



General Assembly

Distr.: General
10 February 2023

English only

Human Rights Council

Fifty-second session

27 February–31 March 2023

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Coordination des Associations et des Particuliers pour la Liberté de Conscience, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 January 2023]

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



Khojaly: Recognize to Reconcile

Protection of universal human rights in conflict affected areas has always been the priority for the work of UN Human rights council. There is inseparable connection between protection of peace and security and human rights and human dignity. Both sustainable peace and human dignity can't not be achieved but with Justice. The latter is a fundamental building block for the formers, thus it needs to be addressed at once. This linkage become even more important when the shadow of the fading conflict still dominates and hinder normalization efforts by the states engaged in post-conflict peacebuilding. The two-fold task presents a challenge but also provide opportunity to support transition from conflict to peace by applying the mechanism of transitional justice.⁽¹⁾ One such important opportunity emerged in the critical region of South Caucasus with the effective transition of Armenian-Azerbaijani conflict since the parties signed Trilateral Statement in November 2020 which ended the war.

As Justice and Peace go hand in hand, it is a momentum to address the conflict related traumas, effects of war crimes and mass violations of international law perpetrated in the past with the aim to lay a solid ground for peace to come. With the parties engaged in post conflict normalization it is more important now than ever before. It is also important since this year marks the 30th tragic anniversary of massacre in Khojaly, once a town with more than 6000 strong Azerbaijani population. On the night of 26 February 1992, the Armenian armed forces seized the town and brutally murdered 613 innocent civilians, including 63 children, 106 women and 70 elderlies as well as severely injured 487 persons. 1275 civilians were taken as hostages. In its judgment of 22 April 2010, the European Court of Human Rights arrived at an important conclusion with respect to the crimes committed in Khojaly, denouncing the behaviour of those carrying out the atrocities as “acts of particular gravity which may amount to war crimes or crimes against humanity”.

National legislative bodies of 17 countries as well as several international organizations and local parliaments adopted a number of resolutions and decisions condemning the massacre of civilians in Khojaly and characterizing it as a crime against humanity and an act of genocide. However, despite growing international consensus on the horrible nature of this single most massive slaughter of civilians three decades later none of those directly involved in the Khojaly crime has been brought to justice and no formal apology offered for the families of victims and the survivors. It is regrettable that the democratization process in Armenia and rejection of the legacy of the “corrupt previous administration” has not affected the issue of Khojaly – the crime which the country’s same former leaders have been directly involved in and thus are directly responsible for.

As leaders both in Armenia and Azerbaijan have recently announced their willingness “to turn the page” and start “era of peace in the region”, it is time for strong international mediation, first on civil society level, to end the impunity and silence, render justice for Khojaly but also to help communities in both countries to overcome the shadow of the tragedy through recognition, dialogue, and ultimate reconciliation.

As a result of deliberations on modality of such mediation held at the discussion panel in February this year in the OSCE Headquarters and at the Conference on transitional justice organized in the Senate of Italy in March 2022 the group of human-rights NGOs and prominent human-rights activist formed a coalition under the title “Khojaly: Recognize to Reconcile” . The objectives of the Coalition are:

To facilitate direct dialogue between Azerbaijanis and Armenians, aimed at overcoming memories of conflict and jointly finding ways for reconciliation and sustainable peace;

To encourage governments and leaders of public opinion in both countries to consider application of transitional justice mechanisms in their post-conflict normalization agenda. Thus encouraging Armenia to properly recognize Khojaly massacre and offer a public apology to its victims; and encouraging Azerbaijan for opening up public space for direct dialogue on the issue at hands between the civil societies of the two countries - would be an important cornerstone for reconciliation efforts;

The mere recognition of wrong-doings of the past is of critical value for the peace to come. The denial of a crime leads to its rationalization and thus “normality” in public perception. It

is no coincidence that on the backdrop of taboo wall erected in Armenia around the issue of Khojaly, the threat of “Khojalization” against its neighbor sparked once again through social media of this country during the cross-border escalation last September. In turn, without recognition and apology received, for Azerbaijanis this trauma turned to the source of constant calls for all-out revenge. Thus, the unresolved issue is the source of a vicious circle of calls for violence.

Last but not least - providing “third-party” expertise and support for education of civil society in both Armenia and Azerbaijan on the importance of both elements of the initiative - “recognition” and “reconciliation” requires wide involvement of international actors. Therefore on behalf of coalition we have the honour to address concerned NGOs and activists with expertise on transitional justice, human rights and peace-building to join the Coalition. By doing this, by extending their expertise and helping to achieve objectives of “Recognize to reconcile” initiative we will advance its noble causes of Justice and Peace to prevail between Armenia and Azerbaijan, in the South Caucasus and the world at large.

Budapest Centre for Mass Atrocities Prevention Italian Federation for Human Rights Association
Mothers of Srebrenica European Muslim Initiative for Social Cohesion, NGO(s) without consultative
status, also share the views expressed in this statement.

(1) See the UN Note of the Secretary General on the “UN approach to transitional justice” at
https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf