh Republic and servicemen of the Nagorno Karabakh Defence Army on 2-5 April 2016 <https://artsakhombuds.am/ru/document/560>.”

Thus, the Azerbaijani authorities and people use the Internet with the purpose of spreading hatred and killings without any chance of tolerance.

A video with the 8 Armenian prisoners of war (POWs) was disseminated through social media which demonstrates that one of the Armenians can barely stand, and is holding on to his knees in an effort not to collapse.¹⁸

It is evident from the video that the POW who is in discomfort and close to collapsing still has not received any medical assistance, contrary to the core concepts of humane treatment and the Geneva Convention related to the Treatment of Prisoners of War.

By disseminating this video in social media, the Azerbaijani authorities have exposed the Armenian POWs to public curiosity. This resulted in numerous comments containing hate speech and incitement to hatred by the Azerbaijani social media users. The video has raised hatred among the Azerbaijani society that fueled the existing atmosphere of intolerance against ethnic Armenians.

Monitoring of mass media and social networks revealed numerous calls for violence, including calls for killings, torture and inhuman treatment. For example, a social media user made a post on Twitter: “The more Armenians are killed, the sooner Armenia will collapse. Torture before you kill!”

Obtained evidence confirmed that feasts, surveys, polls encouraging killings and cruel treatment of Armenians are also organized in Azerbaijani social media, then happiness and pride spread for committed atrocities; other forms of hatred towards Armenians is largely encouraged¹⁹.

A photo of a beheaded of an Armenian soldier was posted in Azerbaijani social media and a poll is organized with exceptional cynicism and intention of incitement to hatred.

All of the described facts and activities clearly show the effects of the systematic Azerbaijani state-supported hatred policy. This purposeful policy implies endless violence and systemic hatred towards Armenians who live in Nagorno Karabakh.

EVIDENCE

1. Hate speech and animosity by public authorities, including high-ranking officials as parts of a state policy of Armenophobia in Azerbaijan

Evidence on hate speech and animosity by public authorities, including high-ranking officials as parts of a state policy of Armenophobia in Azerbaijan is presented in the following link: https://drive.google.com/file/d/1dQXPBX32tMsavhRBH8RmIXP3L_p9cBZG/view.

CONCLUSION

Taking into account all the above-mentioned evidence, it is clear that the military attacks by the Azerbaijani armed forces are accompanied by widespread hate speech against the ethnic Armenians through mass media, especially by social media platforms. The hatred in Azerbaijan is of such systemic nature that it ended up in a closed chain, starting from the authorities and concluding with cultural figures, earning public praise each time.

This extremely dangerous phenomenon results in war crimes against Armenians based on their ethnicity.

Articles, interviews, statements, views, as well as the atrocities and inhuman treatment caused by the Azerbaijani armed forces show that from the first day of the military attacks the dissemination of hatred and calls for cruel treatment and killings have become more coordinated – culminating into excessively dangerous volumes.

The Human Rights Defender of Armenia and the Human Rights Ombudsman of Artsakh call upon the international community and specifically international organizations to draw their

¹⁸ The video is available at <https://www.facebook.com/NewMusavat/videos/356222038822689>.

¹⁹ Feasts, surveys, polls encouraging killings and cruel treatment of Armenians are organized in Azerbaijani social media https://ombuds.am/en_us/site/ViewNews/1351.

attention over these extremely dangerous circumstances. Indiscriminate and often targeted attacks of Azerbaijani social media users against children must be strongly condemned by the international community.

There is a clear need to take urgent and effective measures, which will stop and prevent this appalling phenomenon. It is being accompanied with violation of international requirements and is a real threat to information security and peace in the whole region.
