

## SECRETARIAT / SECRÉTARIAT

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COMMITTEE  
OF MINISTERS  
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Date: 22/04/2025

### DH-DD(2025)464

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1531<sup>st</sup> meeting (June 2025) (DH)

Communication from NGOs (Rights Centre NGO, Law Development and Protection Foundation, Civil Society Institute, Protection of Rights without Borders, Helsinki Citizens Assembly-Vanadzor and Democracy Development Foundation) (09/04/2025) in the case of Makuchyan and Minasyan v. Azerbaijan (Application No. 17247/13).

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1531<sup>e</sup> réunion (juin 2025) (DH)

Communication d'ONG (Rights Centre NGO, Law Development and Protection Foundation, Civil Society Institute, Protection of Rights without Borders, Helsinki Citizens Assembly-Vanadzor and Democracy Development Foundation) (09/04/2025) dans l'affaire Makuchyan and Minasyan c. Azerbaïdjan (requête n° 17247/13) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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"RIGHTS CENTRE" RIGHTS PROTECTION NGO

DGI

09 AVR. 2025

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

Dear Sir/Madam,

Please find enclosed a communication submitted under Rule 9.2 of the Rules of the Committee of Ministers for the Supervision of the Execution of Judgments and of Friendly Settlements, concerning the implementation of the European Court of Human Rights judgment in the case of *Makuchyan and Minasyan v. Azerbaijan* (Application No. 17247/13).

This submission is presented by six Armenian human rights NGOs who express their deep concern over the continued non-execution of the aforementioned judgment. They respectfully request the Committee of Ministers to employ all available measures to compel the respondent State to fully and effectively implement the judgment. In addition, the NGOs call for the adoption of an interim resolution addressing Azerbaijan's ongoing failure to comply with its obligation to execute European Court of Human Rights judgments.

Sincerely,

Anna Maralyan

President

Rights Centre NGO

Council of Europe  
DGI - Directorate General of Human Rights and Rule of Law  
Department for the Execution of Judgments of the ECHR  
F-67075 Strasbourg Cedex  
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8 April 2025

**Communication on the execution of the judgment of the European Court of  
Human Rights in the case of Makuchyan and Minasyan v Azerbaijan  
(application no. 17247/13) under Rule 9.2 of the Rules of the Committee of  
Ministers for Supervision of the Execution of Judgments and of Friendly  
Settlements**

With this communication the undersigned organisations seek to provide the Committee of Ministers of the Council of Europe (hereinafter “the Committee” or “the Committee of Ministers”) with information manifesting the reluctance of the respondent State to execute the referenced judgment. The organisations also respectfully request the Committee to exert all possible avenues to obligate the authorities of Azerbaijan to fully and effectively execute the judgment, including the adoption of an interim resolution addressing the respondent State’s continued non-compliance with its obligations under Article 46.1 of the European Convention on Human Rights (hereinafter “the Convention” or “ECHR”).

## EXECUTIVE SUMMARY

This communication is submitted by six Armenian non-governmental organisations under Rule 9.2 of the Rules of the Committee of Ministers for Supervision of the Execution of Judgments and of Friendly Settlements.

The submission addresses Azerbaijan's continued failure to execute the European Court of Human Rights (hereinafter "ECtHR" or "Court") judgment in *Makuchyan and Minasyan v. Azerbaijan*. In this case, the Court found that Azerbaijan violated the right to life and the prohibition of discrimination after the Azerbaijani authorities pardoned, promoted, and honored R.S., an Azerbaijani officer convicted to life sentence in Hungary of murdering Armenian officer G.M. and attempting to kill the second applicant with an axe. The judgment became final on 12 October 2020.

Despite the ECtHR's findings and its ongoing supervision by the Committee of Ministers since June 2023, Azerbaijan has not implemented the necessary measures. The Committee has expressed serious concern, calling on Azerbaijan to revoke the glorification of R.S., clarify the benefits granted to him, and fully comply with the Court's order, including payment of legal costs.

Numerous international and local NGOs have submitted communications highlighting Azerbaijan's persistent non-compliance. They emphasize the dangers of impunity and State-led glorification of ethnically motivated violence. The communications call for revoking R.S.'s pardon and honors, noting that failure to do so perpetuates racial hatred and undermines the rule of law.

The Armenian authorities, in their communication of 5 March 2024, echoed these concerns, asserting that the pardon is revocable and that Azerbaijan's defiance reflects entrenched systemic discrimination. They urged continued pressure and enforcement by the Committee of Ministers.

With this communication the undersigned NGOs presented evidence that Armenophobia remains deeply rooted and State-sponsored in Azerbaijan, permeating public institutions and education. The Azerbaijani education system, in particular, plays a central role in cultivating anti-Armenian hatred. From an early age, students are exposed to textbooks filled with dehumanizing stereotypes and inflammatory language. Despite formal policies prohibiting discriminatory content, anti-Armenian narratives are widespread and persistent.

International bodies such as the ECRI, the Council of Europe, and the U.S. State Department have expressed alarm at the long-term impact of this indoctrination. Official attempts to promote "multiculturalism" lack transparency and fail to address the depth of the problem.

The NGOs emphasize that Azerbaijan's legal framework against discrimination is undermined by its failure to enforce laws, its celebration of hate crimes, and its refusal to ensure justice for Armenian victims. State rhetoric, education, and media continue to promote hostility and racial violence against Armenians, leaving Armenian civilians and prisoners of war at continued risk.

The undersigned organisations respectfully request the Committee of Ministers to:

- Urge Azerbaijan to revoke the release and honors granted to R.S.
- Demand comprehensive reform of the education system to remove anti-Armenian content and promote human rights.
- Require effective investigations and accountability for hate-motivated crimes.
- Call for the end of State-led Armenophobic policies and full compliance with anti-discrimination obligations.

The NGOs also call upon the Committee to adopt an interim resolution recognizing Azerbaijan's deliberate and ongoing failure to implement the *Makuchyan and Minasyan* judgment as well as to maintain the case under enhanced and continuous supervision at each DH-CM meeting until full compliance is achieved.

## **I. Makuchyan and Minasyan v Azerbaijan judgment brief**

The judgment in the case of *Makuchyan and Minasyan v Azerbaijan* was rendered on 26 May 2020 and, having entered into force on 12 October 2020, was classified as a leading case.

The case concerns the respondent State's unjustified failure to enforce a life sentence imposed by Hungarian authorities on an Azerbaijani officer, R. S., for assassination of an Armenian officer through beheading with an axe and a homicide attempt of another Armenian officer as well as pardoning of the perpetrator without any legal basis, his promotion and awarding benefits immediately after his transfer from Hungary to Azerbaijan for serving the imposed life sentence.

In its 26 May 2020 judgment, the Court found that Azerbaijan had violated the procedural obligations provided for by Article 2 of the Convention by failing to enforce the serving of the imposed sentence in Azerbaijan. Additionally, the Court established a racially motivated violation of Article 2, leading to a concurrent violation of Article 14 of the Convention<sup>1</sup>, obliging Azerbaijan to take general and/or individual measures through a domestic procedure in order to eliminate the violations recorded by the Court and their consequences.

## **II. Examination of the Case by the Committee of Ministers**

### **A. Decisions of the Committee of Ministers regarding the case under consideration**

In all the decisions, the Committee of Ministers expressed deep concern over the Azerbaijani authorities' failure to execute the judgment in this case.

Notably, the Committee:

- Urged the respondent Government to remove the letters supporting the pardon and release of the perpetrator, which remain publicly available on the website of the Presidential Administration;
- Emphasised, referring to established ECtHR case law and the Council of Europe standards, that individuals responsible for serious human rights abuses, such as those in this case, should not be eligible for public office, and insisted that the authorities take measures to uphold this principle;

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<sup>1</sup> *Makuchyan and Minasyan v. Azerbaijan and Hungary*, application no. 17247/13, 26 May 2020, available at: <file:///C:/Users/User/Downloads/CASE%20OF%20MAKUCHYAN%20AND%20MINASYAN%20v.%20AZERBAIJAN%20AND%20HUNGARY.pdf>

- Requested the authorities to clarify, without further delay, their position regarding the “other benefits” granted to the perpetrator following his transfer from Hungary, which the Court found to lack any legal basis under domestic law.
- Urged the Azerbaijani authorities to fulfil their unconditional obligation to pay in full, and without further delay, the costs and expenses awarded to the applicants’ representatives.
- Requested that the authorities provide comprehensive information on all the points raised in the Committee’s decisions in a timely manner for the next examination.<sup>2</sup> However, the authorities have failed to comply with the aforementioned requests.

## **B. Communications Submitted under Rule 9.2 and 8.2a of the Rules of the Committee of Ministers for Supervision of the Execution of Judgments and of Friendly Settlements**

During the examination of this case a number of communications were submitted under Rule 9.2 highlighting the Azerbaijani authorities’ failure of to implement this judgment. This included:

- **A joint communication by the European Human Rights Advocacy Centre and the Allard K. Lowenstein International Human Rights Clinic at Yale Law School** - This communication emphasized Azerbaijan’s failure to abide by the judgment and recommended that Azerbaijan government revoke the presidential order pardoning R. S. or, alternatively, that the Azerbaijani courts review the order. This submission argued such a measure is necessary to redress the serious harm caused by the impunity granted to R.S. and to denounce Azerbaijan’s support for violence against individuals of Armenian ethnicity. It also noted that these legal remedies are fully consistent with international law and the Constitution of Azerbaijan.<sup>3</sup>
- **A communication by Democracy Development Foundation, Helsinki Citizens’ Assembly Vanadzor, Law Development and Protection Foundation, Protection of Rights without Borders NGO, and Transparency International Anti-Corruption Center** - This communication addressed Azerbaijan’s promotion of anti-Armenian propaganda, hate speech and Armenophobic rhetoric, racial violence and arbitrary executions in Azerbaijan as well as the international community’s response. The NGOs highlighted numerous instances of hate crimes committed against Armenians, where the

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<sup>2</sup> Council of Europe, Ministers’ Deputies, 1492nd DH-CM Meeting, *Makuchyan and Minasyan v. Azerbaijan* (Application No. 17247/13), Decision, 12–14 March 2024, document reference CM/Notes/1492/H46-3, available at: [https://hudoc.exec.coe.int/eng#%7B%22execidentifier%22:%5B%22CM/Del/Dec\(2024\)1514/H46-06E%22%7D](https://hudoc.exec.coe.int/eng#%7B%22execidentifier%22:%5B%22CM/Del/Dec(2024)1514/H46-06E%22%7D); Council of Europe, Ministers’ Deputies, 1514th DH-CM Meeting, *Makuchyan and Minasyan v. Azerbaijan* (Application No. 17247/13), Decision, 3-5 December 2024, document reference CM/Notes/1514/H46-6, available at: [https://hudoc.exec.coe.int/eng?i=CM/Del/Dec\(2024\)1514/H46-06E](https://hudoc.exec.coe.int/eng?i=CM/Del/Dec(2024)1514/H46-06E)

<sup>3</sup>European Human Rights Advocacy Centre (EHRAC), Allard K. Lowenstein International Human Rights Clinic at Yale Law School, *Makuchyan and Minasyan v. Azerbaijan and Hungary – Rule 9(2) submission to the Committee of Ministers*, 02 March 2021, available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2021\)246E](https://hudoc.exec.coe.int/eng?i=DH-DD(2021)246E)

perpetrators not only escaped accountability but were also glorified for their actions. The communication recommended reviewing the decision to pardon R.S. and urged the Committee of Ministers not to consider the case closed until Azerbaijan implements all the effective measures to combat racial hatred.<sup>4</sup>

- **A communication by Institut des Droits de l'Homme du Barreau de Montpellier** - The Institute reiterated that Azerbaijan had failed to comply with the ECtHR judgment and continued to engage in state-sponsored hatred and discrimination against Armenians. Citing the International Court of Justice decisions and the Amnesty International reports, the submission asserted that Azerbaijan has not investigated war crimes or human rights violations. The Institute requested that the Committee of Ministers to assist in revoking Azerbaijan's presidential decree pardoning R.S. and to recognize Azerbaijan's systematic discrimination and racial hatred against Armenians. It also called for continued scrutiny of the case until Azerbaijan ceases to promote hate speech and discrimination against Armenians, revises school curricula to include ethnic and cultural diversity and implements UN recommendations on racial discrimination. The Institute further recommended imposing sanctions on Azerbaijan for its failure to implement the case under consideration warning that failure to act could set a dangerous precedent.<sup>5</sup>
- **A communication by the International and Comparative Law Center and Path of Law NGO** - This submission highlighted that Azerbaijan had taken no steps to comply with the Court's judgment, including its failure to provide any remedial actions or preventive measures. The communication emphasized that the glorification of S.R. continued, creating a dangerous precedent of impunity and escalating tensions between Armenia and Azerbaijan. It further underscored that the lack of accountability and continued heroization of a convicted murderer undermined the rule of law and human rights principles. The NGOs requested the Committee of Ministers to apply stronger measures to ensure Azerbaijan's compliance with this judgment, including the consideration of sanctions or diplomatic pressure.

### C. Armenian Authorities' Communication Under Rule 8.2(a)

On 5 March 2024, the Armenian authorities submitted a communication under Rule 8.2(a) concerning the case of *Makuchyan and Minasyan v. Azerbaijan*, expressing strong dissatisfaction with Azerbaijan's refusal to implement the judgment. They urged the respondent State to take

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<sup>4</sup> Democracy Development Foundation, Helsinki Citizens Assembly of Vanadzor, Law Development and Protection Foundation, Protection of Rights without Borders NGO, Transparency International Anticorruption Center, *Communication: Case of Makuchyan and Minasyan v. Azerbaijan (application no. 17247/13, 12 October 2020)*, 17 April 2023, [https://hudoc.exec.coe.int/eng?i=DH-DD\(2023\)575revE](https://hudoc.exec.coe.int/eng?i=DH-DD(2023)575revE)

<sup>5</sup> Institut des Droits de l'Homme du Barreau de Montpellier (National institute for protection of Human Rights), *Communication in the case Makuchyan and Minasyan v. Azerbaijan (application no. 17247/13)*, 14 June 2023, available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2023\)772F](https://hudoc.exec.coe.int/?i=DH-DD(2023)772F)

concrete measures to end impunity and prevent continued discrimination against Armenians. The communication highlighted that Azerbaijani authorities had failed to outline any concrete measures for executing the judgment in their Action Plan, which was submitted on 5 April 2023. Moreover, the Armenian authorities argued that presidential pardons could be revoked through the Constitutional Court and the Prosecutor General's Office. They further emphasized that this case reflects a broader pattern in Azerbaijan, where crimes against Armenians are not prosecuted but instead encouraged. The Armenian authorities called upon the Committee of Ministers to closely monitor the case and take appropriate action to enforce the ruling, stressing that Armenian victims have no legal recourse in Azerbaijan and that the Committee remains the only mechanism for enforcing their rights.<sup>6</sup>

#### **D. Azerbaijan's Limited Engagement in the Committee of Ministers' Examination of the Case**

Despite the fact that this critical case became final around four and a half years ago, was classified as complex and placed under enhanced supervision, the Azerbaijani authorities have largely failed to engage in the execution process. The case has been closely examined twice during regular DH-CM meetings, yet Azerbaijan has only submitted two communications - an Action Plan (5 April 2023) and a response to an NGO submission (5 May 2023). Notably, these submissions were made two and a half years after the case came under the supervision of the Committee of Ministers, despite Azerbaijan's obligation to submit a communication within six months of the judgment becoming final.

In its Action Plan, Azerbaijan made only general references, stating that:

- Since 1994, 8,987 individuals have received presidential pardons.
- R.S. did not escape punishment, as he had served part of his sentence in Hungary before being released.
- Azerbaijan's domestic legislation contains provisions prohibiting discrimination.<sup>7</sup>

Further, Azerbaijan has failed to provide any response to the five communications submitted by the applicants. Furthermore, out of eight published communications from international and local NGOs, Azerbaijan responded to only one, merely

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<sup>6</sup> Representative of the Republic of Armenia on International Legal Matters, *Communication from the Armenian authorities concerning the case of Makuchyan and Minasyan v. Azerbaijan (Application No. 17247/13)*, 05 March 2024, available at: [https://hudoc.exec.coe.int/?i=DH-DD\(2024\)271E](https://hudoc.exec.coe.int/?i=DH-DD(2024)271E)

<sup>7</sup> Agent of the Republic of Azerbaijan before the European Court of Human Rights, *The Government's Submission in Response to the Rule 9.2 Communication of Several Armenia Based Non-Governmental Organisations Made On 17 April 2023: Makuchyan and Minasyan v Azerbaijan (application no. 17247/13)*, 09 May 2023, available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2023\)575revE](https://hudoc.exec.coe.int/eng?i=DH-DD(2023)575revE)

denying the credibility of the NGOs' statements. The authorities have also failed to respond to the communication submitted by the Armenian authorities.

Although this case has been continuously discussed during DH-CM meetings, Azerbaijani authorities have only submitted a communication prior to the first examination of the case. Their persistent lack of engagement further demonstrates a clear unwillingness to comply with the ECtHR judgment and the obligations set forth by the Committee of Ministers.

### **III. Failure of the Azerbaijani Authorities to Execute the Referred Judgment**

Due to the Nagorno-Karabakh conflict, the atmosphere for Armenians in Azerbaijan has remained tense for several decades now. Individuals of Armenian ethnic or national origin face widespread discrimination and humiliation across nearly all sectors of public life in Azerbaijan. Armenian prisoners of war who remain in Azerbaijani custody are at serious risk of being deprived of their lives and are unable to exercise their fundamental rights. Hate speech and state-sponsored policies targeting Armenians are prevalent at all levels of society, with Azerbaijani educational programs deliberately fostering hostility toward Armenians from early childhood.

Racially motivated murders and other crimes driven by Armenophobia continue to increasingly grow each year and, in the best-case scenario, they remain unpunished instead of being labeled as a crime committed with an aggravating circumstance. These alarming trends have even worsened following the 2020 conflict, further exacerbating Azerbaijan's failure to execute the judgment in this case and to address the violations identified by the ECtHR.

Azerbaijan's persistent refusal to implement the Court's ruling not only perpetuates impunity but also deepens ethnic tensions. Analyzing the information provided in submitted communications and Azerbaijan's Action Plan, it is evident that the failure to execute the judgment is deliberate, given that the case concerns the murder of an individual of Armenian ethnic or national origin.

With this communication, the NGOs present objective evidence to the attention of the Committee of Ministers highlighting significant issues related to Armenophobia in Azerbaijan, which clearly demonstrate the Azerbaijani authorities' reluctance to execute this judgment.

#### **A. Racial violence, other racial crimes and their encouragement in Azerbaijan**

Despite the ECtHR's clear findings in its judgment that the events following R.S.'s return to Azerbaijan demonstrated that he was treated as an innocent victim of unlawful persecution, Azerbaijan has continued to refute this in its Action Plan, claiming that R.S. served the portion of his sentence required under Azerbaijani law while in Hungary and was simply released from serving the remaining part of the sentence under a decision on pardon. This response reflects

Azerbaijan's unwillingness to take meaningful steps to address the violations identified by the Court. In essence, the country refuses to acknowledge these violations, disregards the ECtHR's position, and turns a blind eye to the documented breaches of human rights.

Azerbaijan's Action Plan includes statistics on the number of pardons granted since 1994, stating that 8,987 individuals have received presidential clemency. However, these figures are irrelevant to the present case, as the government failed to specify how many of these pardons, like R.S.'s, were granted without the appropriate legal procedures. Additionally, there is no indication of how many of those pardoned individuals were subsequently promoted, compensated, provided housing, or granted other privileges, as was the case with R.S.

As the ECtHR indicated in the judgment at stake, the primary harm in this case lies in the message it sent to the public, namely that the authorities encourage racial violence. It is no coincidence that the number of racially motivated crimes against Armenians increased sharply following this incident.

### ***Documented Cases of Racial Violence Against Armenians***

R.S.'s glorification and impunity led to an increase in the volume of beheadings and atrocities of Armenians in the context of his perception as a hero. Impunity for this crime, tacit or verbal approval and glorification of such conduct by Azerbaijani officials resulted in an increased number of racially motivated crimes against Armenians. Below are presented some of them:

- **2010: The Torture and Murder of Manvel Saribekyan**

In 2010, 20-year-old Manvel Saribekyan, a resident of an Armenian border village, was captured, tortured, and murdered while in Azerbaijani custody. In *Saribekyan and Balayan v. Azerbaijan* (application no. 35746/11), the ECtHR concluded that Saribekyan had been in good health at the time of his capture and was subsequently tortured to death. The Court found Azerbaijan directly responsible for his murder and particularly stated that the murder was committed deliberately and under the exclusive supervision of the authorities. The judgment also highlighted that Azerbaijan's failure to recognize interethnic hatred as a contributing factor resulted in an ineffective investigation into his death.

- **2014: Torture and Killing of Mamikon Khojovan**

In 2014, 77-year-old Armenian civilian Mamikon Khojovan was arrested by Azerbaijani authorities after accidentally crossing the border while engaged in harvesting activities in a region near the Armenia-Azerbaijan frontier. He was held in Azerbaijani custody for 35 days before being repatriated to Armenia. Following his return, a forensic medical examination revealed extensive

signs of torture, including head trauma, injuries to the ears and arms, and multiple bilateral rib fractures accompanied by chest deformation. A chemical analysis further detected traces of petroleum and psychotropic substances in his blood and urine. Mr. Khojoyan died shortly after his return.

In the case of *Khojoyan and Vardazaryan v. Azerbaijan* (application no. 62161/14), the European Court of Human Rights found that Mr. Khojoyan had been subjected to treatment amounting to torture. The Court emphasized that the severe injuries he sustained—particularly to his head, ribs, and limbs—posed a serious and imminent threat to his life, constituting a violation of both the right to life and the prohibition of torture under the Convention. The Court also noted that a thorough investigation was necessary, including an inquiry into whether ethnic hatred had played a role in the treatment that ultimately endangered his life.

- **2016: The April Four-Day War**

Numerous instances of extreme violence against Armenians were recorded during the April 2016 war. Graphic images and videos of mutilated bodies and mistreatment of Armenian soldiers and civilians circulated widely, even on social networks. Several cases related to these atrocities were submitted to the ECtHR, including the killing of peaceful civilians<sup>8</sup>, the mutilation of Armenian soldiers' bodies, and the beheadings of servicemen<sup>9</sup>, including while alive, of the Defense Army.

A particularly gruesome case involved Armenian soldier Kyaram Sloyan, who was beheaded during the armed conflict. His severed head was displayed on Azerbaijani social networks<sup>10</sup>. The Azerbaijani officer responsible for the beheading was later honored with a medal by President Ilham Aliyev and hailed as a national hero.<sup>11</sup> Other cases of beheading of servicemen, including while alive, recorded during 2016 April war were presented in the aforementioned Armenian NGOs' submission to the Committee of Ministers of 17 April 2023.

- **2016: Peacetime Killings of Armenian Soldiers**

Later in 2016, three Armenian soldiers were murdered due to interethnic hatred. The perpetrator, who committed the killings during peacetime, was awarded the title of "National Hero of

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<sup>8</sup> *Khalapyan v Azerbaijan*, application no. 54856/16, 15 September, 2016, available at:

<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-169756%22%5D%7D>

<sup>9</sup> *K.S. and N.A. v. Azerbaijan and 21 other applications*, application no. 19243/16, 25 November, 2016, available at:

<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-169755%22%5D%7D>

<sup>10</sup> Boris Murazi, *An Armenian soldier of eizidi ethnic origin beheaded in Karabakh* [В Карабахе обезглавлен армянский солдат езидского происхождения], 04 April 2016, EzidiPress, available at:

<http://ezidipress.com/ru/?p=4851>.

<sup>11</sup> *Asbarez*, Aliyev Awards Officer Who Decapitated Artsakh Soldier, 02 May, 2016, available at:

[https://asbarez.com/aliyev-awards-officer-who-decapitated-artsakh-soldier/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A%20Asbarez%20%28Asbarez%20News%29](https://asbarez.com/aliyev-awards-officer-who-decapitated-artsakh-soldier/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A%20Asbarez%20%28Asbarez%20News%29)

Azerbaijan," and a street was named after him. The ECtHR found a violation of Article 2 of the Convention in this case.<sup>12</sup>

- **2020: The Nagorno-Karabakh War and Continued Racial Violence**

The 2020 war further escalated racial violence against Armenians. Multiple international organizations, including Human Rights Watch, documented cases of torture, inhumane treatment, and extrajudicial killings of Armenian prisoners of war and civilians. Armenian captives continue to be subjected to severe abuse and discriminatory treatment in Azerbaijani detention facilities. Instances of beheadings of civilians and fallen servicemen, including while alive, were recorded also during the 2020 Nagorno Karabakh war.<sup>13</sup>

There were numerous instances of executions of captured Armenian civilians and servicemen hors de combat during 2020 war in Nagorno Karabakh.<sup>14</sup> On 15 October 2020, the Azerbaijani military personnel released videos of themselves in the centre of Hadrut showing the capture and extrajudicial killing of two ethnic Armenians, 73-year-old civilian Benik Hakobyan and 25-year-old Yuri Adamyan in the park of Hadrut town sitting on a wall which their hands bound behind their backs and with Hakobyan draped in the flag of the Republic of Armenia and Adamyan draped in the Nagorno-Karabakh. Voices from off-camera can be heard speaking and ordering ‘Aim at their head’, and numerous gunshots can be heard. Hakobyan and Adamyan fall on the ground and gunshots are heard until the end of the video.<sup>15</sup>

- **2020: Attacks on Armenians in Moscow**

Following the 2020 war, Azerbaijan awarded a medal to Kamil Zeynalli, one of the organizers of anti-Armenian attacks in Moscow in July 2020. Zeynalli openly incited violence, urging people to "spill Armenian blood" and assuring his followers that “The President [Aliyev] is with us. Even if you’re deported, you’ll return as heroes.”<sup>16</sup>

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<sup>12</sup> *Narayan and Boyajyan v Azerbaijan*, application no. 54363/17, 19 December 2023, available at: <https://hudoc.echr.coe.int/?i=001-229602>

<sup>13</sup> OSF, HCAV, LDPF and PRWB, Human Rights Violations during the 44-day war in Artsakh, 2022, available at: <https://prwb.am/en/2022/08/27/report/>

<sup>14</sup> *ibid*

<sup>15</sup> Bellingcat, *An Execution in Hadrut*, 15 October 2020, <https://www.bellingcat.com/news/rest-of-world/2020/10/15/an-execution-in-hadrut-karabakh/>

<sup>16</sup> Zartok Media on Facebook, *BREAKING: One Of The Organizers Of Moscow Attacks Declares, “President [Aliyev] Is With Us.”*, 24 July, 2020, available at: <https://www.facebook.com/watch/?v=624971041472433>

## *Azerbaijan's Failure to Prosecute Grave Crimes against Armenians*

According to an announcement by the Prosecutor General's Office of Azerbaijan in December 2020, only four individuals were charged with crimes committed during the 2020 war. Two soldiers, G. A. and R. A., were charged with desecrating the bodies of Armenian soldiers, while two others were charged with vandalizing ethnic Armenian grave sites. However, no updates on their prosecution have been provided.<sup>17</sup>

Moreover, Azerbaijan's Action Plan submitted to the Committee of Ministers under this case mentioned only the charges related to the desecration of Armenian grave sites, omitting any reference to the desecration of Armenian soldiers' bodies. It should be emphasized that one of the accused, G. A., was later featured in an official statement by Azerbaijan's Ministry of Defense as someone who had been honored for "protecting the borders of the Republic of Azerbaijan."<sup>18</sup>

Considering Azerbaijan's longstanding policy of glorifying violence against Armenians - or, at best, failing to punish it - the lack of further information on the prosecution of these individuals strongly suggests that the legal proceedings were either not carried through or that the accused were quietly released.

Thus, over the past decade, the number of cases of racial violence against Armenians has been steadily increased. Azerbaijan actively encourages such violence by granting medals, titles, and other rewards to individuals who commit hate crimes against Armenians. Even after the ECtHR issued its judgment in this case, Azerbaijani authorities remain wholly unwilling to implement the decision in good faith. Given this environment, Armenian captives in Azerbaijan face a serious and ongoing risk to their lives and well-being. The execution of this judgment is crucial to mitigating these risks. Any further delays or failures to act could have grave and irreversible consequences.

### *Hate speech*

Hate speech against Armenians in Azerbaijan has persisted for decades, closely tied to the Nagorno-Karabakh conflict. Hate speech against Armenia and Armenians is frequently found in statements by Azerbaijan's highest officials, including the President. For instance:

1. "Armenia as a country is of no value. It is actually a colony, an outpost run from abroad, a territory."<sup>19</sup>

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<sup>17</sup> United States Department of State, Bureau Of Democracy, Human Rights, And Labor, *2022 Country Reports on Human Rights Practices: Azerbaijan*, 20 March, 2023, available at: <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/azerbaijan/>

<sup>18</sup> Avetisyan A., *Aliyev Awarded the Mutilator of the Killed Armenian Soldier's Body in August*, Fact Investigation Platform, 19 September, 2022, available at: <https://fip.am/en/20460>

<sup>19</sup> Ilham Aliyev on Twitter, 20 November, 2012, available at: <https://twitter.com/presidentaz/status/270827003521929216>

2. “We will continue to expel these liars [referring to the Armenians]. They have neither conscience nor morality. They don’t even have a brain. For 30 years, it [referring to Nagorno-Karabakh (Artsakh)] was in the hands of vultures, in the hands of predators, in the hands of jackals.”<sup>20</sup>

3. “I was saying that they need to be treated. They are sick, a virus more horrific than the coronavirus has settled in their bodies.”<sup>21</sup>

Given the President’s official position, influence, and public standing, such rhetoric has a significant and highly damaging impact. Moreover, since the 2020 war, the intensity and prevalence of hate speech from the President and other politicians have only increased.

Hate speech against Armenians remains a widespread issue in Azerbaijan, as highlighted in the 22 September 2022 report of the Committee on the Elimination of Racial Discrimination (CERD). The report expresses serious concern over incitement to racial hatred and the spread of racist stereotypes against Armenians, including through the Internet and social media, hate speech propagated by public figures and government officials, the lack of detailed information on investigations, prosecutions, convictions, and sanctions for such acts.<sup>22</sup>

Similarly, the 2023 report of the European Commission against Racism and Intolerance (ECRI) criticized Azerbaijan for continuing its adversarial narrative against Armenia. The report noted that inflammatory rhetoric from high-level politicians and public figures, as well as the widespread dissemination of hateful content in traditional and social media, remains a serious problem. ECRI also emphasized that Armenians are the primary targets of hate speech in Azerbaijan. It echoed the grave concerns raised by other international bodies, including the Commissioner for Human Rights of the Council of Europe and the CERD, regarding the Azerbaijani government's use of aggressive language and adversarial narratives that reinforce racist stereotypes and fuel hostilities.<sup>23</sup>

Hate speech in Azerbaijan is not limited to media, social networks, and other information platforms - it is also spread through state-sanctioned initiatives. For instance, in October 2020, the Azerbaijani Ministry of Defense announced the production of an official unmanned aerial vehicle named “*Iti Qovan*” or “*Dog Chaser*”, a derogatory reference aimed at Armenians.<sup>24</sup>

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<sup>20</sup> Defence.az, *President of the Republic of Azerbaijan Ilham Aliyev has addressed the nation*, 20 October 2020, available at: <https://defence.az/en/news/147408/azerbaijani-presidentilham-aliyevaddresses-nation-on-tv-%C2%A0live>

<sup>21</sup> President of the Republic of Azerbaijan Ilham Aliyev, *7<sup>th</sup> Congress of New Azerbaijan Party gets underway*, 5 March, 2021, available at <https://en.president.az/articles/50798>

<sup>22</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined tenth to twelfth periodic reports of Azerbaijan*, 22 September, 2022, available at: <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsgoRhGEAt5PtvE5DMv2FiPdFI7L0zJLQR%2BWMu0et%2FTL9aobSWIsFniSFK%2FmKJ9yC7H%2F1GqRI7VJk8eel%2FHKLZzTe1rL0wUUipqeTsq5MK42fckdmt3G7XdXTvvnUya%2BYiw%3D%3D>

<sup>23</sup> European Commission Against Racism And Intolerance, *Report on Azerbaijan (sixth monitoring cycle)*, June 2023, available at: <https://rm.coe.int/sixth-report-on-azerbaijan/1680ab9e35>

<sup>24</sup> Defence.az, *Azerbaijan Starts Production of “Iti qovan” UAVs*, 22 October, 2020, available at: [https://defence.az/en/news/147499/azerbaijanstarts-production-of-%E2%80%9Citi-qovan%E2%80%9D-uavsphtos?\\_cf\\_chl\\_jschl\\_tk\\_=pmd\\_Mg2VflzmQDNKqhw6edW7KcVkyXV.wFP7p.3IEeYFCi4-1629830372-0-gqNtZGzNAnujcnBszQh9](https://defence.az/en/news/147499/azerbaijanstarts-production-of-%E2%80%9Citi-qovan%E2%80%9D-uavsphtos?_cf_chl_jschl_tk_=pmd_Mg2VflzmQDNKqhw6edW7KcVkyXV.wFP7p.3IEeYFCi4-1629830372-0-gqNtZGzNAnujcnBszQh9)

Azerbaijan's Action Plan of 5 April 2023 states that the main remedy against the use of hate speech in the public sphere is Article 283 of the Criminal Code, based on which charges were brought in a total of nine cases in the previous five years, including two cases in 2016, one case in 2017 and 2018, two cases in 2020 and three cases in 2021.<sup>25</sup> Out of these cases, only one person was convicted. However, the Action Plan does not clarify whether any of these cases involved hate speech against Armenians or whether the single conviction was related to anti-Armenian rhetoric. These figures are wholly unrealistic given the widespread prevalence of anti-Armenian hate speech, the State-sponsored glorification of violence against Armenians, and the consistent reports of hostility toward Armenians documented by international organizations. The incidents outlined in this communication - alongside numerous other reports submitted to the Committee of Ministers - far exceed the number of cases Azerbaijan claims to have addressed.

Considering the high level of hate speech against Armenians observed across Azerbaijani society and government, and the ease of accessing such rhetoric online, it is striking that only one person has been prosecuted for public hate speech in the mentioned five years. This period coincides with a surge in hate speech, reaching its peak during and after the 44-day war in 2020.

Given these conditions, Azerbaijan's supposed efforts to combat hate speech against Armenians are highly questionable. It remains unclear what mechanisms - if any - are actually in place to address this issue effectively.

### ***Discriminatory treatment***

For decades, ethnic Armenians in Azerbaijan have faced systematic discrimination, a reality consistently highlighted in reports by international organizations. Various forms of discriminatory treatment have been documented, including restrictions on fundamental rights and direct violations of those rights.

The ECRI first reported on this issue in 2003, noting that, due to the Nagorno-Karabakh conflict, widespread negative sentiment toward Armenians was deeply entrenched in Azerbaijani society. The report highlighted that Armenians in Azerbaijan avoid publicly revealing their ethnic identity; face discrimination in employment, property rights, and other areas; experience harassment at schools and workplaces; have been denied pensions and renewal of residency permits in Baku by local authorities.<sup>26</sup>

Four years later, in its 2007 report, the ECRI confirmed that not only had the situation not improved, but it had worsened. This report emphasized discrimination in access to public services, noting that harassment often prevented Armenians from exercising basic rights such as receiving

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<sup>25</sup>The Government of Azerbaijan, *Communication from Azerbaijan concerning the case of Makuchyan and Minasyan v. Azerbaijan (Application No. 17247/13)* Action Plan, 05 April, 2023, available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2023\)431E](https://hudoc.exec.coe.int/eng?i=DH-DD(2023)431E)

<sup>26</sup> European Commission Against Racism And Intolerance, *Report on Azerbaijan*, 28 June, 2002, available at: <https://rm.coe.int/first-report-on-azerbaijan/16808b5579>

pensions or securing employment. Judicial proceedings initiated by Armenians to defend their rights were systematically doomed to fail due to the general climate of hostility. The ECRI also highlighted the use of inflammatory speech in both oral and written form, which not only targeted Armenian citizens but also portrayed Armenians living in Azerbaijan as enemies and traitors. Many Armenians in Azerbaijan keep a low profile and actively avoid drawing attention to themselves due to fear of discrimination and verbal attacks. This hostile climate extends beyond Armenians themselves, affecting Azerbaijani individuals and NGOs that provide assistance to Armenians, who often become targets of anonymous threats, defamation campaigns in the media, and harassment by authorities. Furthermore, Azerbaijani authorities have imprisoned human rights advocates working on reconciliation with Armenia under dubious charges, further deepening the climate of fear and repression.<sup>27</sup>

According to a 2012 survey, 91% of Azerbaijanis considered Armenia their country's greatest enemy<sup>28</sup>. This perception has fueled an ever-escalating policy of anti-Armenian discrimination, which continues to gain momentum year after year.

The United States Department of State's Azerbaijan Reports on Human Rights Practices have consistently, since at least 2011<sup>29</sup>, documented complaints by Azerbaijani citizens of Armenian descent regarding the need to conceal their ethnicity by legally changing their Armenian surnames; Armenian-sounding names leading to additional scrutiny at border crossings, with individuals being occasionally denied entry into the country<sup>30</sup>; harassment and bribery demands by officials when applying for passports<sup>31</sup>; discrimination in employment, housing, and social services<sup>32</sup>.

In general, names of Armenian descent are prohibited in Azerbaijan. In 2011, the Azerbaijan National Academy of Science and the Azerbaijani government approval, introduced a "traffic light" system for baby names, according to which State bodies are the ones that determine the list of preferred and prohibited names for children. "Green list" includes names that align with Azerbaijan's "national, cultural, and ideological values" and can be freely registered. "Yellow list" consists of names that are discouraged due to concerns over pronunciation or negative connotations in other languages. "Red list" contains names that are banned, including names considered offensive in Azerbaijani and those of individuals deemed aggressors against Azerbaijan - a category under which all Armenian names fall.

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<sup>27</sup> United States Department of State, Bureau of Democracy, Human Rights, and Labor, *2016 Country Reports on Human Rights Practices: Azerbaijan*, available at: <https://www.state.gov/wp-content/uploads/2019/01/Azerbaijan-1.pdf>

<sup>28</sup> European Commission against Racism and Intolerance, *Report on Azerbaijan*, 17 March, 2016, available at: <https://rm.coe.int/fourth-report-on-azerbaijan/16808b5581>

<sup>29</sup> United States Department of State, Bureau of Democracy, Human Rights, And Labor, *2011 Country Reports on Human Rights Practices: Azerbaijan*, available at: <https://2009-2017.state.gov/documents/organization/186540.pdf>

<sup>30</sup> United States Department of State, Azerbaijan: 2019 Human Rights Report, 2020, <https://www.state.gov/wp-content/uploads/2019/01/Azerbaijan-1.pdf>

<sup>31</sup> Supra note 36

<sup>32</sup> Ibid

This anti-Armenian atmosphere further escalated in the Azerbaijani society after the 44-day war in 2020. In this period, ignoring international organizations' calls for restraint and its own international obligations, Azerbaijan openly demonstrated its anti-Armenian policy to the world. A prime example of this was the “War Trophies Park”, which opened in Baku in April 2021. The park contained mannequins of Armenian soldiers, intentionally sculpted with exaggerated, caricatured features to demean and dehumanise Armenians and a canopy of captured Armenian helmets, displayed as war trophies. According to media reports, the park’s sculptors stated: “[w]e tried to create the most realistic images possible. Normally, we aim for beauty, but this time, we did the opposite - using hooked noses, misshapen skulls, and other features...” The Council of Europe Commissioner for Human Rights, Dunja Mijatović, condemned the park in a letter to Azerbaijan’s president, calling the images “highly disturbing and humiliating”. She warned that “[t]his kind of display can only further intensify long-standing hostility and hate speech, fostering greater intolerance.” Despite international criticism, Azerbaijan continued to operate and promote the park<sup>33</sup> and only after Armenia filed a complaint with the International Criminal Court (ICC)<sup>34</sup> were the mocking displays and fallen soldiers’ helmets removed in October 2021.

In the 2022 CERD report the Committee confirms that long-standing issues of Armenian discrimination and hatred in Azerbaijan have not been addressed - in fact, they have worsened.

The Committee expressed deep concern over:

(a) Allegations of severe and grave human rights violations committed during the 2020 hostilities and beyond by Azerbaijani military forces against prisoners of war and other protected persons of Armenian ethnic or national origin – including extrajudicial killings, torture and other ill-treatment and arbitrary detention, as well as the destruction of houses, schools and other civilian facilities;

(b) Reports on the destruction of and damage to Armenian cultural heritage, including to churches and other places of worship, monuments, landmarks, cemeteries and artefacts, and the lack of information on investigations carried out into such allegations;

(c) Incitement to racial hatred and the propagation of racist stereotypes against persons of Armenian national or ethnic origin, including through the Internet and social media, and statements by public figures and government officials, alongside the lack of transparency on investigations, prosecutions, convictions, and sanctions for such acts;

(d) The lack of an independent and comprehensive mechanism to investigate such reports of violations and to provide victims with redress and support as required under Articles 2, 5, and 6 of the Convention.<sup>35</sup>

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<sup>33</sup> United States Department of State, Bureau of Democracy, Human Rights, and Labor 2021 *Country Reports on Human Rights Practices: Azerbaijan*, 12 April, 2022, available at: <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/azerbaijan/>

<sup>34</sup> The Public Internationale Law Firm, ICJ (Armenia v Azerbaijan), *Volterra Fietta*, 6 August, 2023, available at: <https://www.volterrafieta.com/icj-armenia-v-azerbaijan/>

<sup>35</sup> Supra note 29

## *State-Sanctioned Hatred in Education and Among the Youth*

Education is a powerful tool for shaping social consciousness, yet in Azerbaijan, it has been systematically weaponized to instill Armenophobia and entrench hostility toward ethnic Armenians from an early age. Within the framework of Azerbaijan's state-led anti-Armenian policy, the education system plays a key role in fostering and perpetuating this animosity.

The ECRI has expressed deep concern over the prevalence of hate speech among young people in and outside of schools, warning that this environment could serve as a breeding ground for future hostilities. ECRI has further emphasized that teaching materials must be free from discriminatory content and should be revised to reflect diversity in Azerbaijani society, while history education should promote a culture of equality.<sup>36</sup>

Both the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities and the ECRI have repeatedly highlighted the prevalence of anti-Armenian attitudes in Azerbaijan in their reports.<sup>37</sup>

The Bureau of Democracy, Human Rights, and Labor of the United States Department of State raised concerns that “an entire generation [in Azerbaijan] has grown up listening to political leaders, educational institutions and media using hate speech against Armenians”<sup>38</sup>. This concern was echoed by Azerbaijani President Ilham Aliyev himself, who openly admitted after the Nagorno Karabakh 2020 war that “the young generation grew up with [...] hatred towards the enemy [the Armenians], and it is that generation that liberated our lands from the invaders. I have said that the representatives of all generations acted successfully in the liberation of our lands, but the absolute majority of those who were on the battlefield were children when I came to power in 2003.”<sup>39</sup>

According to the criteria for evaluation of textbooks adopted by the Ministry of Education of Azerbaijan, the materials in textbooks have to be sensitive to gender, racial, ethnic and religious issues. It is prohibited to incorporate discriminatory information about nationality, religion, race, gender and politics, and it is prohibited to include in textbooks information that contradicts the Constitution and the international treaties adopted by Azerbaijan. The policy also prohibits the inclusion of discriminatory information about nationality, religion, race, gender and politics.

However, these criteria are valid for as long as they do not concern Armenians.

State-approved textbooks and children's literature in Azerbaijan explicitly promote Armenophobia. Some alarming examples include:

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<sup>36</sup> Supra note 30

<sup>37</sup> Advisory Committee on the Framework Convention for the Protection Of National Minorities, *Fourth Opinion on Azerbaijan*, 08 November, 2008, available at: <https://rm.coe.int/4th-acfc-opinion-on-azerbaijan-english-language-version/1680923201>,

<sup>38</sup> United States Department of State, Bureau Of Democracy, Human Rights, And Labor, *2017 Country Reports on Human Rights Practices: Azerbaijan*, available at: <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/azerbaijan/>

<sup>39</sup> Supra note 28

- A 6th-grade Azerbaijani language textbook, which features a story titled “Little Hostages”, claiming:

“The furious Armenians would take out, with a rusty axe, the tongues of those who wished to read, strip them naked, and mock them.”<sup>40</sup>

- A children’s book, which portrays Armenians as:

“A loathsome and heinous nation with no future, with dead morals, a mixture of garbage and waste in its veins. This troubled people, in whose veins satanic blood flows, has committed countless acts of terrorism against us.”<sup>41</sup>

- 10th- and 11th-grade history textbooks systematically dehumanize Armenians with terms such as “Armenian terrorist”, “Armenian fascist”, “Armenian bandit”, “Armenian separatist”, “Armenian barbarism”, “Armenian enemy” and “nasty Armenian.”<sup>42</sup>

It is important to note that history lessons are compulsory in all Azerbaijani schools, and alternative perspectives or texts are not permitted. According to BBC Azerbaijan, experts warn that Azerbaijani curricula present a serious risk of fostering hatred against Armenians among young people.<sup>43</sup>

In their communication of 5 May 2023, Azerbaijani authorities attempted to counter these concerns by citing the introduction of the “Classroom Management” course in 2020–2021 to foster a multicultural environment in schools, along with the “Introduction to Multiculturalism” course in higher education institutions since 2020.<sup>44</sup> However, critical questions remain unanswered:

- Which cultures are represented in these courses?
- Is Armenian culture acknowledged, and if so, how is it portrayed?
- Are these courses capable of counteracting the deep-rooted Armenophobia present in the broader education system?

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<sup>40</sup> Ibid.

<sup>41</sup> Alisahib Eroglu collection of stories “*Khale*”. *School-book for extracurricular reading for pupils of secondary schools*, Baku, “Teknur”, 2011, 608 pages, available at: <http://azerichild.info/HALE.pdf>,

<sup>42</sup> Caucasus Edition, *Armenian image in history textbooks of Azerbaijan*, 01, April, 2012, available at: <https://caucasusedition.net/armenian-image-in-history-textbooks-of-azerbaijan>

<sup>43</sup> Supra note 23

<sup>44</sup> The Azerbaijani Government, *The Government’s Submission in Response to the Rule 9.2 Communication Of Several Armenia Based Non-Governmental Organisations Made On 17 April 2023*, 05 May, 2023, available at: [https://hudoc.exec.coe.int/eng?i=DH-DD\(2023\)575revE](https://hudoc.exec.coe.int/eng?i=DH-DD(2023)575revE)

Without transparency and substantive evidence, these initiatives appear to be token measures rather than genuine efforts to address the pervasive state-sponsored discrimination and hate speech entrenched in Azerbaijani education.

#### IV. Conclusion and Requests

In the light of aforementioned, it is submitted that Armenophobia remains deeply entrenched in Azerbaijan to this day. This is acknowledged also by judgments of the ECtHR, as well as reports and submissions of international organizations and NGOs.

While Azerbaijan's legal framework formally prohibits discrimination, its law enforcement practices systematically fail to protect ethnic Armenians. Instead of enforcing justice in hate-motivated crimes, Azerbaijani authorities have glorified perpetrators. As detailed in this communication murders motivated by Armenophobia are not prosecuted in accordance with the law - the perpetrators remain unpunished and are publicly celebrated as national heroes. Other hate-motivated crimes, including violence and torture against Armenians, are not prosecuted or punished as aggravated offenses. Ethnic Armenians in Azerbaijan face systemic discrimination and humiliation in various aspects of life. Armenian prisoners of war remain at risk of extrajudicial killings and are denied access to justice. Hate speech targeting Armenians is widespread at all levels, including by State officials and in public discourse. Azerbaijan's education system actively fosters Armenophobia, instilling hatred from an early age through textbooks and curricula.

The evidence presented in this and other communications demonstrates that Azerbaijan's law enforcement has evolved in a manner that effectively normalizes and excuses crimes committed against Armenians. Hate-driven crimes cease to be recognized as crimes altogether if they are perpetrated against Armenians. In a climate of impunity, where Armenophobia is actively encouraged, Azerbaijan's legislative provisions against discrimination remain meaningless. The mere tightening of legal statutes is futile—true justice requires consistent and effective law enforcement.

Furthermore, Azerbaijan has neither remedied nor acknowledged the violations established by the ECtHR in the case of *Makuchyan and Minasyan v. Azerbaijan*. On the contrary, it continues to defy the Court's findings, falsely claiming that R.S. has already served his sentence in Hungary. Azerbaijan has also failed to implement **any** effective measures to redress these violations, instead continuing its State-sponsored Armenophobic policies. This ongoing defiance highlights the ineffectiveness of international interventions thus far, including those by the Council of Europe Committee of Ministers and other international bodies.

Moreover, Azerbaijan has not only failed to execute this judgment, but also demonstrates systematic non-compliance with other ECtHR rulings where the Court has found gross human rights violations against Armenians. Furthermore, Azerbaijan has deliberately ignored interim measures issued under Rule 39 of the Court, further undermining its international legal obligations.

In the light of the aforementioned, the undersigned organisations respectfully request the Committee of Ministers to:

- Urge the Azerbaijani Government to take immediate steps to quash the decision granting R.S.'s release, demonstrating a clear stance against racial violence and ensuring that such crimes are lawfully punished.
- Demand the respondent State to declare as invalid the awards and honors granted to R.S. for committing racist hate crimes;
- Urge Azerbaijan to revise its educational policies to align with international human rights standards and its own legal commitments, eliminating textbooks and curricula that promote hatred, violence, and enmity against Armenians;
- Urge Azerbaijani Government to ensure accountability for hate-motivated crimes against Armenians, by requiring proper investigations and prosecutions in accordance with the law;
- Adopt and enforce additional measures to put an end to Azerbaijan's State-led Armenophobic policies;
- Call on the respondent Government to uphold its international obligations in combating discrimination and to fully implement the recommendations and requests of international organizations;
- Adopt an interim resolution recognizing Azerbaijan's deliberate and systematic non-compliance with its obligations under Article 46 of the ECHR, specifically regarding the execution of the judgment in *Makuchyan and Minasyan v. Azerbaijan*.
- Use all available resources at the disposal of the Committee of Ministers to ensure full and effective execution of this judgment.
- Reject any consideration of the judgment as executed until all necessary individual and general measures are fully implemented;
- Include this case in the list of cases to be discussed at the next DH-CM meeting;
- Taking into consideration the importance and complexity of the case, examine it at each and every DH-CM meeting until it is fully and effectively executed.

Sincerely,

Anna Maralyan, President, Rights Centre NGO

Genya Petrosyan, Director, Law Development and Protection Foundation

Artak Kirakosyan, Director, Civil Society Institute

Araks Melkonyan, President, Protection of Rights without Borders

Artur Sakunts, Chairperson, Helsinki Citizens' Assembly-Vanadzor

Naira Sultanyan, Director, Democracy Development Foundation

## ANNEX 1

### **Brief Overview of the Signatory NGOs**

#### **Rights Centre NGO (<https://rights.center>)**

The Centre is a Yerevan-based non-governmental organization dedicated to promoting the full and unhindered enjoyment of political, civil, social, and economic rights and freedoms. Its mission includes monitoring and documenting human rights violations, conducting legal analysis, and developing recommendations for the restoration of violated rights and the prevention of future abuses. The Centre also works to enhance public awareness and foster respect for human rights and fundamental freedoms.

In collaboration with other Armenian NGOs, the Centre has represented the interests of numerous victims of human rights violations before international judicial and quasi-judicial bodies.

#### **Law Development and Protection Foundation (<https://ldpf.am/en>)**

The Law Development and Protection Foundation is a legal think-tank organization, concentrating on providing high-quality legal analysis with substantiated feedback on issues that demand a thorough and multilateral approach. Foundation's objectives can be broadly categorized into the following key dimensions: promoting human rights, democracy, and rule of law in Armenia; developing legislation and law enforcement practices; promoting human rights education and scientific legal research; promoting the implementation of international commitments of Armenia including oversight of the implementation process.

The Foundation has conducted rigorous research and analysis of legislative and practical issues and developed comprehensive research portfolio in the various fields of human rights, including the right to a fair trial, state of implementation of European Convention of Human Rights at the national level, compulsory execution of judicial acts.

#### **Civil Society Institute (<https://www.csi.am/en>)**

Civil Society Institute is an experienced civil society organizations in Armenia that has implemented a vast number of projects and initiatives in the area of rights protection and democratic development, rule of law and state accountability, social

integration and response to conflict. Established in 1998 CSI has been actively working on programs aimed at civil society development, penal system reform, human rights advocacy and awareness, peace building and conflict resolution.

**'Protection of Rights without Borders' (<https://prwb.am/en/>)**

Protection of Rights without Borders is a non-governmental human rights organization established in 2009 aimed to increase the efficiency of human rights protection and strengthen the rule of law and good governance in Armenia. The organisation has enormous experience in human rights and judicial monitoring, evaluation of sectoral reforms, legal research and advocacy, fact-finding and documentation of human rights and IHL violations, human rights litigation and human rights education.

**Helsinki Citizen's Assembly-Vanadzor NGO (<https://hcav.am/en/>)**

Helsinki Citizen's Assembly-Vanadzor NGO (HCA Vanadzor) is an NGO, which unites individuals who support the supreme principles of democracy, tolerance, pluralism, and human rights as values.

HCA Vanadzor was founded in 1998 as a branch of Helsinki Citizens' Assembly Armenian Committee and in 2001 it was registered as an independent organization.

The main areas of the organizations' activities are human rights, advocacy and peace building. During the implementation of its activities, HCA Vanadzor adheres to the necessity for the localization and protection of international documents and norms on human rights ratified by Armenia.

**The Democracy Development Foundation (<https://demdev.org/>)**

The Democracy Development Foundation (DDF), the spin-off of the Open Society Foundations, aims to contribute to the advancement of democracy, security, and human rights in Armenia. Our efforts are centered around the vision of a country, where people live in dignity and enjoy peace, safety, freedoms, civic engagement, and social justice. Our activities in the field of human rights encompass monitoring, documentation, advocacy, policy development and strategic litigation to guarantee equitable protection for all individuals and to ensure the full enjoyment of their rights and freedoms.