

OSCE HUMAN DIMENSION IMPLEMENTATION MEETING
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Working session 14: Tolerance and non-discrimination II:

Prevention and responses to hate crimes in the OSCE area

Mr/Ms. Moderator,

The fight against racism, xenophobia and hate crimes remains in the centre of international organizations' attention because of the serious threats that these vices pose to international security. If one views the international security from the perspective of human rights, then the right to life certainly constitutes the fundamental element within this concept; threats to human security on the basis of racist or xenophobic hatred must be perceived not as crimes against specific individuals, but must be viewed from the perspective of potential serious challenges that they can bring about in undermining international stability.

In this context, the OSCE was originally set up to address such threats to international security and over the time has developed its early warning mechanisms which are set to react promptly to any manifestations of intolerance and hatred.

It is truly despicable that the cultivation of racism and racial hatred toward other nations has become an official ideology in one specific OSCE participating State, which on the one hand cultivates a state-sponsored policy of racial hatred, and on the other hand pretends to care about European security. For more than 20 years, racism and racial hatred towards Armenians, as well as other ethnic groups, has been openly promoted by the authoritarian leadership of Azerbaijan. Open hatred towards Armenians in Azerbaijan can be compared to the worst examples of racism known from the history of mankind.

The Safarov case, the brutal murder by an axe of the sleeping Armenian officer Gurgen Margaryan in Budapest in 2004, is a shocking example of consequences of Azerbaijani state-sponsored racist propaganda against ethnic Armenians. Let me underline that this cynical and barbaric murder was committed during the NATO partnership for peace seminar; it seems that – driven by his leadership's hate propaganda – the Azerbaijani murderer had his own views on “partnership” and “peace”...

The reaction to this cold-blooded and clearly hate-motivated racist murder in Azerbaijan, was even more shocking and outrageous: the racist murderer was venerated as a “national hero” in the Azerbaijani society. Following the Hungarian authorities' non-transparent and questionable decision to transfer Safarov to Azerbaijan, the murderer was immediately

pardoned and released upon arrival in Baku, promoted in military rank and received ‘blood money’ – eight years’ salary. The entire political leadership of Azerbaijan, the president, members of government, parliamentarians, opposition and even the so-called human rights defender – all praised Safarov’s cowardly assassination of a sleeping person and welcomed his release, thus setting up yet another disgraceful example to be followed by future generations of Azerbaijanis. Both the international community and the Hungarian authorities knew well about the atmosphere of racism and hatred that dominates in Azerbaijan. Major international and regional organizations voiced their strong condemnation of the release, which goes in contradiction with Azerbaijan’s international obligations.

The Safarov case is not a one-off issue. This case is just yet another shameful episode in the chain of racially-motivated crimes started by the genocide of Armenians in the Azerbaijani town of Sumgait in 1988, numerous anti-Armenian pogroms in other Azerbaijani cities, and crimes against the peaceful Armenian population, during which people were killed in their own apartments just because of their Armenian origin. And even these days, Azerbaijani President Ilham Aliyev declares ethnic Armenians – no matter where they live or what nationality they have – “enemies of Azerbaijan”. This is a clear message. In other words, since 1988 and until now, Azerbaijan was and remains a country where the killing of Armenians is encouraged at all levels of the state. That is exactly why the people of Nagorno-Karabakh claimed their independence over 20 years ago; they were simply forced to choose between life and death. And I am truly surprised, that after all these years of Azerbaijan’s state-sponsored racist propaganda and shameful acts of racially-motivated crimes against Armenians, there still remain people who naively believe about the possible fate of Armenians in Azerbaijan.

Mr/Ms. Moderator,

The Safarov’s pardoning and glorification constitute a serious challenge to the European and international justice system. This case undermines the rule of law by clearly abusing the Council of Europe legal documents and, as was pointed out by the CoE Commissioner for Human Rights, I quote: “Racist crimes must not go unpunished. Violent offences motivated by bias, such as racial or inter-ethnic hatred, are a particularly pernicious form of criminality”. The European Commission against Racism and Intolerance in its Statement concerning Azerbaijan’s pardoning of a person convicted for hate crime stressed that “It is... concerned that developments such as those in the Safarov case risk cultivating a sense of impunity for the perpetrators of racist offences of the most serious nature”. The Office of the UN High Commissioner for Human Rights also expressed its serious concern regarding the Safarov case and stressing that “ethnically motivated hate crimes of this gravity should be deplored and properly punished – not publicly glorified by leaders and politicians”.

These are just a few examples from series of condemnations, statements expressing concern and regrets received from State leaders, international organizations, famous politicians, individuals and non-governmental organizations concerning Safarov’s pardon by the President of Azerbaijan.

Finally, I would like to refer to the Statement made by the OSCE Minsk Group Co-Chairs in which they expressed “their deep concern and regret for the damage the pardon and any attempts to glorify the crime have done to the peace process and trust between the sides”.

The case of racist murderer's glorification in Azerbaijan and related impunity of the criminal is a serious challenge for the OSCE. This requires undertaking additional measures and paying a greater attention to the fight against racism and hate crimes.

While supporting the renovation of the mandate of three personal representatives of the Chairperson-in-Office, the Delegation of Armenia also suggests strengthening the appropriate mechanisms of the OSCE and enabling them to promptly react to hate crimes.