

The Statement

of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan on the 26th Anniversary of the Tragedy of January 20, 1990.

The aggressive act of January 20 committed 26 years ago is, in fact, a grave crime against humanity. This date, which has engraved on our memory as a Black January, is a Day of Mourning of the martyrs as well as of the fight for the country's territorial integrity, also of the pride and honour. These bloody events once more proved that our people are able to fight for restoration of their independence.

Since 1988, encouragement of the Armenian separatists in the Nagorno-Karabakh Autonomous Oblast by the former Soviet State, gradual removal of the state organizations of this autonomous oblast from the authority of our country due to biased approach against Azerbaijan, and deportation of the Azerbaijanis from their historical-ethnic lands in Armenia exhausted the patience of our people. As a respond to the protests of the people of Azerbaijan, the Soviet Army perpetrated this massacre to punish the Azerbaijanis.

At the night from 19 to 20 January, 1990, the Soviet armed forces as well as armored vehicles entered Baku, Sumgait, also other cities and rayons of the country without a prior notification. The landing troops taking out from the landing ships have also attacked Baku and easily destroyed the barricades of civilians. Eventually, international legal norms, the relevant provisions of the former USSR as well as the Azerbaijan SSR constitutions were severely violated and our multinational people rose to defend their lands and national identity were subjected to reprisals.

According to the instructions by the USSR leaders, military forces entered the Baku city killed 147 unarmed civilians mercilessly regardless their nationality, age and sex. 744 innocent persons were injured in the capital city, surrounding settlements, and in districts, the hundreds were disappeared and 841 persons were unlawfully imprisoned. On January 20, 21 people were killed even after declaring a state of emergency. Ambulances and physicians carrying the injured persons were also shot; medical staff became martyr as well.

Immeasurable destructions were happened, hundreds of the unarmed, peaceful people including elderly, women and children were annihilated. In order to hide from the population the official information about entering the city by the armed forces, the energy bloc of the state television was exploded as a result of special operations held by the USSR Committee of State Security.

The prohibited weapons and supplies were used during these attacks, people seriously wounded were shot at on the spot, were thrown under caterpillars of the heavy military vehicles and were killed painfully by the brutal soldiers. War criminals full of hatred against the Azerbaijanis destroyed the corps in order to hide their number.

At that period, on behalf of all Azerbaijanis, the sharpest statement was made by the National leader Heydar Aliyev, whereas he demanded to give political assessment to the crimes against humanity committed on January 20 and to punish perpetrators. In 1993, at the initiative of Heydar Aliyev, the country Parliament declared January 20 as a Day of Mourning, which is commemorated in the country each year.

It should be specially noted that, the peaceful people demanding the restoration of their constitutional rights were murdered by the armed forces, but they failed to break the will of the people and this fight for freedom resulted with re-gaining the independence of Azerbaijan in 1991, the 25th anniversary of which is to be marked this year.

The Soviet state violating the international legal norms, supported Armenia by this crime, as a result of which a long term Armenian aggression, ethnic cleansing and massacre were committed against Azerbaijan, twenty percent of our lands was occupied, people were withdrawn by force from Armenia, Nagorno-Karabakh and seven surrounding districts of Azerbaijan and a million of them became refugees and IDPs.

The Azerbaijani side always strives for peaceful settlement of this conflict. The country President Ilham Aliyev repeatedly and resolutely stated that this conflict must be solved within the territorial integrity of our country and the occupant armed forces must be withdrawn from the Azerbaijani territories.

According to the Presidential Decree, martyrs died during those bloody event were awarded with honorary title "Martyr of January 20", and in line with the Decree on "The Increasing of the State care to the persons who became disabled during January 20 events", these persons are provided with allocations and their families with the Presidential allowance.

Recently, the Action Plan on "Commemorating the 26th anniversary of the tragedy of January 20" was approved. According to this Plan it is considered to hold meetings, conferences and lectures at different organizations, as well as in districts and regions of the country, to organize the related performances and films on this tragedy in cultural centers, to cover these event in mass-media, to hold events through the Embassies of Azerbaijan in foreign countries, diplomatic corps, Diaspora organizations, and communities in order to draw the attention of the international community to the realities of this tragedy, to give materials on this slaughter in leading international mass-media, also to conduct special lessons in educational institutions.

Raising awareness of the international community about the realities of Azerbaijan, including the tragedy of January 20 is one of our main duties. We provided the comprehensive information about the genocides and terror acts against our people as well as January 20 at numerous international events we participated in. Moreover, the relevant statements were sent to international organizations, including to the UN Secretary-General, UN Security Council, UN Office of the High Commissioner for Human Rights, European Commission, Council of Europe, Organization of Security and Cooperation in Europe, International and European Ombudsman Institutions, Asian Ombudsman Association, International Peace Bureau, foreign ombudspersons.

As a result of this crime against humanity, the provisions of the UN Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and other international legal documents on human rights were severely violated. Nevertheless, the perpetrators and benefactors of the tragedy of January 20, which was one of the horrible crimes committed in XX century by its nature and scale, have not been punished yet and the crime was not legally assessed at the international level.

The tragedy of January 20, 1990, must be interpreted as a crime against humanity under the international law. According to the Article 7 of the Rome Statute of the International Criminal Court 'crime against humanity' means extermination; enforced disappearance of persons; other inhumane acts of a similar character intentionally causing great suffering, serious injury to body, to mental or physical health are defined as elements of the crime.

Pursuant to the international law, there is sufficient legislative framework for the interpretation of the events occurred on January 20, 1990, as a crime against humanity. Furthermore, there are also enough grounds for bringing the military servants committed those violent acts as well as their commanders, the former Soviet Administration to the criminal responsibility, in particular.

Considering all the above mentioned facts, we do hope that the international community, international organizations will support the just demands of Azerbaijan and this bloody event will get its international legal recognition and the perpetrators won't remain unpunished.

Elmira Suleymanova,
The Commissioner for Human Rights
(Ombudsman)
of the Republic of Azerbaijan

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The Statement is addressed to the UN Secretary-General, UN Security Council, UN Office of the High Commissioner for Human Rights, European Commission, Council of Europe, Organization of Security and Cooperation in Europe, International and European Ombudsman Institutions, Asian Ombudsman Association, International Peace Bureau, foreign ombudspersons, embassies of Azerbaijan abroad and foreign embassies to Azerbaijan, also Azerbaijani Diasporas.