

STATEMENT
of the Commissioner for Human Rights (Ombudsman) of the Republic of
Azerbaijan regarding the 28th anniversary of the tragedy of January 20, 1990

At the night from January 19 to 20, 1990, the Soviet armed forces, as well as armored vehicles entered Baku, Sumgayit, also other cities and rayons of the country unexpectedly. Landing troops brought by military vessels with the use of tanks and other military equipment shot at civilians. Eventually, international legal norms, the relevant provisions of the former USSR, as well as of Azerbaijan SSR constitutions were severely violated and a crime was committed against humanity and our multinational people rose to defend their lands.

Military forces entered the Baku city, killed 147 unarmed civilians including the elderly, women and children mercilessly regardless their nationality, age and sex. 744 innocent persons were injured in the capital city, surrounding settlements, and in districts, the hundreds were went missing and 841 persons were unlawfully imprisoned. Even Ambulances and physicians carrying the injured persons were also shot at; as a result, medical staff became martyr and was injured. After declaration of a state of emergency on January 20, 21 people were killed. The prohibited weapons and supplies were used during these attacks, immeasurable destructions were happened. The energy bloc of the state television was exploded, in order to hide from the population the official information about entrance of the armed to the city.

At that period, on behalf of all Azerbaijanis, the most relevant remarkable statement was made by the National leader Heydar Aliyev, whereas he demanded legally assess the crime against humanity committed on January 20 and punish all offenders.

This bloodshed couldn't break the will of the people and this fight for freedom resulted in re-gaining the independence of Azerbaijan in 1991. At the initiative of Heydar Aliyev special session of Milli Mejlis was held and political-legal assessment was given to this bloody event. January 20 is commemorated as a Day of Mourning in the country; martyrs are remembered with respect each year.

According to the Presidential Decree, country citizens killed during that bloody event were awarded with honorary title "Martyr of the 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" different measures are being taken and these persons are provided with relevant allowances. Moreover, martyr's families are provided with Presidential pensions.

Like previous years, the Action Plan on "Commemorating the 28th anniversary of the tragedy of January 20" has been approved with relevant Decree and it is being implemented.

As a result of this tragedy 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 tragedy of January 20, 1990, one of the horrible crimes by its nature and scale committed in XX century was not legally assessed at the international level, the initiators and perpetrators of this crime have not been yet punished.

Under the international law, the tragedy of January 20, 1990 must be interpreted as a crime against humanity. Thus, according to the Article 7 of the International Criminal Court

'crime against humanity' means extermination; forced disappearance of persons; other inhuman acts of a similar character intentionally causing great sufferings, serious injury to body, to mental or physical health are defined as elements of the crime.

At that time the Soviet state violating the international legal norms, supported Armenia with this crime, as a result of which a long term Armenian aggression, ethnic cleansing, massacre were committed against Azerbaijan, twenty percent of our lands was occupied, innocent Azerbaijani population was withdrawn by force from Armenia, also from Nagorno-Karabakh, which is an integral part of Azerbaijan, and seven adjacent districts of the country, which resulted in gross violation of fundamental rights of civilians and up to now over a million of our compatriots live as refugees and IDPs.

The Azerbaijani side always strives and makes initiatives for peaceful settlement of this conflict. The country President Ilham Aliyev repeatedly and resolutely states from influential international as well as UN General Assembly platforms, the necessity of solution of the conflict within the territorial integrity of our country and withdrawal of the occupant armed forces from the Azerbaijani territories.

The above mentioned facts show that there are enough legal documents for interpreting event of January 20, as a crime against humanity which is one of the most severe types of international crimes, also there are sufficient grounds for bringing the persons responsible for the execution of this massacre and first of all the leaders of the Soviet state of that time to the criminal responsibility under the international law.

This bloody event should be given international legal recognition and the perpetrators should get deserved punishment with the support of the international organizations and international community to the just demands of the Azerbaijani people

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The Commissioner for Human Rights
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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, Organization of Islamic Cooperation, European Commission, Council of Europe, International and European Ombudsman Institutions, Asian Ombudsman Association, European Network of Ombudsmen for Children, embassies of the Republic of Azerbaijan abroad and foreign embassies to Azerbaijan, also the Azerbaijani Diasporas.