

CHAPTER 1

KHOJALY. HISTORY, TRAGEDY, VICTIMS

CONTENTS

BRIEF HISTORY OF KARABAKH.....	3
INFORMATION ON THE GRAVE VIOLATIONS OF HUMAN RIGHTS COMMITTED DURING THE COURSE OF THE ARMENIAN AGGRESSION AGAINST AZERBAIJAN.....	5
BRIEF INFORMATION ABOUT KHOJALY.....	9
THE TRAGEDY	10
LIST OF THE PEOPLE DIED AT THE KHOJALY TRAGEDY.....	11
LIST OF FAMILIES COMPLETELY EXECUTED ON 26TH OF FEBRUARY 1992 DURING KHOJALY GENOCIDE.....	21
LIST OF THE CHILDREN DIED IN KHOJALY GENOCIDE.....	22
LIST OF THE CHILDREN HAVING LOST ONE OF THEIR PARENTS AT THE KHOJALY TRAGEDY	24
LIST OF THE CHILDREN HAVING LOST BOTH PARENTS AT THE KHOJALY TRAGEDY.....	28
MISSING PEOPLE	29
LIST OF OFFICERS AND WARRANT OFFICERS OF 366TH REGIMENT PARTICIPATING IN THE KHOJALY GENOCIDE.....	32
WITNESSES	34
EXTRACTS FROM EVIDENCES OF THE KHOJALY WITNESSES	38
KHOJALY MASSACRE	39
GENOCIDE IN KHOJALY IN THE PERSPECTIVE OF THE INTERNATIONAL COURT OF JUSTICE.....	42
INTERNATIONAL LEGAL RESPONSIBILITY FOR THE CRIME OF GENOCIDE IN KHOJALY	51
KHOJALY TRAGEDY IS A GENOCIDE COMMITTED AGAINST OUR PEOPLE FASCISM, SAVAGERY HAS NO DEGREE. THE ACTIONS OF THE ARMENIAN AGGRESSORS PROVE THIS NAMELY.....	56

BRIEF HISTORY OF KARABAKH

Throughout the known history, the region of Karabakh has been part of the Caucasian Albania and later of different Turkic states. From 4th century B.C. to 8th century A.D. the territory of Karabakh was one of the provinces of Caucasian Albania called Artsakh (an Albanian name meaning manly Saks). After the fall of the independent Albanian state, it belonged of Sajids, in 10th century to the state of Salarids, and in 11-12th centuries - to the state of Sheddadids.

During 12-13th centuries Karabakh constituted part of the Atabey-Ildenizids state, in the second half of 13th century - beginning of 15th century, during the existence of the Mongolian Khulagouid state - part of the Jalairids' state. In the 15th century, it existed within the states of Garagoyunlu and



Aghgayunlu, and during 16th and 17th centuries, Karabakh, as a part of the Karabakh beylerbeyyat (duchy), was within the Sefevi state. The latter consisted of four beylerbeyyats: Shirvani, Karabakhi (also known as Ganja), Chukhursaadi (or Erivan) and Azerbaijani (or Tebriz). Karabakh, being a part of the Karabakhi beylerbeyyat, was ruled by the representatives of the Turkic Ziyadoglu tribe, subordinated to Qajars from 16th until 19th century. In the second half of the 18th century, Karabakh belonged to the Karabakh khanate (principality) and along with the latter was incorporated into Russia. In 1918-20, it was part of the independent Azerbaijan and later in 1924 under the Soviets; the Nogorno-Karabakh Autonomous Republic was created again within the Azerbaijan SSR. Finally, in 1988-94 Karabakh was occupied by Armenia.

Since at least IV BC the population of Karabakh consisted of Caucasian Albanians (the ancestors of Azeris) and Turkic-speaking tribes of Barsil, Savir, Hunn, Khazar, Shoumlou, Bakharlou, Kangary and etc. and later Turkic speaking tribes became dominant in the region. However, until the 18th century the Albanians of today's Nogorno-Karabakh region more or less managed to save their identity. Nevertheless, after mass migrations of Armenians from Iran and Turkey to Karabakh by Russia, the Albanian population

heavily mixed with the Armenians and in a very short time was Armenized.

Caucasian Albania, including Karabakh was probably the very first Christian state in the Caucasus (the Kish church in Sheki, is the oldest church in the Caucasus). Most people of Caucasian Albania converted to Islam after the Arab invasion, except the Karabakh Albanians. Like the Albanian identity, the independent Albanian Patriarchy-the Albanian church was abolished and subordinated to the Armenian Grigorian Church in 1836 by the decision of the Russian Tsarist government. Again, this was due to the mass migrations of Armenians to the region, which resulted in the Albanian-Armenian assimilation.

**INFORMATION ON THE GRAVE VIOLATIONS OF HUMAN RIGHTS
COMMITTED DURING THE COURSE OF THE ARMENIAN AGGRESSION
AGAINST AZERBAIJAN**

The armed aggression of the Republic of Armenia against the Azerbaijani Republic pursuant to its policy of violent acquisition of territory and its plans to establish a "Greater Armenia" has resulted in gross and flagrant violations of human rights, which fall within the category of crimes against humanity. The armed hostilities against Azerbaijan were preceded by anti-constitutional actions in the Nagorny Karabakh region of Azerbaijan perpetrated by separatist groups receiving outside support; forming the backdrop these actions were certain decisions taken by the Armenian authorities in contravention of international law. Of these decisions, the most notorious is the resolution "Reunification of the Armenian Soviet Socialist Republic and Nagorny Karabakh" adopted by the Armenian Parliament on 1 December 1989. Moreover, in Armenia's declaration of sovereignty of 23 August 1990, part of the territory of another State- the Nagorny Karabakh region of Azerbaijan - is recognized as an integral part of the Republic of Armenia. These decisions by the Armenian Parliament were enacted by its armed forces with the widespread use of mercenary bands and a sudden upsurge in terrorist activity by the Armenian special services and terrorist organizations against sovereign Azerbaijan with a view to wresting away part of its age-old lands. All out, hostilities began at the end of 1991 and the start of 1992 when Armenian armed formations initiated combat operations in the Nagorny Karabakh region of Azerbaijan using the very latest weapons systems. Since May 1992, their armed forces have made incursions beyond the borders of the former Nagorny Karabakh Autonomous Region into other parts of the country.

Because of more than eight years of war, approximately 20 per cent of the entire territory of Azerbaijan, comprising Nagorny Karabakh and an area four times bigger than that region, has been occupied and held by the Armenian armed forces.

A chronological list of the seizure of Azerbaijani towns and districts follows:

26 February 1992 - Khojaly
8 May 1992 - Shusha
18 May 1992 - Lachin
2 April 1993 - Kelbajar
28 June 1993- Agdere
23 July 1993 - Agdam
23 August 1993 Fizuli
23 August 1993 - Djebrail
31 August 1993 - Kubatly
30 October 1993 - Zangelan and Goradiz

It should be noted in particular that the Agdere and Agdam districts of Azerbaijan were seized by Armenian armed forces following the adoption of Security Council resolution 822 (1993) of 30 April 1993 which condemned the occupation of the Kelbajar district; the Fizuli district was seized after the adoption of Security Council resolution 853 (1993) of 29 July 1993 condemning the seizure of the Agdam district; and the Djebrail and Kubatly districts were seized after the adoption of Security Council resolution 874 (1993) of 14 October 1993. In its resolution 884 (1993) of 11 November 1993 the Council condemned the occupation of the Zangelan district and the city of Goradiz, attacks on civilians and bombardments of the territory of the Azerbaijani Republic. In all the above-mentioned resolutions, the council underscored respect for the sovereignty, territorial integrity and inviolability of the borders of the Azerbaijani Republic, and the inadmissibility of using force to acquire territory. "It also demanded the immediate cessation of armed hostilities and hostile acts, and the immediate, full and unconditional withdrawal of all occupying forces from the occupied areas of Azerbaijan. Despite the unequivocal demands of the Security Council, the Republic of Armenia is today still holding on to occupied Azerbaijani territory and increasing its military presence there.

Because of the aggression and ethnic cleansing of Azerbaijanis from the territory of Armenia

proper and from the occupied part of the territory of Azerbaijan, there are currently over 1 million refugees and displaced persons in Azerbaijan. The 900 settlements have been looted and destroyed. Over 9 million square meters of civilian housing, state enterprises and social facilities have been destroyed and burnt. The total cost of the destroyed housing and the property removed therefore amounts to tens of billions of dollars. An extremely serious humanitarian situation has developed in Azerbaijan.

Every year hundreds of elderly people, women and children die in refugee camps because of diseases and epidemics.

The Armenian armed forces, backed by mercenary formations and Armenian terrorist groups, have killed over 18,000 people and wounded or maimed over 50,000. Several thousand people are missing and extrajudicial executions and mass shootings of civilians have been carried out. Kidnapped hostages held in Armenia and the occupied areas of Azerbaijan are doing forced labour and being made to endure inhumane treatment, beatings, torture and other gross violations of their human rights.

According to information from the State Commission of the Azerbaijani Republic on prisoners of war hostages and missing persons, because of Armenian aggression these categories comprised 4.674 Azerbaijani citizens as 1 March 1996. This total includes 314 women, 60 children and 252 elderly people (lists of missing women, children and elderly people are attached). The State Commission knows the whereabouts of over 900 of these people, including 39 women, 12 children and 39 elderly people, in the territory of the Republic of Armenia and the occupied Azerbaijani territories. The vast majority of them are being detained by the Armenian side without the knowledge of the International Committee of The Red Cross (ICRC), and therefore do not appear on that organization's lists.

The hostages and prisoners of war held by the Armenians, many of whom are considered missing persons since they are being concealed from the ICRC, are forced to do heavy physical labour, subjected to beatings and torture, and the sick and wounded are denied basic medical assistance. The State Commission has learnt that 145 Azerbaijanis have died in Armenian captivity. Four people, who endured indescribable degradation and suffering died shortly after being released.

Ethnic cleansing of Armenian territory of its Azerbaijani inhabitants

The widespread settlement of Transcaucasia by Armenians began after tsarist Russia's military conquest of the Caucasus. Taking advantage of the changed demographic situation, the Armenians, under the tutelage of the rulers of tsarist Russia and, later, the communist leaders of the Soviet Union, encroached on the native Azerbaijani population in various parts of the region.

It is a matter of historical fact that in 1828-1829 alone, 130,000 Armenians were resettled out of Middle Eastern countries into the area now forming the Republic of Armenia; another 600,000 were resettled later.

By 1918, the number of Azerbaijanis in what is now Armenia stood at 575,000 - more than a third of all the inhabitants of the area. However, because of the Armenian Government's deliberate policy of expelling the Azerbaijani population, there remains today in Armenia not a single Azerbaijani out of that half-million-strong community.

Between December 1917 and the end of June 1918, Armenian army units plundered and burnt 200 Azerbaijani villages in Erevan province. The surviving inhabitants fled to the mountains, where they died of cold and starvation. Over that period, Armenian troops occupied the whole of the Surmalin district and parts of the Erevan, Echmiadzin and Sharur districts, which they purged of Azerbaijanis by force of arms.

Throughout Armenia between 1918 and 1920, Azerbaijanis were subjected to violence of unimaginable savagery. Sixty Azerbaijani villages were destroyed and all their male inhabitants killed in the districts of Igdirdir and Echmiadzin; in Geichin province, 22 villages were destroyed and 60,000 inhabitants killed; in Yeni Bayazid, 84 villages and 15,000 homes were destroyed. Over the summer and autumn of 1918, 115 Azerbaijani villages and hamlets in the district of Zangezur were destroyed; 7,729 Azerbaijanis were brutally murdered - 3,257 men, 2,276 women and 2,196 children.

Forced deportations and mass killings of the peaceable Azerbaijani population continued into 1920. The remnants of the Azerbaijani population in, Erevan province and the Zangezur and Echmiadzin districts were driven out or annihilated, and their villages ploughed into the ground.

Research has shown that around 2 million Azerbaijanis and members of other ethnic groups were killed, wounded or forcibly expelled over this period.

One of the leading figures in the Kremlin, A. Mikoyan played a major role in the execution of the Armenian nationalists' plans for the ethnic cleansing of Armenia. Making use of his influence over Stalin, he secured the signature of the "little father of the peoples" on decrees by the Council of Ministers of the

Union of Soviet Socialist Republics No. 4083 of 23 December 1947. "Resettlement of collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR", and No. 754 of 10 March 1948, "Action to resettle collective farmers and other Azerbaijani inhabitants from the Armenian SSR to the Kur-Arax Depression in the Azerbaijani SSR". Under these decrees, during the period 1948-1951 more than 100,000 Azerbaijanis were forcibly resettled from their historical homelands - the mountainous regions of Armenia - to the then waterless steppes of Mugan and the Mil plateau. Many of them could not withstand the ordeal and perished.

The forcing of the Azerbaijanis out of Armenia was accompanied by flagrant discrimination in breach of their constitutional rights and a refusal to cater to their national and cultural interests. Hundreds of thousands of the Azerbaijanis, who remained in Armenia until 1988, surviving as compact groups, displayed none of the hallmarks even of national cultural autonomy. Attempts to do so much as mention this were promptly, roughly and savagely suppressed. In essence, access for Azerbaijanis in Armenia to employment in state entities was barred.

In the winter of 1988, a fresh bout of ethnic cleansing began as the culmination of a deliberate policy to destroy all trace of the very existence of Azerbaijanis in Armenia. Under instructions from, and with the blessing of, the Armenian authorities, the remaining 40,897 Azerbaijani families (185,519 individuals) were forcibly deported from their historical homelands within the present-day Armenian State, and left without homes or belongings.

The mass expulsion was accompanied by killings and maiming. In the space of just three days, from 27 to 29 November 1988, pogroms in the Armenian towns of Gugark, Spitak and Stepanavan killed 33 Azerbaijanis.

In all, according to figures from the State Prosecutor's Office of the Azerbaijani Republic, 216 Azerbaijanis died during the ethnic cleansing in Armenian territory in 1988-1989; 49 froze to death, seeking safety from reprisals in the mountains; 41 died of savage beatings; 35 were killed after torture; 115 were burnt alive; 16 were shot; 10, unable to endure the humiliation, died of heart attacks; 2 were killed right in hospital by their Armenian doctors; 3 were drowned; 1 was hanged; 1, not wishing to die an agonizing death, took his own life; 1 was electrocuted; 2 were beheaded; 29 were deliberately run over; 3 died in hospital because they were not given medical attention; and a further 8 were abducted and vanished without trace.

The majority of the dead were children, women and elderly people. They included 5 infants and 18 children of various ages. Seven-year-old Zokhra Nabieva was burnt alive. Three-year-old Rakhman Mamedov was not given the doctor's attention he needed and subsequently died. Seven children froze to death, two died after savage beatings, two were shot. Elman Aliev, three years old suffered a heart attack. Six were unable to withstand brutal torture and died; three were run over.

Fifty-seven Azerbaijani women came to a tragic end on Armenian soil. Seven were beaten to death, five froze, four died under torture, three of heart attacks, two under the wheels of cars; one was decapitated, one was drowned, one was burnt, two died of gunshot wounds for which they did not receive the necessary medical attention, and one was killed by doctors in hospital. The remainder disappeared without trace and are probably dead, given that there has been no news of them for a long time now.

Sixty elderly Azerbaijanis (over 60 years of age) also died during their expulsion from Armenia, among them 20 women. In most cases, their deaths resulted from torture, bullet wounds, heart attacks, beatings and frostbite. Gyulsum Alieva, aged 76, Khanum Iskenderova, aged 73, Mekhrali Aliev, aged 68, Garib Bairamov, aged 67 and Leila Huseinova, aged 63, were burnt. A doctor killed Hasan Ellazov, aged 68, in hospital. The most widespread atrocities occurred in the Gugar district, where 22 Azerbaijanis lost their lives, 13 of them being burnt to death. Crimes against the Azerbaijani population were also committed in the Kalinin, Goris, Stepanavan, Vardenis, Masis, Spitak, Ararat, Kirovakan, Ijevan, Krasnoselsk, Ekhegnadzor, Amasia, Kafan, Abovyan, Sevan and Noyemberian districts of Armenia.

Virtually all the attacks on Azerbaijani settlements had the blessing of the official Armenian authorities and were commanded by local leaders and responsible figures or by members of the local law-enforcement bodies. During the forcible expulsion of the Azerbaijanis, hundreds of historical relics testifying to the fact that Azerbaijanis had for centuries belonged on the land in what is today Armenia were either destroyed or altered to look Armenian. Islamic places of worship and the graves in Azerbaijani cemeteries were defiled; mosques and tombs were damaged or broken up for building materials.

To erase from history the fact that Azerbaijanis had lived in Armenia, the names of some 2,000 towns and villages that formerly bore Azerbaijani names have been changed; 465 villages were renamed between 1935 and 1973 and 97 in April 1991.

The concluding, tragic chord had been played in a meticulously planned campaign of physical

extermination of the Azerbaijanis, once the most populous of the national minorities in the Republic of Armenia.

BRIEF INFORMATION ABOUT KHOJALY

By the middle of 1991, 63000 people lived there. After the beginning of the autumn attack of the Armenians, most of the population of the town left it. According to the information of the Ministry of National Security, about 3000 people stayed in the town on the eve of the tragically February events. The safety of the left population was provided by only 160 soldiers of the National Army, OMON (special police detachment) and self-defense forces, mainly headed by Alif Hajiyev, concentrated

around airport. The above-mentioned forces were not enough to provide the effective self-defense, especially taking into consideration the absence of ordinance (there were only one "Alazan" plant and three armored cars). In fact Khojaly was defended (though inefficiently) by means of shooting guns. It was possible until a certain time. However, the



Armenians pressure was increasing. Since October 30, 1991, the automobile communication with Khojaly was stopped and communication with the town was realized by means of helicopters. There had been no electricity in Khojaly since second of January 1992. On February 13, the last military helicopter with food and petrol landed in the town (the last civil helicopter was on January 28). Since that day, the town had been expecting the Armenians attack.

THE TRAGEDY

On October 30, the ground traffic was cut off and helicopter was the only way of transportation. The last civilian helicopter arrived in Khojaly on January 28 and after civilian helicopter was brought down over Shusha city, because of which 40 people died, the helicopter traffic stopped its functioning. Beginning from January 2 there was no electricity in the city. The city lived due to the courage of population and heroism of his defenders. Defense of the city was organized by local guard forces, militia and fighters of National Army armed mainly by submachine guns.

From the second part of February Khojaly was encircled by Armenian armed forces and subjected to daily artillery and hard military equipment firing, attack attempts of the Armenian side. Preparation for Khojaly attack began in the evening of February 25 when the military equipment of regiment No 366 began to take positions around the city. The assault of the city began with the 2 hours firing by tanks, armored cars and guns with the missile "Alazan". Khojaly was blocked from three sides and the people tried to escape in Askeran direction. However, very soon they understood that it was the ominous trap. Near Nakhchivanik village, the Armenian armed forces opened the fire on the unarmed people. Just here, in Askeran-Nakhchevanik, shallow gully many of the children and women, elders, frostbitten and weaken in the snow of forests and mountain passes became the victims of the brutality of Armenian armed forces.

These events took place when Foreign Minister of Islamic Republic of Iran Ali Akbar Vilayati visited the region with mediatory mission. On February 25 he met with leadership of Azerbaijan in Baku and on February 27 he planned to go to the Karabakh, and then to Armenia. In connection with that according to agreement of both parts three days cease-fire was declared from February 27 until March 1, but it was also ignored by the Armenian side. It was also happened on February 12 when the mission of Council of Security and Cooperation in Europe arrived in Karabakh with the aim to acquaint and analyze the situation in the conflict zone and possibilities of its settlement, and then it planned to go to Yerevan and Baku. Exactly on February 12, Armenian extremists carried out capture of Malibeyli and Gushchular villages of Shusha district, because of which the villages were completely destroyed and burnt. Only in Malibeyli, about 50 people were killed, wounded and taken as hostages.

Those days' Azerbaijani forces could not burst through to help the population of Khojaly, and there was no ability to take away the dead bodies. At the same time special groups of Armenians in white camouflage cloaks using helicopters searched the people in the forests, groups of people who came out the forest were shot or taken as hostages and subjected to tortures. On February 28, the group of local journalists could reach the place of massacre of Azerbaijanis by two helicopters. Awful sight shocked all – dead bodies covered the field. Despite the convoy of the second helicopter, they could take only four dead bodies because of firing of the helicopters by Armenian militants. On March 1 when the group of the foreign and local journalists could reach to this place, the sight that they saw was more terrible. The dead bodies were mutilated. Many of them had the bullet wounds to head and this showed that the wounded people were finished. After medical checkup of dead bodies it was determined that they were scalped, their ears and other organs were cut off, the eyes were put out, their extremities were chopped off, they have numerous of gun wounds, many of them pressed by hard equipment.

LIST OF THE PEOPLE DIED AT THE KHOJALY TRAGEDY

1.	Abbasov Salah Ismayil oglu	1909
2.	Abbasov Taleh Umidvar oglu	1961
3.	Abbasova Antiga Heydar gyzy	1935
4.	Abyshov Etibar Movsum oglu	1965
5.	Abyshov Ali Abdul oglu	1918
6.	Abyshova Maruza Mahammad gyzy	1930
7.	Abdullayev Yusif Godja oglu	1932
8.	Aghayev Zahid Sattar oglu	1963
9.	Aghayev Allahverdy Sattar oglu	1982
10.	Allahverdiyeva Teyuba Nabi gyzy	1933
11.	Allahverdiyeva Valida Astan gyzy	1963
12.	Allahverdiyeva Irada Astan gyzy	1965
13.	Allahverdiyev Hidayat Bahram oglu	1936
14.	Allahverdiyev Bahram Hidayat oglu	1976
15.	Allahverdiyeva Kifayat Huseynali gyzy	1942
16.	Aghayarova Zuleykha Yunus gyzy	1965
17.	Aslanova Gulshan Geyum gyzy	1972
18.	Allahyarova Gamza Garash gyzy	1940
19.	Allahyarova Shafiga Zeynal gyzy	1969
20.	Allahyarov Etibar Balaoghlan oglu	1968
21.	Aslanov Gulu Bahram oglu	1927
22.	Aslanov Igbal Gulu oglu	1970
23.	Abyshov Elshad Giyas oglu	1967
24.	Allahverdiyev Salah Imamgulu oglu	1918
25.	Abbasova Sughra Alish gyzy	1917
26.	Abbasova Hamayil Chanysh gyzy	1940
27.	Abbasov Valiaddin Umidvar oglu	1963
28.	Aghayarova Sevindj Isa gyzy	1985
29.	Aghayarov Sadyg Shir Khan oglu	1932
30.	Aghalarova Gully Surkhay gyzy	1934
31.	Allahverdiyev Novruz Salah oglu	1947
32.	Allahverdiyev Mahir Novruz oglu	1974
33.	Aghayarov Nabi Isak oglu	1981
34.	Aghayarov Roman Isak oglu	1986
35.	Abyshova Madina Bedirkhan gyzy	1908
36.	Aslanova Elnara Tofiq gyzy	1978
37.	Allahverdiyev Ziyadkhan Saleh oglu	1967
38.	Abyshova Mahbuba Gurban gyzy	1960
39.	Abyshova Chinara Nazim gyzy	1982
40.	Abyshova Minara Rahim gyzy	1910
41.	Abyshov Mobil Movsum oglu	1968
42.	Abyshov Saadat Niyaz oglu	1967
43.	Abyshov Nadir Movsum oglu	1966
44.	Abyshova Maryam Mashady gyzy	1932
45.	Abyshov Chingiz Nazim oglu	1985
46.	Abyshova Gulzar Gulali gyzy	1964
47.	Allahverdiyev Mumush Bahram oglu	1923
48.	Aghayev Vidadi Sadjeddin oglu	1960
49.	Abyshov Eyvaz Talib oglu	1950

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

50.	Allahverdiyev Ilham Bakhsheyish oğlu	1963
51.	Abdullayeva Maya Saleh gyzy	1908
52.	Abbasov Eyvaz Kamran oğlu	1983
53.	Abbasov El Khan Kamran oğlu	1970
54.	Atakishiyev Farman Rahman oğlu	1970
55.	Aghayev Rasim Mirsalam oğlu	1967
56.	Abdullayeva Sevindj Sarhad gyzy	1986
57.	Abdullayev Mahir Tanryverdi oğlu	1971
58.	Allahverdiyev Vidadi Mursal oğlu	1977
59.	Bilalov Namig Mahammad oğlu	1961
60.	Butko Dmitry Nikolayevich	1930
61.	Behbudova Suraya Ibrahim gyzy	1930
62.	Behbudova Gulnaz Yusif gyzy	1962
63.	Behbudova Gulbahar Yusif gyzy	1968
64.	Baghirova Zahra Sary gyzy	1930
65.	Baghirova Naila Hasan gyzy	1956
66.	Baghirov Bahman Yagub gyzy	1966
67.	Baghirov Elshan Hasan oğlu	1965
68.	Babyshov Ali Rais oğlu	1968
69.	Bebzinov Zeynali Mammad oğlu	1926
70.	Behbudov Vagif Yusif oğlu	1963
71.	Binaliyev Alishir Gulali oğlu	1967
72.	Binaliyev Jabbar Gulali oğlu	1969
73.	Boranov Magsud Ali oğlu	1928
74.	Babayeva Fenar Farman gyzy	1943
75.	Bayramov Zahid Tapdyg oğlu	1965
76.	Bayramov Rovshan Zahid oğlu	1969
77.	Bahmanova Dilara Maharram gyzy	1950
78.	Bahmanov Akif Vagif oğlu	1974
79.	Babirov Tofiq Nifti oğlu	1966
80.	Babayev Gadir Askar oğlu	1935
81.	Babayev Babir Askar oğlu	1942
82.	Babayeva Gariba Mukhtar gyzy	1938
83.	Babayev Bakir Babir oğlu	1965
84.	Bayramov Jalal Samad oğlu	1948
85.	Jabbarov Azad Pirgulu oğlu	1968
86.	Jabrayilova Samaya Sary gyzy	1950
87.	Javadov Ali Musul oğlu	1953
88.	Jafarova Khazangul Ali gyzy	1951
89.	Jafarov Museyib Safiyar oğlu	1895
90.	Jafarov Nusrat Fazil oğlu	1975
91.	Jafarova Rafiga Iman gyzy	1937
92.	Jafarov Samir Tadjir oğlu	1987
93.	Jafarov Mahammad Valikishi oğlu	1995
94.	Jafarova Baghdad Hatam gyzy	1910
95.	Javadov Vagif Alysh oğlu	1966
96.	Jabbarov Khydyr Sadraddm oğlu	1969
97.	Javadov Ahmad Amir oğlu	1973
98.	Chobanov Tapdyg Hadisa oğlu	1949
99.	Chobanova Nazaket Tapdyg gyzy	1984
100.	Eyvazov Hidayat Ali oğlu	1964
101.	Abdulov Mazahir Yagub oğlu	1960
102.	Abdulov Zahid Elmar oğlu	1973
103.	Abdulov Elmar Iskandar oğlu	1949

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

104.	Abdulov Savalan Garash oglu	1937
105.	Azizov Azim Mashadi oglu	1911
106.	Azizova Zarifa Alekper gyzy	1953
107.	Azizov Huseyn Nariman oglu	1956
108.	Azizov Mehman Gudrat oglu	1959
109.	Azimov Akif Seydulla oglu	1961
110.	Azimov Natig Abbas oglu	1986
111.	Azimov Hasanbala Shahmar oglu	1935
112.	Azimova Parvana Huseyn gyzy	1947
113.	Azimova Dilara Seydulla gyzy	1956
114.	Aliyev Eyyub Sary oglu	1928
115.	Aliyev Alekper Alisan oglu	1915
116.	Aliyeva Suraya Bayram gyzy	1934
117.	Aliyev Eldar Karysh oglu	1963
118.	Aliyev Islam Abdulali oglu	1933
119.	Aliyeva Sahar Charkaz gyzy	1932
120.	Aliyev Arif Khanlar oglu	1970
121.	Aliyev Abulfat Ali oglu	1963
122.	Aliyev Tavakkul Bakhlysh oglu	1955
123.	Aliyev Bakir Shiraslan oglu	1973
124.	Aliyeva Dilara Orudj gyzy	1949
125.	Aliyev Elgiz Firdovsi oglu	1984
126.	Aliyev Firdovsi Isa oglu	1956
127.	Aliyeva Heyran Murshud gyzy	1962
128.	Aliyev Elchin Firdovsi oglu	1982
129.	Aliyev Aghali Nayib oglu	1932
130.	Aliyeva Suraya Behbud gyzy	1933
131.	Aliyeva Chichak Alekper gyzy	1931
132.	Aliyev Sabuhi Jahangir oglu	1978
133.	Aliyev Salim Jahangir oglu	1985
134.	Aliyeva Khaver Yusif gyzy	1957
135.	Aliyeva Svetlana Javanshir gyzy	1957
136.	Alekperova Zeynab Jumshud gyzy	1923
137.	Alekperov Tavakkul Alekper oglu	1956
138.	Alekperov Sakhavat Tavakkul oglu	1981
139.	Alaskarov Vahid Rashid oglu	1962
140.	Alimammadov Namig Shahmaly oglu	1962
141.	Alimammadov Faig Shahmaly oglu	1969
142.	Amirova Raya Gabil gyzy	1959
143.	Amirova Yegana Tavakkul gyzy	1957
144.	Asadov Yalchin Asif oglu	1986
145.	Ahmadov Elmar Nayib oglu	1963
146.	Ahmadov Namig Ilyas oglu	1968
147.	Ahmadova Durna Salman gyzy	1922
148.	Ahmadov Rafail Nayib oglu	1948
149.	Ahmadov Eldar Nayib oglu	1945
150.	Ahmadova Sarfinaz Mukhtad gyzy	1900
151.	Alekperov Askar Gurban oglu	1930
152.	Ahmadova Zubeyda Badal gyzy	1928
153.	Aliyev Elshan Sahadar oglu	1973
154.	Aliyev Anvar Zeynaly oglu	1959
155.	Aliyeva Yegana Maharram gyzy	1960
156.	Askarov Eldar Nizami oglu	1986
157.	Askarov Nizami	1960

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

158.	Aliyev Mikayil Atababa oğlu	1957
159.	Azizov Fikrat Abbas oğlu	1965
160.	Aliyev Ulfat İman oğlu	1974
161.	Aliyev İlham Bahadır oğlu	1966
162.	Alaskarov Mazahir Maharram oğlu	1969
163.	Aliyev Ayaz Elman oğlu	1970
164.	Ahmadov Vagif İslam oğlu	1957
165.	Askarov Khagany Karim oğlu	1962
166.	Aliyev Nadir Gachan oğlu	1967
167.	Farzaliyev Janan Binnat oğlu	1963
168.	Farzaliyev Gadim Farzali oğlu	1956
169.	Hagverdiyeva Havva Zeynalabdin gzyzy	1932
170.	Hagverdiyev David Meshdi oğlu	1970
171.	Hagverdiyev Şahin Meshdi oğlu	1958
172.	Hadjiyev Alif Latif oğlu	1939
173.	Hadjiyev Suleyman Latif oğlu	1956
174.	Hadjiyev Tahir Hadji oğlu	1960
175.	Hamdiyeva Mehriban Radjab gzyzy	1934
176.	Hamidova Kifayat Chirag gzyzy	1949
177.	Hamzayev Abdulla Keushaly oğlu	1971
178.	Hanifayev Bahman Salman oğlu	1937
179.	Hasanov Rovshan Gachay oğlu	1977
180.	Hasanova Gunash Abdul gzyzy	1984
181.	Hasanova Makhmar Alekper gzyzy	1995
182.	Hasanov Elgun Nazim oğlu	1964
183.	Hasanova Aygun Nazim gzyzy	1988
184.	Hasanova Geuychak Heydar gzyzy	1943
185.	Hasanova Latafet Hasan gzyzy	1916
186.	Hasanov İmran Alekper oğlu	1972
187.	Hasanova Gulcheuhra Yagub gzyzy	1968
188.	Hasanov Ramil İbrahim oğlu	1940
189.	Hasanov Mehdi Ramil oğlu	1962
190.	Hasanov Hasan İbrahim oğlu	1938
191.	Hasanov Ali Mursal oğlu	1908
192.	Hasanov Sheuhrat Yusub oğlu	1951
193.	Hasanova Tofiga Hasan gzyzy	1955
194.	Hasanova Fitat Ahad gzyzy	1990
195.	Hasanova Gatiba Mirsiyab gzyzy	1929
196.	Hashimov Salim Karim oğlu	1950
197.	Humbatova Fırzuza Musa gzyzy	1957
198.	Humbatova Simuzar Jalil gzyzy	1910
199.	Humbatova Sudaba Rashid gzyzy	1967
200.	Humbatov Mughan Jalil oğlu	1938
201.	Humbatov Hatam Gurban oğlu	1940
202.	Humbatov Talysh İskandar oğlu	1967
203.	Humbatova Anaid Eldar gzyzy	1967
204.	Huseynova Rasmiya Alexander gzyzy	1930
205.	Huseynov Emin Alexander oğlu	1960
206.	Huseynova Makhmar Gurban gzyzy	1922
207.	Huseynov Chingyz Yusub oğlu	1960
208.	Huseynov Bakir Mirsiyab oğlu	1924
209.	Huseynov Mirsiyab Hazratgulu oğlu	1934
210.	Huseynova Minash Jumshud gzyzy	1960
211.	Huseynov Tofig Mirsiyab oğlu	1950

P R E S I D E N T I A L L I B R A R Y
Administrative Department of the President of the Republic of Azerbaijan

212.	Huseynova Susan Huseyn gyzy	1938
213.	Huseynov Tadjir Huseyn oglu	1964
214.	Huseynova Nasiba Huseyn gyzy	1961
215.	Huseynova Novrasta Huseyn gyzy	1961
216.	Huseynov Huseyn Ismayil oglu	1967
217.	Huseynova Aziz Alish gyzy	1986
218.	Huseynova Khoshbakht Huseyn gyzy	1985
219.	Huseynov Murshud Samad oglu	1939
220.	Huseynov Allahverdi Gulu oglu	1941
221.	Huseynov Huseyn Faradj oglu	1971
222.	Huseynova Zinyat Yunus gyzy	1965
223.	Huseynov Rashid Huseyn oglu	1968
224.	Huseynova Maral Kamil gyzy	1956
225.	Huseynova Sarah Safar gyzy	1975
226.	Huseynova Saadat Gadim gyzy	1932
227.	Huseynov Vugar Hilal oglu	1936
228.	Huseynova Mehriban Allahverdy gyzy	1962
229.	Huseynov Radjab Elkhan oglu	1985
230.	Huseynov Makhshar Elkhan oglu	1967
231.	Huseynova Shabnam Elkhan gyzy	1990
232.	Hasanova Sevil Eyub gyzy	1979
233.	Hashimov Shevkat Shukur oglu	1981
234.	Humbatova Sevil Jalyl gyzy	1985
235.	Huseynova Emma Huseyn gyzy	1963
236.	Huseynov Zokhrab Huseyn oglu	1972
237.	Hasanova Khayala Eldar gyzy	1955
238.	Hasanov Tadjir Eldar oglu	1965
239.	Huseynova Nargiz Jabrayil gyzy	1963
240.	Huseynov Shakir Mustafa oglu	1956
241.	Huseynova Atraba Jabrayil gyzy	1932
242.	Hasanov Tofiq Baylar oglu	1970
243.	Hasanov Vahid Movsum oglu	1958
244.	Hasanov Telman Elmar oglu	1939
245.	Huseynov Huseyn Shukur oglu	1956
246.	Hasanov Gabil Gasym oglu	1960
247.	Huseynova Gyzbes Mardan gyzy	1934
248.	Hasanov Elshad Gachay oglu	1949
249.	Hasanov Ramiz Allahverdi oglu	1971
250.	Humbatov Bahlul Museyib oglu	1937
251.	Khalilov Arzu Khalil oglu	1977
252.	Khalilov Araz Khalil oglu	1984
253.	Khudiyev Zahid Bahlul oglu	1965
254.	Khalilova Zarifa Zakara gyzy	1964
255.	Khalilova Lala Tahir gyzy	1988
256.	Khalilov Gachay Rahim oglu	1943
257.	Khudayarova Suraya Alish gyzy	1916
258.	Isfandiyarov Eldar Humbat oglu	1972
259.	Ilyasov Ahmad Mammad oglu	1968
260.	Ilyasov Mammad Ilyas oglu	1940
261.	Ismayilov Ingilab Alekber oglu	1962
262.	Ismayilov Ibish Karim oglu	1938
263.	Ismayilova Manzar Mashadi gyzy	1908
264.	Ismayilov Vidadi Latif oglu	1951
265.	Ibrahimov Alikhan Khalil oglu	1955

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

266.	Ibrahimova Fatma	1990
267.	Imani Aghayar Salman oglu	1929
268.	Imani Malik Aghayar oglu	1950
269.	Ismayilov Ismayil Bahman oglu	1957
270.	Imani Aghababa	1910
271.	Ismayilov Bahram Ablab oglu	1967
272.	Ismayilov Ilyas Bayram oglu	1938
273.	Ismayilova Sheuvkat Orudj gyzy	1940
274.	Ibadullayev Nadir Nabi oglu	1967
275.	Kazymov Asif Kazym oglu	1967
276.	Karimova Firangiz Mutallim gyzy	1930
277.	Karimov Soltan Samran oglu	1960
278.	Karimov Rashid Rahim oglu	1922
279.	Karimov Intigam Shahmaly oglu	1960
280.	Karimov Shamran Soltan oglu	1924
281.	Karimova Firangul Gurban gyzy	1934
282.	Karimov Frunz Samran oglu	1960
283.	Karimov Yalchyn	1950
284.	Kazymov Khalil Mahmud oglu	1938
285.	Hasanov Yashar Gaytaran oglu	1964
286.	Garayev Usubali Suleyman oglu	1961
287.	Gambarov Safar Garsalan oglu	1961
288.	Gambarova Matanat Hadjy gyzy	1967
289.	Gambarov Emin Safar oglu	1986
290.	Gambarova Esmira Safar gyzy	1985
291.	Gambarov Garsalan Garay oglu	1939
292.	Gambarova Valida Boran gyzy	1941
293.	Gambarov Nadir Garsalan oglu	1971
294.	Guliyev Zakir Latif oglu	1965
295.	Guliyeva Zohra Latif gyzy	1968
296.	Guliyev Tahir Soltan oglu	1956
297.	Guliyev Vugar Zahid oglu	1975
298.	Guliyev Zakara Garnish oglu	1932
299.	Guliyeva Shura Shamil gyzy	1936
300.	Guliyev Akbar Zakara oglu	1962
301.	Guliyeva Sevindj Akbar gyzy	1985
302.	Guliyev Taleh Zakara oglu	1967
303.	Guliyev Samir Taleh oglu	1990
304.	Guliyeva Ravana Garyaghdy gyzy	1979
305.	Guliyeva Nurana Garyaghdy gyzy	1981
306.	Guliyev Shukur Garyaghdy oglu	1985
307.	Guliyev Agil Sahib oglu	1963
308.	Guliyev Natig Valiaddin oglu	1972
309.	Guliyeva Sara Huseyn gyzy	1955
310.	Guliyev Elchin Balakhan oglu	1965
311.	Godjayev Guman Avaz oglu	1941
312.	Guliyev Mikayil Zahid oglu	1967
313.	Gasymova Rasmiya Agha gyzy	1960
314.	Gasymova Narmina Nizami gyzy	1986
315.	Gasymov Agha Bayram oglu	1930
316.	Guliyev Islam Idris oglu	1957
317.	Garayev Asif Garakishi oglu	1953
318.	Guliyev Shahbaz Askar oglu	1923
319.	Guliyev Farhad Safar oglu	1970

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

320.	Guliyev Shukur Barhudar oglu	1949
321.	Guliyeva Makhmar Khanlar gyzy	1930
322.	Guliyev Shamsi Ajdar gyzy	1970
323.	Guliyev Ganimat Ali oglu	1936
324.	Guliyeva Urba Hadjy gyzy	1936
325.	Guliyev Ismayil Ganimat oglu	1969
326.	Guliyev Matla Ganimat oglu	1963
327.	Gasimov Anvar Bahadur oglu	1925
328.	Mahmudova Roza Safar gyzy	1930
329.	Mahmudov Ahliman Behbud oglu	1941
330.	Mehdiyev Shafa Baba oglu	1941
331.	Mehdiyev Murad Shafa oglu „	1964
332.	Mehraliyev Gulzar Gulali gyzy	1970
333.	Mehdiyeva Aysel Murad gyzy	1987
334.	Mehdiyeva Gulmira Murad gyzy	1989
335.	Mammadov Aydin Gurban oglu	1964
336.	Mammadov Zahir Ramiz oglu	1975
337.	Mammadov Ramil Jalal oglu	1948
338.	Mammadov Yasha Yusif oglu	1956
339.	Mammadov Shohlat Ibish oglu	1960
340.	Mammadova Gullu Abdat gyzy	1925
341.	Mamishov Talysh Huseyn oglu	1921
342.	Mammadov Vagif Shukur oglu	1940
343.	Mammadova Afila Ibrahim gyzy	1949
344.	Mammadov Azer Vagif oglu	1972
345.	Mammadov Jeyhun Vagif oglu	1975
346.	Mammadov Niyamaddin Vagif oglu	1978
347.	Mammadov Ogtay Shukur oglu	1957
348.	Mammadov Arif Ibad oglu	1956
349.	Mammadov Saday Suleyman oglu	1936
350.	Mammadov Safarali Mehdi oglu	1918
351.	Mammadov Vagif Shamil oglu	1951
352.	Mammadov Vasif Salman oglu	1965
353.	Mammadov Rasif Salman oglu	1967
354.	Mammadov Khosrov Bilal oglu	1949
355.	Mammadov Baylar Khanlar oglu	1935
356.	Mammadov Razmik Surenl oglu	1965
357.	Mammadova Shevkat Eybad gyzy	1963
358.	Mammadova Maleyka Atash gyzy	1933
359.	Mammadov Talysh Imran oglu	1934
360.	Mammadova Saltanat Zulal gyzy	1931
361.	Mammadova Latifa Eybad gyzy	1958
362.	Mammadov Mammad Gadir oglu	1935
363.	Mamishov Shahin Talysh oglu	1959
364.	Maharramov Magsud Heydar oglu	1957
365.	Maharramov Tahir Agharza oglu	1956
366.	Maharramov Vagif Jamil oglu	1951
367.	Maharramov Nazly Vali gyzy	1953
368.	Mustafayev Vidadi Shafa oglu	1963
369.	Mustafayev Rza Bashir oglu	1948
370.	Mustafayeva Yakhshy Mehdigulu gyzy	1900
371.	Muradov Pasha Askar oglu	1939
372.	Muradova Ayshan Zohrab gyzy	1991
373.	Muradov Zahid Latif oglu	1965

P R E S I D E N T I A L L I B R A R Y
Administrative Department of the President of the Republic of Azerbaijan

374.	Muradov Elshan Kazym oglu	1971
375.	Muradov Gunduz Kazym oglu	1961
376.	Mammadova Sevil Huseyn gyzy	1971
377.	Mammadov Akbar Rahman oglu	1960
378.	Mammadov Allahverdi	1963
379.	Mammadov Nuraddin Vagif oglu	1958
380.	Mammadov Sadyg Allahverdi oglu	1986
381.	Mehraliyev Ali Shukur oglu	1984
382.	Mammadov Mammad Rahman oglu	1947
383.	Mammadov Sohbat Mammad oglu	1976
384.	Mammadov Kamil Amir oglu	1958
385.	Mehdiyev Ilham	1987
386.	Mehraliyev Orkhan Ali oglu	1971
387.	Mikayilov Agil Valikishi oglu	1969
388.	Musayev Ilgar Vagif oglu	1963
389.	Muradova Nurida Kazym gyzy	1931
390.	Mehdiyev Fikrat Burzu oglu	1968
391.	Mehdiyev Javanshir Isak oglu	1967
392.	Mirzayev Kamal Abbas oglu	1962
393.	Mammadov Sarvar Elmar oglu	1970
394.	Mammadov Zakir Gasym oglu	1966
395.	Mehraliyev Ali Mursal oglu	1964
396.	Naghiyev Yusif Shirin oglu	1928
397.	Naghiyeva Sara Ramiz gyzy	1969
398.	Nabiyev Mahaddin Hasan oglu	1952
399.	Nabiyev Hasan Garash oglu	1930
400.	Nabiyeva Sakina Nabatali gyzy	1930
401.	Nazarli Hikmat Baba oglu	1966
402.	Nasirova Tatyana Dmitriyevna	1952
403.	Hasanov Shiraslan Mamish oglu	1952
404.	Novruzov Alesker Khanlar oglu	1949
405.	Nuriyev Hafiz Yusif oglu	1962
406.	Nishana Khodjaly	1990
407.	Nadjafov Askar Hidayat oglu	1940
408.	Nasibov Ramiz Sary oglu	1961
409.	Novruzov Akbar Jannat oglu	1956
410.	Nuriyev Aydin Nariman oglu	1930
411.	Nadjafov Alov Nasib oglu	1966
412.	Novruzov Novruz Maharram oglu	1937
413.	Novruzova Adila Mahammad gyzy	1937
414.	Novruzov Zakir Novruz oglu	1971
415.	Novruzova Rahila Novruz gyzy	1975
416.	Novruzova Rubaba Novruz gyzy	1977
417.	Nurmammadov Huseyn Rza oglu	1927
418.	Nurmammadova Pakiza Islam gyzy	1936
419.	Orudjov Javan Janan oglu	1976
420.	Orudjova Malahat Ali gyzy	1975
421.	Orudjova Malak Ali gyzy	1968
422.	Orudjova Natavan Nabi gyzy	1989
423.	Orudjov Fazil Anvar oglu	1981
424.	Orudjova Irada Ali gyzy	1964
425.	Orudjova Tamara Yunus gyzy	1944
426.	Orudjov Telman Anvar oglu	1957
427.	Orudjova Khayala Telman gyzy	1986

PRESIDENTIAL LIBRARY
Administrative Department of the President of the Republic of Azerbaijan

428.	Orudjov Elman Anvar oğlu	1956
429.	Orudjov Faig Ali oğlu	1954
430.	Orudjova Gozal Heydar qızı	1931
431.	Orudjov Miryusif Karim oğlu	1940
432.	Orudjov Rəfiq Miryusif oğlu	1972
433.	Pəşayev Alexander Tapdyq oğlu	1932
434.	Pəşayev Aləddin Bahlul oğlu	1961
435.	Pəzliyev Gədim Pəzly oğlu	1953
436.	Rəzayev Janpolad Yaqub oğlu	1965
437.	Rəşidov Abil Məhəmməd oğlu	1941
438.	Rəşidov Nəzim Adil oğlu	1972
439.	Rüstəmov Fəzuli Səlah oğlu	1966
440.	Rədjəbov Jabrayil Məhdi oğlu	1961
441.	Rəzayev Tapdyq Keuchari oğlu	1964
442.	Rəzayev İldırım Bərat oğlu	1970
443.	Rüstəmov Eldar Amir oğlu	1988
444.	Sədyqova Chichək Jəlil qızı	1928
445.	Səlahov Məmməd Abdul oğlu	1931
446.	Səlahova Zəhrə Əliabbas qızı	1932
447.	Səlimov Araz Bəhadur oğlu	1960
448.	Səlimov Tofig Seydi oğlu	1968
449.	Səlimov Bəhadur Mikayil oğlu	1928
450.	Səlimov Fəxrəddin Bəhadur oğlu	1958
451.	Səlimov Mikayil Bəhadur oğlu	1970
452.	Səlimov Xəzər Siyavuş oğlu	1974
453.	Səlimova Adilə Əlləhverdi qızı	1930
454.	Səlimov Seydi Mikayil oğlu	1934
455.	Səlimova Təmillə Əğməmirzə qızı	1936
456.	Səmədov Həmid Vaylar oğlu	1958
457.	Səmədov Təriyel Vaylar oğlu	1964
458.	Səfərova Pəri Muxtər qızı	1930
459.	Səfiyeva Geuzal Vəli qızı	1923
460.	Səfiyev Əlxən Nəsb oğlu	1961
461.	Səfiyev Sərvin Əlxən oğlu	1991
462.	Suleymanova Nubar Lələkişi qızı	1953
463.	Səlahov Şəkər Şəmil oğlu	1966
464.	Səlahov Nətiq Fəydəli oğlu	1961
465.	Sədiqov Vəqif İməmverdi oğlu	1952
466.	Səfərov Orduxən Aydın oğlu	1961
467.	Səfərov Osman Aydın oğlu	1964
468.	Səlahova Şəkər Sədai qızı	1963
469.	Səlimov Rəfəel İlyas oğlu	1970
470.	Səmədov Gündüz Hidayət oğlu	1957
471.	Sədygov Avaz Əsif oğlu	1929
472.	Sədiqova Geunchə Məmmədbəğhər qızı	1937
473.	Suleymanov Rəşid Sürxay oğlu	1951
474.	Səfərov Şəhərverdi Bahlul oğlu	1956
475.	Şəhərverənov Məhərrəm Çovdər oğlu	1930
476.	Şəhmurədov Teymət Məsə oğlu	1962
477.	Şəkurov Vəqif Rəsul oğlu	1968
478.	Şəkurov Əkif Rəsul oğlu	1965
479.	Şəkurova Antiqə İsfəndiyər qızı	1934
480.	Şəhmurədov Mubəriz Əhhusəyn oğlu	1952
481.	Şirinov Əlşən Eldər oğlu	1965

P R E S I D E N T I A L L I B R A R Y
Administrative Department of the President of the Republic of Azerbaijan

482.	Shirinov Elshan's six-month son	1991
483.	Shahmuradov Natig Amirkhan oglu	1963
484.	Shahmuradov Namig Amirkhan oglu	1965
485.	Shukurov Vakil Isfandiyar oglu	1947
486.	Shukurov Tofiq Zakir oglu	1934
487.	Shahverdiyev Vugar Mammad oglu	1973
488.	Talybov Rahim Khudaverdi oglu	1908
489.	Usubov Zakir Kamran oglu	1965
490.	Usubov Aliyar Kamran oglu	1967
491.	Usubov Elshad Kamran oglu	1974
492.	Usubov Siyavush Ramiz oglu	1971
493.	Usubova Shargiya Usub gyzy	1948
494.	Valiyeva Nazila Kamil gyzy	1966
495.	Valiyev Aghasif Zakir oglu	1986
496.	Valiyev Firdovsi Fazil oglu	1966
497.	Valiyev Ali Iman oglu	1962
498.	Valiyeva Guldana Zakir gyzy	1989
499.	Yusifova Natavan Panah gyzy	1988
500.	Yusifov Hamid Mahaddin oglu	1962
501.	Zamanov Novruz Gulu oglu	1936
502.	Zeynalov Tofiq Asian oglu	1959
503.	Zeynalov Eldar Asian oglu	1963
504.	Zeynalov Nadir Asian oglu	1968
505.	Zeynalova Aynura Tofiq gyzy	1986
506.	Zeynalov Mammad Mikayil oglu	1948
507.	Zeynalov Osman Bahadur oglu	1959
508.	Zeynalov Tahir Bahadur oglu	1963

Among the martyrs of Khojaly, there were also over hundred people from over three-hundred builders and specialists of other fields coming to Khojaly from various regions of our Republic. However, due to failure of fixation of their data in the stored documents it was impossible to make a list of the names of people in this row.

**LIST OF FAMILIES COMPLETELY EXECUTED ON 26TH OF FEBRUARY 1992
DURING KHOJALY GENOCIDE**

1)			
1.	Mammadov Vagif Shukur oglu -	father	1940
2.	Mammadova Afila Ibrahim gizi –	mother	1949
3.	Mammadov Jeyhun Vagif oglu –	son	1972
4.	Mammadov Azar Vagif oglu –	son	1975
5.	Mammadov Niyamaddin Vagif oglu–	son	1978
2)			
1.	Karimov Samran Soltan oglu –	father	1924
2.	Karimova Firangiz Gurban gizi –	mother	1935
3.	Karimov Firuz Samran oglu –	son	1960
4.	Karimov Soltan Samran oglu –	son	1969
3)			
1.	Aliyev Firdovsi Isa oglu –	father	1956
2.	Aliyeva Heyran Murshud gizi –	mother	1962
3.	Aliyev Elchin Firdovsi oglu –	son	1982
4.	Aliyev Elgiz Firdovsi oglu –	son	1984
4)			
1.	Ganbarov Garaslan Garay oglu –	father	1939
2.	Ganbarov Valida Boran gizi –	mother	1941
3.	Ganbarov Nadir Garaslan oglu –	son	1971
5)			
1.	Ganbarov Safar Garaslan oglu –	father	1961
2.	Ganbarov Matanat Haji gizi –	mother	1967
3.	Ganbarov Emin Safar oglu –	son	1986
4.	Ganbarova Esmira Safar gizi –	daughter	1985
6.)			
1.	Huseinov Mirsiyab Hazratgulu oglu –	husband	1922
2.	Huseinova Minash Jumshud gizi –	wife	1934
7)			
1.	Hasanova Gunesh Abdul gizi –	mother	1910
2.	Hasanova Gatiba Mirsiyab gizi –	daughter	1951
8)			
1.	Huseinov Husein Ismayil oglu –	father	1934
2.	Huseinova Aziz Alish gizi –	mother	1946
3.	Huseinov Khoshbekht Husein oglu –	son	1963
4.	Huseyinova Nasiba Husein gizi –	daughter	1982
5.	Huseinov Tajir Husein oglu –	son	1972
6.	Huseinova Susan Husein gizi –	daughter	1971

LIST OF THE CHILDREN DIED IN KHOJALY GENOCIDE

1. Agayev Allahverdi Sattar oglu	1982
2. Agayarov Sevinj Isaac	1985
3. Agayarov Nabi Isaac oglu	1981
4. Agayarov Roman Isaac oglu	1986
5. Abishov Chingiz Nazim oglu	1985
6. Abishova Chinara Nazim gizi	1982
7. Allahverdiev Bahram Hidayat oglu	1976
8. Allahverdiev Mahir Novruz oglu	1974
9. Aslanova Elnara Tofiq gizi	1978
10. Jafarov Nusrat Fazil oglu	1975
11. Jafarov Samir Tajir oglu	1987
12. Chobanova Nazakat Tapdig gizi	1984
13. Aliyev Elchin Firdovsi oglu	1982
14. Aliyev Elgiz Firdovsi oglu	1984
15. Aliyev Sabuhi Jahangir oglu	1978
16. Aliyev Salim	1985
17. Azimov Natig Abbasgulu oglu	1986
18. Amirova Yegana Tavakkul gizi	1986
19. Hasanov Elgun Nazim oglu	1988
20. Hasanova Aygun Nazim gizi	1991
21. Huseinov Rajab Elkhan oglu	1984
22. Huseinova Shabnam Elkhan gizi	1986
23. Huseinov Mahsar Elkhan oglu	1991
24. Hasanova Latafat Hasan gizi	1976
25. Humbatova Simuzar Jalil gizi	1976
26. Humbatova Anahid Eldar gizi	1979
27. Huseinov Emin Alexander oglu	1975
28. Huseinova Nasiba Husein gizi	1982
29. Huseinova Maral Kamil gizi	1985
30. Huseinova Saadat Gadim gizi	1974
31. Hasanov Tajir Eldar oglu	1990
32. Ibrahimova Fatma	1990
33. Nishana Khojaly	1990
34. Khalilova Lala Tahir gizi	1988
35. Guliyeva Parvana Garyaghdi gizi	1979
36. Guliyev Shukur Garyaghdi oglu	1985
37. Guliyeva Nurana Garyaghdi gizi	1981
38. Gambarova Esmira Safar gizi	1985
39. Gambaov Emin Safar oglu	1986
40. Guliyev Mikayil Zahid oglu	1975
41. Guliyev Samir Taleh oglu	1990
42. Guliyeva Sevinj Akbar gizi	1985
43. Mammadov Jeyhun Vagif oglu	1975
44. Mammadov Niyamaddin Vagif oglu	1978
45. Mammadov Azer Vagif oglu	1974
46. Mammadov Zahir Ramiz oglu	1975
47. Mehdiyeva Gulmira Murad gizi	1989
48. Mehdiyeva Aysel Murad gizi	1987
49. Orujova Malahat Ali gizi	1975

50. Orujov Javan Janan oğlu	1976
51. Orujova Khayala Telman gızı	1986
52. Orujova Natavan Nabi gızı	1989
53. Salimov Khazar Sayavush oğlu	1974
54. Safiyev Sarvan Elkhan oğlu	1991
55. Usubov Elshad Kamran oğlu	1974
56. Valiyev Agasif Zakir oğlu	1988
57. Zeynalova Aynura Tofiq gızı	1986
58. Yusufova Natavan Panah gızı	1988
59. Rustamov Eldar Amir oğlu	1988
60. Huseinova Shakar Eldar gızı	1984
61. Ismayilova Matanat Akif gızı	1985
62. Alakberov Sakhavat Tavakkul oğlu	1988
63. Aliyev Elshan Abil oğlu	1987

**LIST OF THE CHILDREN HAVING LOST ONE OF THEIR PARENTS AT THE
KHOJALY TRAGEDY**

1. Alimammadov Parviz Namig oglu	1992
2. Garayeva Lamiya Yusifali gyzy	1988
3. Garayev Ramil Yusifali oglu	1990
4. Guliyev Zahir Tahir oglu	1987
5. Guliyev Shamkir Tahir oglu	1988
6. Hasanova Natavan Reuvshan gyzy	1981
7. Hasanov Ravan Reuvshan oglu	1985
8. Hasanova Nigar Reuvshan gyzy	1990
9. Pashayeva Guiana Elshad gyzy	1989
10. Pashayeva Ilaha Elshad gyzy	1991
11. Shahmuradova Khatira Neymat gyzy	1982
12. Shahmuradova Keunul Neymat gyzy	1990
13. Shahmuradov Elchin Neymat oglu	1992
14. Ismayilov Intigam Ingilab oglu	1986
15. Ismayilova Tunzala Ingilab gyzy	1988
16. Ismayilov Alekper Ingilab oglu	1990
17. Nasibov Fazil Ramiz oglu	1990
18. Nasibova Jamila Ramiz gyzy	1988
19. Guliyev Emin Akbar oglu	1988
20. Guliyev Akbar Akbar oglu	1992
21. Hagverdiyev Bakhtiyar David oglu	1978
22. Hagverdiyeva Jeyhuna David gyzy	1979
23. Hagverdiyeva Mehri David gyzy	1981
24. Hagverdiyeva Solmaz David gyzy	1984
25. Hagverdiyev Yashar David oglu	1986
26. Huseynova Azada Rashid gyzy	1987
27. Huseynov Samir Rashid oglu	1990
28. Aliyev Tariyel Abulfat oglu	1986
29. Aliyeva Gulnar Abulfat gyzy	1988
30. Jabbarly Nidjat Azad oglu	1991
31. Jabbarly Fuad Azad oglu	1990
32. Mammadov Ruslan Mammad oglu	1987
33. Mammadov Hasan Mammad oglu	1983
34. Samadov Ilkin Tariyel oglu	1987
35. Samadova Sevindj Tariyel gyzy	1988
36. Karimli Kamran Sultan oglu	1994
37. Salmanova Nahida Bahman gyzy	1987
38. Samadov Elchin Hamid oglu	1981
39. Bahmanov Sakhavat Vagif oglu	1980
40. Huseynova Vusala Shakir gyzy	1983
41. Huseynov Algayit Shakir oglu	1992
42. Alaskarova Ayshan Vahid gyzy	1988
43. Alaskarova Shahrin Vahid gyzy	1990
44. Imani Foziya Aghababa gyzy	1981
45. Imani Nasir Aghababa oglu	1987
46. Mammadov Ali Ali oglu	1992
47. Mahmudov Nidjat Akif oglu	1989
48. Mahmudov Elchin Akif oglu	1991
49. Gasymov Totig Yashar oglu	1980
50. Gasymova Gulshan Yashar gyzy	1991
51. Azimov Jeyhun Abbasgulu oglu	1981
52. Kazymov Tural Asif oglu	1990

53. Kazymova Peri Asif gyzy	1992
54. Ismayilova Yegana Ismayil gyzy	1981
55. Ismayilov Amil Ismayil oglu	1983
56. Ismayilova Gunel Ismayil gyzy	1987
57. Mehraliyev Nasimi Ali oglu	1980
58. Mehraliyev Ilgar Ali oglu	1986
59. Abbasova Saadat Taleh gyzy	1983
60. Abbasov Zaur Taleh oglu	1986
61. Abbasov Ziya Taleh oglu	1981
62. Huseynov Samir Bakir oglu	1981
63. Jafarova Samira Tadjir gyzy	1990
64. Behbudov Vagif Vagif oglu	1992
65. Ahmadova Vusala Elmar gyzy	1986
66. Ahmadova Afsana Elmar gyzy	1987
67. Ahmadova Salatyn Elmar gyzy	1991
68. Aghayev Nidjat Vidadi oglu	1989
69. Hadjiyeva Zarina Akif gyzy	1982
70. Hadjiyeva Irada Akif gyzy	1990
71. Mammadov Ismayil Vagif oglu	1988
72. Mammadova Maya Vagif gyzy	1985
73. Mammadova Vusala Vagif gyzy	1981
74. Mammadova Suraya Vagif gyzy	1990
75. Hasanov Babek Sheuhrat oglu	1980
76. Huseynova Yasamen Tofig gyzy	1980
77. Huseynova Afsana Tofig gyzy	1982
78. Huseynov Murad Tofig oglu	1985
79. Orudjova Lamiya Nabi gyzy	1988
80. Abbasov Aladdin Kamran oglu	1981
81. Abbasova Baneuvsha Kamran gyzy	1983
82. Abbasov Nariman Kamran oglu	1986
83. Abbasov Akbar Kamran oglu	1987
84. Godjayeva Samira Loghman gyzy	1981
85. Godjayeva Arif Loghman oglu	1985
86. Godjayeva Gudrat Loghman oglu	1990
87. Sadygova Chinara Huseyn gyzy	1989
88. Sadygova Zulfiya Huseyn gyzy	1991
89. Sadygov Elmaddin Vagif oglu	1985
90. Sadygov Tapdyg Vagif oglu	1988
91. Salahov Vusal Namig oglu	1990
92. Salahova Ulviya Namig gyzy	1991
93. Mehdiyeva Sevindj Javanshir gyzy	1991
94. Mehdiyeva Ilaha Javanshir gyzy	1993
95. Zeynalova Maya Mammad gyzy	1982
96. Javadov Vatan Vagif oglu	1992
97. Hadjiyeva Ayshan Allahverdy gyzy	1994
98. Jabbarov Sadraddin Khydyr oglu	1991
99. Jabbarov Khydyr Khydyr oglu	1992
100. Abbasova Khayala Yunus gyzy	1982
101. Abbasova Elnara Yunus gyzy	1984
102. Abbasova Vafa Yunus gyzy	1987
103. Javadova Geuychak Amir gyzy	1983
104. Mirzayeva Kamala Kamal gyzy	1986
105. Mirzayev Tural Kamal oglu	1987
106. Hasanov Kamaledin Vahid oglu	1986
107. Hasanov Elmaddin Vahid oglu	1988
108. Hasanova Aygun Vahid gyzy	1990
109. Zeynally Zabit Tahir oglu	1990
110. Zeynally Tahira Tahir gyzy	1991

111. Shukurova Nazly Vakil gyzy	1985
112. Shukurov Bazirgan Vakil oglu	1988
113. Shukurova Shahnaz Vakil gyzy	1989
114. Shukurov Javidan Vakil oglu	1990
115. Ahmadov Valeh Vagif oglu	1986
116. Ahmadov Taghy Valeh oglu	1990
117. Ahmadov Vahid Vagif oglu	1991
118. Zeynalova Sevda Osman gyzy	1986
119. Zeynalova Elza Osman gyzy	1988
120. Zeynalov Seymur Osman oglu	1990
121. Zeynalova Aybeniz Osman gyzy	1991
122. Aliyeva Khatira Ilham gyzy	1985
123. Shahmuradov Farid Natig oglu	1985
124. Amirkhanly Gunel Natig gyzy	1989
125. Samadov Sabuhi Gunduz oglu	1986
126. Samadov Parviz Gunduz oglu	1988
127. Safarova Vusala Ordukhan gyzy	1986
128. Safarova Vafa Ordukhan gyzy	1987
129. Safarov Kanan Shahverdi oglu	1990
130. Hasanov Rahman Telman oglu	1985
131. Hasanov Mehman Telman oglu	1987
132. Hasanova Hidjran Telman gyzy	1988
133. Hasanov Felmar Telman oglu	1989
134. Hasanova Tonga Telman gyzy	1991
135. Guliyev Idris Islam oglu	1989
136. Guliyeva Matanat Islam gyzy	1990
137. Rzayeva Aynur Tapdyg gyzy	1990
138. Rzayev Kanan Tapdyg oglu	1991
139. Salahov Elshad Askar oglu	1983
140. Salahov Elshan Askar oglu	1985
141. Salahov Hadjy Askar oglu	1988
142. Salahov Matanat Askar gyzy	1990
143. Salahov Vusal Natig oglu	1986
144. Salahova Ulviya Natig gyzy	1988
145. Huseynov Galib Huseyn oglu	1983
146. Huseynov Jeyhun Huseyn oglu	1985
147. Huseynov Magsud Huseyn oglu	1987
148. Huseynova Keunul Huseyn oglu	1989
149. Garayeva Rafiga Asif gyzy	1989
150. Garayev Maarif Asif oglu	1991
151. Babayev Sayad Babir oglu	1986
152. Babayeva Iltima Babir gyzy	1987
153. Babayeva Minura Babir gyzy	1990
154. Shukurova Zamina Vakil gyzy	1991
155. Guliyev Anar Matlab oglu	1986
156. Guliyeva Lala Matlab gyzy	1988
157. Guliyev Alim Matlab oglu	1990
158. Mehraliyev Ali Ali oglu	1990
159. Humbatov Avaz Bahlul oglu	1986
160. Guliyev Khazani Shukur oglu	1979
161. Askarov Kanan Khazani oglu	1985
162. Askarov Khayam Khazani oglu	1988
163. Askarov Sanan Khazani oglu	1990
164. Askarov Aghakishi Khazani oglu	1993
165. Hasanov Nasir Tabil oglu	1987
166. Hasanova Durdana Tabil gyzy	1989
167. Hasanova Gandab Tabil gyzy	1991
168. Bayramov Kamal Jalal oglu	1984

169. Bayramova Zarifa Jalal gyzy	1985
170 Bayramova Sveta Jalal gyzy	1980
171. Mammadova Sara Gasym gyzy	1980
172. Zeynalov Elnur Eldar oglu	1986
173. Zeynalov Eyvaz Eldar oglu	1989
174. Hasanov Murad Ali oglu	1982
175. Hasanova Bahar Ali gyzy	1987
176. Hasanova Geuzal Ali gyzy	1990
177. Salimova Aygun Araz gyzy	1987
178. Salimova Aytekin Araz gyzy	1986
179. Salimov Ilgar Araz oglu	1989
180. Alekperov Amid Tavakkul oglu	1982
181. Zeynalov Elshad Tofiq oglu	1981
182. Usubov Elmir Zakir oglu	1991
183. Usubova Narmin Zakir gyzy	1992
184. Guliyeva Zarifa Taleh gyzy	1992
185. Imani Nabib Malik oglu	1980
186. Ismayilova Ulviya Vidadi gyzy	1992
187. Safiyeva Susan Elkhan gyzy	1988
188. Mammadov Ramil Yasha oglu	1980
189. Mammadova Elnara Yasha gyzy	1981
190. Mammadova Samira Yasha gyzy	1987
191. Mammadov Amil Yasha oglu	1992
192. Allahverdiyeva Gunel Ziyadkhan gyzy	1988
193. Allahverdiyev Anar Ziyadkhan oglu	1990
194. Allahverdiyev Gabil Ziyadkhan oglu	1992
195. Allahverdiyev Elgiz Novruz oglu	1979
196. Amirli Vusal Kamil oglu	1988
197. Amirli Aytadj Kamil gyzy	1991
198. Amirli Amil Kamil oglu	1992
199. Muradov Zahid Zahid oglu	1992
200. Chobanov Teymur Tapdyg oglu	1979
201. Chobanov Seymur Tapdyg oglu	1980
202. Hashimova Nishana Salim gyzy	1992
203. Azizov Galib Huseyn oglu	1980
204. Azizov Vugar Huseyn oglu	1984
205. Azizova Rahila Ibrahim gyzy	1981
206. Abbasova Zemfira Valiaddin gyzy	1987
207. Abbasova Reyhan Valiaddin gyzy	1990
208. Nabiyeva Tutu Mahaddin gyzy	1980
209. Hasanov Ibrahim Ramil oglu	1981
210. Karimova Firangiz Frunz gyzy	1986
211. Mammadova Khatira Vasif gyzy	1992
212. Karimov Intigam Intigam oglu	1992
213. Hamdiyeva Gulnara Usdab gyzy	1986
214. Hamdiyev Islam Usdab oglu	1987
215. Hamdiyeva Gulara Usdab gyzy	1988
216. Hamdiyeva Khalida Usdab gyzy	1991
217. Azizov Alzamin Azim oglu	1980
218. Aliyeva Khatira Ilham gyzy	1992
219. Aliyeva Ulviya Rasim gyzy	1990
220. Guliyev Shaig Shamsi oglu	1984
221. Guliyeva Ilaha Shamsi gyzy	1986
222. Guliyeva Shahnaz Shamsi gyzy	1988
223. Novruzova Piyala Alesker gyzy	1981
224. Novruzov Ulvi Alesker oglu	1983

**LIST OF THE CHILDREN HAVING LOST BOTH PARENTS
AT THE KHOJALY TRAGEDY**

1. Khalilova Hamayil Tahir gyzy	1987
2. Khalilova Khayala Tahir gyzy	1992
3. Gahramanova Nigar Tavakkul gyzy	1987
4. Gahramanova Khazangul Tavakkul gyzy	1984
5. Gahramanov Vusal Tavakkul oglu	1991
6. Aliyev Mehdi Firdovsi oglu	1990
7. Huseynova Afsana Tofig gyzy	1981
8. Huseynova Yasamen Tofig gyzy	1980
9. Huseynov Murad Tofig oglu	1983
10. Orudjova Khatira Telman gyzy	1983
11. Orudjova Kubra Telman gyzy	1989
12. Orudjov Anar Telman oglu	1990
13. Maharramova Vusala Vagif gyzy	1982
14. Maharramova Sabina Vagif gyzy	1978
15. Maharramov Vusal Vagif oglu	1985
16. Maharramov Natig Vagif oglu	1980
17. Maharramov Namig Vagif oglu	1986
18. Ibrahimov Sabir Alikhan oglu	1981
19. Ibrahimov Samir Alikhan oglu	1984
20. Hamidova Nigar Sabir gyzy	1980
21. Hamidov Mubariz Sabir oglu	1978
22. Hamidov Mushfig Sabir oglu	1976
23. Hamidov Eldaniz Sabir oglu	1980
24. Huseynov Yashar Huseyn oglu	1978
25. Huseynov Adalat Huseyn oglu	1983

MISSING PEOPLE

1. Aslanova Elnara Tofig gyzy	1978
2. Asadov Yalchyn Asif oglu	1957
3. Aliyev Firdovsi Isa oglu	1956
4. Aliyeva Heyran Murshud gyzy	1962
5. Aliyev Elchin Firdovsi oglu	1982
6. Aliyev Elgiz Firdovsi oglu	1984
7. Pashayev Aladdin Bahlul oglu	1961
8. Karimov Intigam Shahmaly oglu	1960
9. Azizov Azim Mashadi oglu	1911
10. Mammadov Zahir Ramiz oglu	1975
11. Mammadov Razmik Suren oglu	1965
12. Hasanova Gunash Abdul gyzy	1910
13. Hasanova Makhmar Alakbar gyzy	1942
14. Hasanova Gatiba Mirsahib gyzy	1951
15. Guliyeva Sara Huseyn gyzy	1955
16. Guliyeva Ravana Garyaghdy gyzy	1979
17. Guliyeva Nurana Garyaghdy gyzy	1981
18. Guliyev Shukur Garyaghdy oglu	1985
19. Huseynov Chingyz Usub oglu	1955
20. Allahyarov Etibar Balaoghlan oglu	1968
21. Aghayarov Nabi Isak oglu	1981
22. Aghayarova Sevindj Isak gyzy	1985
23. Aghayarov Roman Isak oglu	1986
24. Mehdiyeva Gulmira Murad gyzy	1989
25. Shahverdiyev Vugar Mammad oglu	1973
26. Guliyev Zakir Latif oglu	1965
27. Mammadov Saday Suleyman oglu	1936
28. Gambarova Matanat Hady gyzy	1967
29. Gambarov Safar Garsalan oglu	1961
30. Gambarov Nadir Garsalan oglu	1971
31. Gambarova Valida Boran gyzy	1941
32. Gambarov Garsalan Garay oglu	1939
33. Gambarova Esmira Safar gyzy	1985
34. Gambarov Emin Safar oglu	1986
35. Allahverdiyev Ziyadkhan Salah oglu	1957
36. Allahverdiyev Novruz Salah oglu	1947
37. Allahverdiyev Mahir Novruz oglu	1974
38. Usubov Aliyar Kamran oglu	1967
39. Usubov Elshad Kamran oglu	1974
40. Usubov Zakir Kamran oglu	1965
41. Usubov Siyavush Ramiz oglu	1971
42. Zeynalov Tofig Asian oglu	1959
43. Zeynalov Eldar Asian oglu	1963
44. Safiyev Elkhan Nasib oglu	1961
45. Hamidov Kifayat Chirag gyzy	1956
46. Baghyrov Elshan Hasan oglu	1965
47. Huseynova Mehriban Allahverdy gyzy	1965
48. Huseynov Radjab Elkhan oglu	1984
49. Huseynova Shabnam Elkhan gyzy	1986
50. Huseynov Meshar Elkhan oglu	1991
51. Mammadov Kamil Amir oglu	1958
52. Mustafayeva Yakhshy Mehdigulu gyzy	1900

53. Aliyev Ulfat Iman oglu	1974
54. Huseynova Rasmiya Alexander gyzy	1968
55. Huseynov Emin Alexander oglu	1975
56. Aghalarov Sadyg Shirkhan oglu	1932
57. Aghalarova Gullu Surkhay gyzy	1934
58. Samadov Tariyel Baylar oglu	1964
59. Abasov Valiaddin Umidvar oglu	1963
60. Jafarov Mahammadali Valikishi oglu	1895
61. Jafarova Baghdad Hasan gyzy	1910
62. Salimova Odelya Allahverdi gyzy	1930
63. Aliyeva Khavar Yusif gyzy	1928
64. Aliyeva Svetlana Javanshir gyzy	1957
65. Orudjov Fazil Anvar oglu	1981
66. Salimov Seydi Mikayil oglu	1934
67. Huseynova Makhmar Gurban gyzy	1949
68. Mikayilov Mirsahib Hasrat oglu	1922
69. Huseynova Minash Jumshud gyzy	1934
70. Huseynov Bakir Mirsahib oglu	1956
71. Behbudova Suraya Ibrahim gyzy	1930
72. Behbudova Gulnar Yusif gyzy	1962
73. Behbudova Gulbahar Yusif gyzy	1968
74. Abyshova Mahbuba Gurban gyzy	1960
75. Abyshova Chinara Nazim gyzy	1982
76. Abyshov Chingyz Nazim oglu	1985
77. Abyshova Madina Badirkhan gyzy	1908
78. Karimov Sultan Samran oglu	1969
79. Abyshova Minara Rahim gyzy	1910
80. Abyshov Mobil Mevsum oglu	1968
81. Ismayilov Ibish Karim oglu	1938
82. Maharramov Vagif Jamil oglu	1951
83. Maharramova Basira Ali gyzy	1956
84. Ismayilova Manzar Mashdi gyzy	1908
85. Hasanov Reuvshan Gachay oglu	1958
86. Ibrahimov Alikhan Khalil oglu	1955
87. Ibrahimova Fatima Mashadi gyzy	1959
88. Abdulov Elmar Iskandar oglu	1949
89. Abdulov Zahid Elmar oglu	1973
90. Alakbarov Askar Gurban oglu	1930
91. Aghayev Allahverdi Sattar oglu	1982
92. Aslanova Gulsabah Gayyum gyzy	1972
93. Hadjiyev Suleyman Latif oglu	1949
94. Mammadov Vagif Shukur oglu	1940
95. Mammadova Afila Ibrahim gyzy	1949
96. Mammadov Azer Vagif oglu	1972
97. Mammadov Jeyhun Vagif oglu	1975
98. Mammadov Niyamaddin Vagif oglu	1978
99. Alimammadov Vagif Shahmaly oglu	1962
100. Hagverdiyev Shahin Mashdi oglu	1962
101. Shahmuradov Neymat Musa oglu	1962
102. Mammadova Saltanat Zulal gyzy	1931
103. Mammadova Latifa Ibad gyzy	1958
104. Aliyev Sabahi Jahangir oglu	1978
105. Aliyev Salim Jahangir oglu	1985
106. Orudjov Javan Janan oglu	1976
107. Guliyev Natig Valiaddin oglu	1972
108. Garayev Usubali Suleyman oglu	1961
109. Abdilov Mazahir Yagub oglu	1960
110. Salimova Tamila Aghamaly gyzy	1936

111. Salimov Khazar Siyavush oglu	1974
112. Mammadov Shevkat Ibad gyzy	1964
113. Jafarov Samir Tadjir oglu	1987
114. Bidzinov Zeynali Mammad oglu	1926
115. Boranov Magsud Ali oglu	1928
116. Abbasova Hamayil Janysh gyzy	1940
117. Abbasova Sughra Alish gyzy	1917
118. Valiyeva Nazila Kamil gyzy	1966
119. Valiyev Aghasaf Zakir oglu	1986
120. Valiyeva Guldana Zakir gyzy	1989
121. Huseynov Vugar Hilal oglu	1971
122. Ilyasov Mahammad Ilyas oglu	1940
123. Ahmadova Sarvinaz Mukhtar gyzy	1900
124. Ilyasov Ahmad Mammad oglu	1968
125. Ahmadov Natig Ilyas oglu	1968
126. Alimammadov Faig Shahmaly oglu	1969
127. Mammadov Mammad Rahim oglu	1935
128. Mammadov Seuhbat Mammad oglu	1976
129. Binaliyev Alili Gulali oglu	1967
130. Binaliyev Jabbar Gulali oglu	1969
131. Badirov Ali Rais oglu	1968
132. Mammadov Aydin Gurban oglu	1964
133. Shahveranov Maharram Jodar oglu	1930
134. Nasirova Tatyana Dmitriyevna	1952
135. Budish Dmitri Nikolayevich	1930
136. Humatova Simuzar Jannat gyzy	1976
137. Humatov Mughan Jalil oglu	1973
138. Huseynov Huseyn Ismayil oglu	1934
139. Huseynov Aziz Alysh oglu	1956
140. Huseynova Khoshbakht Huseyn gyzy	1963
141. Huseynova Susan Huseyn gyzy	1971
142. Huseynova Emma Huseyn gyzy	1969
143. Huseynov Zeuhrab Huseyn oglu	1971
144. Azizov Mehman Gudrat oglu	1959
145. Jafarov Nusrat Fazil oglu	1975
146. Hashimov Shevkat Shukur oglu	1943
147. Aghayev Vidadi Shamsaddin oglu	1960
148. Shahmuradov Namig Amirkhan oglu	1965
149. Alaskarov Mazahir Maharram oglu	1969
150. Aliyev Ayaz Elman oglu	1971
151. Zeynalov Osman Bahadur oglu	1959
152. Rzayev Ildyrym Barat oglu	1970
153. Guliyev Shukur Barhudar oglu	1949
154. Guliyeva Makhmar Khanlar gyzy	1930
155. Huseynova Gyzbas Mardan gyzy	1934

Source: Havva Mammadova: Khodjaly; Victims and Witnesses. Publishing House "House of Tales", Baku - 2005, p. 63-91.

LIST OF OFFICERS AND WARRANT OFFICERS OF 366TH REGIMENT PARTICIPATING IN THE KHOJALY GENOCIDE

1. Zarvigorov Yuri Yuriyevich – was born on 02.03.1955 in Lugovaya station of Jambul settlement of Kazakhstan. Commander of regiment 366;
2. Chitchiyan Valeriy Asaakovich – vice-chairman of headquarters of 1st battalion of regiment 366, major;
3. Ayriyan Vachagan Grigoryevich – major, chairman of regiment intelligence;
4. Ohanyan Seyran Mushegovich – was born in 1961, commander of 2nd battalion of the regiment, major;
5. Arutyunov Alexander Alexandrovich - major, deputy of the commander of 2nd battalion;
6. Akopyan Nerses Grantovich – chief lieutenant, commander of the 2 company of 1st battalion;
7. Arutyunyan Vladislav Vladimirovich – captain, commander of the 2nd battalion;
8. Baylaryan Armen Volodiyevich – warrant officer, technician of 1st company;
9. Ayrapetyan Vachik Gurgenovich – sergeant-major of 3rd company;
10. Mirzoyan Vachik Grantovich - sergeant-major of 3rd company;
11. Shikhanyan Andrew Artyushevich – organization commander of 1st battalion;
12. Khachaturyan - sergeant-major of 6th company;
13. Abramyan V.V – head technician of 2nd battalion, warrant officer;
14. Baylaryan Sergey Yurikovich – troop commander of 2nd battalion;
15. Danilyan Armen Barinovich – sergeant-major of 7th company;
16. Avanesyan – chief technician of 2nd company;
17. Zakharyan – troop commander of the anti-aircraft company, warrant officer;
18. Bagdasaryan Valeri – sergeant-major of tank company;
19. Kisabayyan Grigoriy Akopovich – troop commander in communication company, warrant officer;
20. Arustamyan - chief technician in the communication company;
21. Amelyan Garik – head of the canteen, warrant officer;
22. Avenesyan Robik – head of the good depot, chief warrant officer;
23. Arutyunyan Kamo Rafaelovich – troop commander of the repair company, warrant officer;
24. Musaelyan – troop commander of the repair company;
25. Sarkisyan Alexander – chief technician of the repair company, warrant officer;
26. Osipov Yuri – head of the rocket artillery depot;
27. Simonyan Valeri – sergeant-major of material supplies company;
28. Petrosyan Ashot – head of the secret unit, warrant officer;
29. Nabokikh Yevgeniy – major, commander of 3rd battalion (his wife is Armenian);
30. Likhodey Igor Ivanovich – commander of artillery division, captain;
31. Miroshnichenko Igor – commander of material supplies company, head lieutenant;
32. Smagin – lieutenant, commander of tank division;
33. Kuznetsov Andrew – commander of chemical defense company, lieutenant;
34. Garmash Viktor - head lieutenant, commander of tank company;
35. Belyazin – troop commander of tank company, lieutenant;
36. Mirmehdiyev – commander of 3rd company, head lieutenant;
37. Fotimski – commander of 3rd company of 2nd battalion, captain;
38. Bugayenko – 3rd troop commander of 4th company of 2nd battalion, lieutenant;
39. Potapov – commander of 4th company of 2nd battalion, captain;
40. Krut – commander of the 6th company of 2nd battalion, captain;
41. Savintsev - commander of 4th company of 2nd battalion, lieutenant;
42. Dobranski – intelligence troop commander of 4th company of 2nd battalion, lieutenant;
43. Bobolev – headquarters head of 2nd battalion, captain;
44. Minin – deputy of commander of 2nd battalion, captain;
45. Tevosyan - commander of 5th company of 2nd battalion, captain;
46. Bogachev – officer of 3rd battalion, head lieutenant;
47. Kurchatov – officer of 3rd battalion, head lieutenant;
48. Maftullin - officer of 3rd battalion, head lieutenant;
49. Kuzmanovich - officer of 3rd battalion, head lieutenant;

50. Ivanov - officer of 3rd battalion, captain;

51. Matveyev – commander of artillery division of the 3rd battalion, captain.

WITNESSES

Daud Kheyriyan, “For the sake of Cross...”, page 24, published by “Ash-Sharg” (East) Agency in Beirut:

“... Sometimes we happened to march on dead bodies. In order to cross a swamp near Dashbulag, we have paved a road composed of dead bodies. I refused to march on dead bodies. Then colonel Oganyan ordered me not to scare. It is one of military laws. I have pressed my one foot onto the breast of a wounded girl aged 9 or 10 years and marched...

My legs, my photo camera were in blood...”

Daud Kheyriyan, “For the sake of Cross...” page 62 and 63:

“... the Armenian group “Gaflan” (dealing with burning of dead bodies) have collected 100 dead bodies of Turks (Azerbaijani) and burned them in a place located one kilometer from Khojaly to the West on March 2... I saw girl aged 10 and wounded in hands and in head lying in last truck. Her face was already of a blue color. However, she was still alive despite of hunger, coldness and wounds. She had a little breath. I cannot forget her eyes striving with death... Suddenly a soldier called Tigranyan took that body and thrown it on other dead bodies... Then they have burned dead bodies. It seemed to me that someone was crying in fire between dead bodies... After all, I could not go further. However, I wanted to see Shusha... I returned. And they continued their battles for the sake of Cross....”

KHATIRA TELMAN ORUJOVA, 8 years old...

Scars remained forever on a soul of this little 8 years old girl will grind a rock... She recalls that awful night...

We were asleep. Suddenly we heard a strange boom... In that moment, we observed neighboring houses torched... We ran down to tunnels.

How many persons were you?

My dad, mom and four children. My aunt Sevil was with us. Two neighbors and their two children... We spent four hours in tunnel.

Where did you get that you have remained there for four hours?

Our neighbor said that we are here for four hours. Then, a man named Shaig came up and said that other side of neighborhood in fire, get away to forest and we ran into there. My little sister named Khayala was in ma’s hands and other sister was carrying by my pa.

The night has fallen in forest. Dad said put your watch on six. We were stopped in Nakhichevanik. Guides has gone ahead to ask a route, but they did not get an answer. We remained in deep forest. When sun was rising, they shoot my mother. Then, the bullets reached my aunt. She was seventeen years old. Her name was Sevil. My mother Irada was twenty-six years old. I do not know the age of my father. His name is Telman Orujov...

When Armenians shoot me, my mother was close to me. Her wound did not let us to run away. I was lying next to my mother. We lost our dad in forest. Then, suddenly I felt carried by a militiaman to Agdam.

Khatira’s mother is not with her now to correct her saying. She asked me about her mother... She sent me I replied. She is in hospital of Agdam. She was so thoughtful when asking the surname of her mother...

“Irada Orujova” - came the reply. (I found her surname after she told her story in forest.) She shook her head...

No. My mother holds her maiden surname. Then, tell me her hair, are they soft or short? I did not know what to reply...

If I would reply, I could convince her. At least, I could to see her quiet while medical treatment... I was so embarrassed... That was the most awful tragedy... Why I could not tell her mother’s hair or surname...?

JEAN-IVE-YUNET, journalist (France)

...We happened to be the witnesses of Khojaly massacre; we saw the dead bodies of hundreds of civilians-women, children, old-age people and defenders of Khojaly. We managed to fly by helicopter; we were taking photographs of everything we saw around Khojaly at a height of a bird’s flight. However, Armenians started shooting our helicopter and we could not manage to finish our job. That was a terrible scene. I heard a lot about wars, about cruelty of German fascists, but Armenians went beyond them, killing 5 or 6 year-old children, innocent people. We saw a lot of injured people in hospitals; carriages, even in

kindergarten and school buildings.

V. Belykh “Izvestia” newspaper reporter

... The dead-bodies exchanged for the alive hostages are occasionally brought to Agdara. You will not see it even in a nightmare: pierced out eyes, cut off ears, scalped heads cut off heads. A number of corpses were dragged by ropes after the armed personnel earners. There was no limit to humiliation...

SARIYA TALYBOVA, the resident of Khojaly.

...They brought us to the Armenian cemetery. It is hard for me to describe what happened here. Four young Turks-meskhets (they fled from Uzbekistan and took shelter in Azerbaijan - Editor's Commentary) were shot dead on the grave of an Armenian armed man to sacrifice for him. Then they cut off the dead men's heads. Later the soldiers and Armenian bandits started killing and torturing the children in front of their parents. Then the truck arrived and it threw the corpses into the ravine. However, they did not satisfy their appetites yet; these predators with human appearance brought two Azerbaijanis wearing national army uniform and pierced their eyes with screwdrivers...

Mushfig ALIMAMEDOV, the resident of Khojaly. Escaping from the town, he was injured and had been left to lie on the snow for 2 days:

... We had guns: machine-guns, rifles, shotguns. We did not have any ammunition or food. We were exhausted by a long-term blockade. On February 25, Armenians started shooting at midnight, armed forces and vehicles launched the attack. First, they captured the airport and burnt it down. They did not spare anyone, either old-age people and women or children. Many people were burned alive in their homes, especially near the airport. An awful smell of burned meat haunts me even now...

Most of town-defenders were killed in action. The survivors were trying to escape in the woods on the way to the village of Shelli to break through to Agdam. They were ambushed near the Armenian village of Nakhichevanik on the way to Agdam.

Many people were killed in the ambush near the village. The director of the airport Alif Hadjiyev was killed here. He was there to rescue women. He was the one to have organized the efficient work of the airport. Armenians had already promised the award for his - life before.

MINESH ALIYEVA, 50, the resident of Khojaly, with a bullet wound in the arm.

...We wandered along the woods falling through the deep snow. When we were crossing the road, a bullet lodged in my arm. I fell down and could not get up.

A very intensive shooting started from the wood and shelters. Alif grabbed me and started pulling to the rear of the road. Then he rushed towards the bushes to hide and started retaliating shooting at Armenian armed men. Shooting from the woods ceased for some time. Alif started shouting at the women lying on the other side of the road and ordered them to cross the road them to cross the road as soon as possible. He used to shoot sporadically and every time he did, the Armenians stopped shooting. About 20 women managed to run across the road. When Alif started to change the cartridge drum Armenians shot in retaliation. At this moment, he was shot through the forehead. It was an awful sight...

ELMAN MAMEDOV, head of the executive power:

...The storming of the town started with artillery shelling that had been going on for 2 hours. Armenian armed men fired from tanks, armed personnel carriers, using shells of Alazan type. We were blocked from three sides. The only break out line was Askeran gap. When Armenian infantry soldiers launched the attack, everything in Khojaly had been destroyed. Most of its residents had been shot dead. We defended the town down in trenches until 2 a.m. We failed to resist any more, the defenders and civilians started retreating. Having crossed the ice-cold river we were moving towards Keteen Mountain. Many people died on the way in the woods where they were frozen to death. We were walking until 7 a.m. when we came out of the woods near Armenian village of Nakhichevanik. We were trapped in a gorge, where Armenians armed with machine-guns and submachine guns were waiting for us in armed personnel carriers. That is when the real slaughter began. Armenians just shot and shot innocent defenseless people. Many children and women were shot dead here. Some people were fleeing towards the village of Gulably where about 200 people were taken hostage. We helped the survivors and some of the residents of the town managed to get to Agdam. Seven of my friends with me failed to get out of the ambush, it was too late, but we got lucky; we found the cover from fire. We were hiding there from 9 a.m. until 8 p.m. Only in the

evening when -it started snowing we managed to get out of it and reach Agdam early in the morning of February 27.

CHINGHIZ MUSTAPHAYEV, Azerbaijan Television reporter:

... Dozens and dozens of shot dead people, children aged from two to 15, women, old age people. The location of the corpses proves that it was a cold-blooded slaughter; there were no signs of resistance or attempts to escape.

Some civilians were-shot separately, the others were killed in groups, or families. Some corpses have several wounds but every corpse has at least one wound in the head. It means that the wounded were finished off afterwards.

The camera witnessed several children with their ears cut off. The skin from the left part of the old woman's face was missing. Men were scalped. There were corpses with the signs of pillage.

First time we arrived at the scene of massacre by two war helicopters on February 28. Up from the helicopter we saw the mountainside of about 500 metres long filled with corpses. The pilots were scared of landing because Armenian bandits controlled the area. However when we managed to land and stepped onto the land the shooting started. The Internal Ministry men were to load the corpses and take them to the relatives of the dead. They managed to load only four corpses. We were all shocked. Two men after seeing so many dead and mutilated corpses fainted. Many people got sick.

The same thing- happened on March 2, when we flew there with foreign journalists. Many dead-bodies were even more mutilated than before. They had been scooped at for several days...

SANUBAR ALEKPEROVA, the resident of Khojaly

... Hasanabad, Mehdikend, and Boz-dagy - they were shooting from these places. The land shuddered at the sound of armoured infantry vehicles smashing into Khojaly. At first women and children were told to hide in the basements.

Then Elman Mamedov, head of the executive power came and said that we had to escape, otherwise we would be exterminated. Alif Hadjiyev, director of the airport organized a breakthrough through Armenian lines to lead the civilians to Agdam. We were trapped in an ambush near the village of Nakhichevanik. I will never forget, what I saw here: there were Mountainsides tilled with corpses. My mother was shot dead. My daughters Hidjran and Sevindj were injured. At the same moment, the bullet lodged on me. Young women and children perished from the wounds on the snow.

We had radio station with us. We cried, we tried to report what was happening, we begged for help, but nobody helped us.

DJAMIL MAMEDOV, the resident of Khojaly.

Tanks and armed personnel carriers destroyed the houses, smashed f down the people. Armenian bandits followed Russian soldiers. I took my 5-year-old grandson and 14.000 roubles and ran towards the woods. I took off my clothes and wrapped the child up in them so that he would not die of cold. However, it would not help. We had to hide inside the snow with the child.

In the morning, I realized that the child would not stand the cold any more and I started walking towards the nearest Armenian village of Nakhichevanik where Armenian armed men trapped us. I begged them to take my money for the sake of the child and let us pass to Agdam. They cursed and beat me in response and brought me to their commander. He ordered to keep us locked up in the cattle-shed. There had already been Azerbaijani women and children. They kept us in the cattle-shed for 4 days without any food or water. However, for one kind family that used to stealthily bring us some bread and water at night we could have died, we would not have been able to stand all these tortures. However, there is no limit to anger. When four days later I was brought to Askeran with my grandson the events I saw lure were so awful that cattle-shed in Nakhichevanik seemed paradise to me.

Foreign mercenaries (I know Armenian and I can tell local Armenian people from foreign ones) pulled out my toenails. Negroes who were among Armenians were jumping high kicking me into the face. After these tortures, I was exchanged for some Armenian. However, they took away my grandson. I know nothing about the fate of my wife and my daughter.

YURI YAKHOVITCH, the private of infantry regiment no 366.

...They persuaded that we were Christians and we had to fight against Moslems. They kept us in awful subhuman conditions, we could not bear being there and we had desert the regiment and escape to

Khojaly...

Leonid Kravets, officer, major.

On February 26, I was taking the wounded out of Stepanakert by helicopter and returning through Askeran gap. Some bright spots downwards took my eye. We started to descend and my co-pilot cried: Look! There are women and children over there. I saw about two hundred corpses scattered down - the hillside. Armed men were walking among them. Then we flew there trying to pick up corpses. Militia captain, I cannot remember his name, was with us. He found his 4-year-old son with crashed skull and he went out of his mind. The other child that we had managed to pick up before they started shooting had his head cut off. I saw mutilated bodies of women, children, and old-age people everywhere...

EXTRACTS FROM EVIDENCES OF THE KHOJALY WITNESSES

The chests and the hearts of Azerbaijani children murdered by Armenians were torn and most of corpses were cut into pieces.

Haydarov Jamal Abdulhuseyn oglu - "There were many corpses of mutilated Azerbaijanis some 2 km away from a farm near Garagaya. The chests and the hearts of murdered children were torn, and most of the corpses were cut into pieces".

Haydarov Shahin Zulfugar oglu saw about 80 corpses near the Nakhchivanik (Khojaly) village. The corpses were mutilated and the heads were cut off. Among them were Major Alif Hajiyev and his relatives Salimov Faxraddin, Salimov Mikayil.

Humbatov Jalil Humbatali oglu - Armenians shot his wife Furuza, his son Mugan, his daughter Simuzer and his daughter-in-law Sudaba in his evidence.

Pashayeva Kubra Adil gizi - was surrounded by the Armenians in the forest of Katik. Over the bush she hid, she saw shooting down of her husband Pashayev Shura Tapdig oglu his son Pashayev Elshad Shura oglu.

Amirova Khazangul Tevekkul gizi - Armenian armed men took all her family as hostage. Armenians shot her mother Raya, 7-year-old sister Yegana and aunt Goyja burnt her father Amirov Tevekkul by flowing fuel on him.

Aliyeva Zoya Ali gizi remained 3 days in the forest together with 150 people. Ahmadova Dunya and her sister Gulkhara froze in the forest.

Mustafayeva Kubra Alish gizi – "As soon as Armenians took us hostages they shot down 6 men near me".

Kerimova Saida Gurban gizi - "We were among 12 hostages. Armenians murdered with torture my daughter Nazaket, Tapdig, Saadet, Irada".

Najafov Ali Agami oglu - "Armenians surrounded running people and shot 30-40 of them down."

**The State Commission on prisoners of war,
hostages and missing persons**

KHOJALY MASSACRE

In February 1992, an unprecedented massacre was committed against the Azerbaijani population in the town of Khojaly. This bloody tragedy, which became known as the Khojaly genocide, involved the extermination or capture of the thousands of Azerbaijani's; the town was razed to the ground. Over the night from 25 to 26 February 1992 the Armenian armed forces with the help of the infantry guards regiment No. 366 of the former USSR implemented the seizure of Khojaly a small town situated in the Nagorny Karabakh region of the Republic of Azerbaijan with the total area of 0.94 sq. km. and the population before the conflict of 23,757.

The inhabitants of Khojaly remained in the town before the tragic night (about 2500 people) tried to leave their houses after the beginning of the assault in the hope to find the way to the nearest place populated by the Azerbaijanis. But these plans have failed. Invaders destroyed Khojaly and with particular brutality, which violated every norm of common sense, implemented carnage over its peaceful population.

Brutal annihilation of hundreds of blameless inhabitants of Khojaly was one of the most heinous crimes during the armed conflict in and around the Nagorny Karabakh region of the Republic of Azerbaijan. The Armenian armed forces and foreign military units spared virtually none of those who had been unable to flee Khojaly and the surrounding area. As a result, 613 persons were killed, including 106 women, 63 children and 70 elderly people. 1,275 inhabitants were taken hostage, while the fate of 150 persons remains unknown to this day. In the course of the tragedy 487 inhabitants of Khojaly were severely maimed, including 76 children not yet of age. 6 families were completely wiped out, 26 children lost both parents, and 130 children one of their parents. Of those who perished, 56 persons were killed with especial cruelty: by burning alive, scalping, beheading, gouging out of eyes, and bayoneting of pregnant women in the abdomen. Armenian officials deny their responsibility for the crimes committed during the conflict, including against the population of Khojaly, airily falsifying facts and sharing own interpretations of them, which deviate not only from reality but also from elementary logic. Nevertheless, even the subtlest propaganda will never manage to disprove the facts that speak of a situation diametrically opposite to that represented by the Armenian side.

Apart from the considerable information in possession of the lawenforcement agencies of the Republic of Azerbaijan, the responsibility of Armenia is documented also by numerous independent sources and eyewitnesses of this tragedy.

Thus, as Thomas Goltz reported, "the attackers killed most of the soldiers and volunteers defending the women and children. They then turned their guns on the terrified refugees."

According to Reuters, though "the Republic of Armenia reiterated denials that its militants had killed 1,000 people in the Azerbaijanipopulated town of Khojaly last week and had massacred men, women and children fleeing the carnage across snowcovered mountain passes", "but dozens of bodies scattered over the area lent credence to Azerbaijani reports of a massacre."

In view of The Times, "more than sixty bodies, including those of women and children, have been spotted on hillsides in Nagorny Karabakh, confirming claims that Armenian troops massacred Azeri refugees."

In response to misrepresentation by the Armenian side, Executive Director of the Human Rights Watch/Helsinki Holly Cartner made clear that the Armenians bore direct responsibility for the civilian deaths in Khojaly, while no evidence supported the argument of the Armenian side that Azerbaijani forces had obstructed the flight of, or had fired on Azerbaijani civilians.

Congressman Dan Burton in his speech in the U.S. House of Representatives on 17 February 2005 pointed out the following:

For years a number of distinguished Members of this House have come to the Floor of this Chamber every April to commemorate the so-called Armenian Genocide the exact details of which are still very much under debate today almost 90 years after the events. Ironically and tragically, none of these Members has ever once mentioned the ethnic cleansing carried out by the Armenians during the ArmeniaAzerbaijan war which ended a mere decade ago. Khojaly was a little known small town in Azerbaijan until February 1992. Today it no longer exists, and for people of Azerbaijan and the region, the word "Khojaly" has become synonymous with pain, sorrow, and cruelty. On February 26,1992, the world ended for the people of Khojaly when Armenian troops supported by a Russian infantry regiment did not just attack the town but they razed it to the ground. In the process the Armenians brutally murdered 613 people, annihilated whole families, captured 1275 people, left 1,000 civilians maimed or crippled, and another 150 people unaccounted for in their wake. This savage cruelty against innocent women, children and the elderly is unfathomable in and of itself but the senseless brutality did not stop with Khojaly. Khojaly was simply the first. In fact, the level of brutality and the unprecedented atrocities committed at Khojaly set a pattern of destruction and ethnic cleansing that Armenian troops would adhere to for the remainder of the war.

Armenian officials deny their responsibility for the crimes committed during the conflict, including against the population of Khojaly, airily falsifying facts and sharing own interpretations of them, which deviate not only from reality but also from elementary logic. Nevertheless, even the subtlest propaganda will never manage to disprove the facts that speak of a situation diametrically opposite to that represented by the Armenian side.

Apart from the considerable information in possession of the lawenforcement agencies of the Republic of Azerbaijan, the responsibility of Armenia is documented also by numerous independent sources and eyewitnesses of this tragedy as well as is acknowledged by the direct perpetrators of the massacre.

Thus, for example, Markar Melkonian, brother of the wellknown international terrorist Monte Melkonian, while considering what has happened in Khojaly simply as a consequence of "discipline problems" and "insubordination" among Armenian military units, testified the following:

At about 11:00 p.m. the night before, some 2,000 Armenian fighters had advanced through the high grass on three sides of Khojaly, forcing the residents out through the open side to the east. By the morning of February 26, the refugees had made it to the eastern cusp of Mountainous Karabagh and had begun working their way downhill, toward safety in the Azeri city of Agdam, about six miles away. There, in the hillocks and within sight of safety, Mountainous Karabagh soldiers had chased them down. "They just shot and shot," a refugee woman, Raisa Aslanova, testified to a human Rights Watch investigator. The Arabo fighters had then unsheathed the knives they had carried on their hips for so long, and began stabbing.

Now, the only sound was the wind whistling through dry grass, a wind that was too early yet to blow away the stench of corpses.

Monte crunched over the grass where women and girls lay scattered like broken dolls. "No discipline", he muttered. He knew the significance of the day's date: it was the runup to the fourth anniversary of the antiArmenian pogrom in the city of Sumgait. Khojaly had been a strategic goal, but it had also been an act of revenge.

In his book "Black Garden: Armenia and Azerbaijan through peace and war", the British journalist Thomas de Waal makes references to words of the Armenian militaries. Thus, "an Armenian police officer, Major Valery Babayan, suggested revenge as a motive. He told the American reporter Paul QuinnJudge that many of the fighters who had taken part in the Khojaly attack "originally came from Sumgait and places like that."

But the most important was that the recently elected President of Armenia Serzh Sarkisian said of what had had happened:

Before Khojaly, the Azerbaijanis thought that they were joking with us, they thought that the Armenians were people who could not raise their hand against the civilian population. We were able to break that [stereotype]. And that's what happened. And we should also take into account that amongst those boys were people who had fled from Baky and Sumgait.

As Thomas de Waal sums up, "Sarkisian's account throws a different light on the worst massacre of the Karabakh war, suggesting that the killings may, at least in part, have been a deliberate act of mass killing as intimidation".

The facts mentioned above confirm that the intentional slaughter of the Khojaly town civilians on 2526 February 1992, including children, elderly and women, was directed to their mass extermination only because they were Azerbaijanis. The Khojaly town was chosen as a stage for further occupation and ethnic cleansing of Azerbaijani territories, striking terror into the hearts of people and creating panic and fear before the horrifying massacre.

BIBLIOGRAPHY

1. "Armenian soldiers massacre hundreds of fleeing families", The Sunday Times, 1 March 1992.
2. "Massacre by Armenians being reported", The New York Times, 3 March 1992.
3. Anatoly Lieven, "Massacre uncovered", The Times, 3 March 1992.
4. Human Rights Watch/Helsinki, 24 March 1997.
5. Markar Melkonian, My Brother's Road. An American's Fateful Journey to Armenia (London & New York: I.B.Tauris, 2005), pp. 213-214.
6. Paul QuinneJudge, "Armenians, Azerbaijanis tell of terror; Behind an alleged massacre, a long trail of personal revenge", Boston Globe, 15 March 1992, as cited in Thomas de Waal, Black Garden: Armenia and Azerbaijan through peace and War (New York: New York University Press, 2003).

7. Thomas de Wall, Black Garden: Armenia and Azerbaijan through peace and war (New York & London: New York University Press, 2003), pp. 169-172.

“Diplomatiya aləmi” .2008. N-18-19.p. 91-94

GENOCIDE IN KHOJALY IN THE PERSPECTIVE OF THE INTERNATIONAL COURT OF JUSTICE

Saadat YUSIFOVA, candidate of legal sciences

Interrelationship of the principles of territorial integrity and self-determination of the nations with respect to the Nagorno-Karabakh conflict has been the object of study and international-legal analysis for a long time. Besides, the research has been carried out to find out the perspectives to lodge the case before the various international judicial organs for consideration.

However, the possibility of consideration of the issue of genocide in Khojaly within the international justice has not been the subject of study frequently. From this point of view, the study of the international-legal perspective of the tragedy Khojaly is the matter of great interest.

* * *

"Genocide" originates from the Greek word "*genos*" (birth, kind) and Latin word "*caecfo*" (murder). This term was introduced in 1944 by Polish lawyer and future US prosecutor at the Nuremberg Trials and used for the classification of the barbaric acts of the Nazi Germany in relation to the Jews. It was Lemkin to initiate first time to elaborate a treaty declaring the aggressive acts against national, religious or ethnic groups as international crimes

Although, the term genocide was not mentioned in the Judgment of the Nuremberg Tribunal, in the act of indictment it was noted that the accused persons had committed "genocide", i.e. "exterminated racial, religious groups, murdered part of civil population in the occupied territories with the purpose to destroy particular nations and classes, national, ethnic and religious groups..."

On 11 December 1946, the UN General Assembly adopting the Resolution in its first session declared that "genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right of existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations."

The UN Economic and Social Council elaborated the draft convention on prevention of genocide upon the instruction of the General Assembly. The Convention on the Prevention and Punishment of the Crime of Genocide adopted in 1948 and entered into force in 1951 sets forth the legal definition of "genocide".

In accordance with Article II of the Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in completely or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group

This definition of "genocide" does not match its etymological meaning, since the former includes not only killing, but also the other acts. However, unfortunately, more appropriate definition to encompass all the acts enumerated in Article II has not been revealed so far.

The definition of genocide, set forth in Article II was reproduced in Article 17 of the draft "Code of Crimes against the Peace and Security of Mankind" of 1996, as well as in the Statutes of the International Tribunals on Former Yugoslavia and Rwanda, Rome Statute of the International Criminal Court. The latter make difference between the genocide and crimes against humanity and war crimes, classifying them as separate international crimes.

I. The issue of Ratione temporis

The USSR signed the Convention on the Prevention and Punishment of the Crime of Genocide in 1949 and on 3 May 1954 presented its ratification instrument to the UN. In spite of that, the responsibility for genocide was envisaged in our legislation only in 2000 for the first time. Azerbaijan acceded to the Convention on 31 May 1996 and presented the instrument of accession to the UN on 16 August of the same year. In the meantime, Armenia acceded to the Convention on 23 June 1993. The tragedy in Khojaly took place on 26 February 1992. Azerbaijan and Armenia became the members of the UN and Statute of the International Court of Justice on 2 March 1992.

The question arises: *Was the Convention on prevention of genocide applicable with respect to massacre in Khojaly, i.e. was the Convention in force since the collapse of the Soviet Union respectively with regard to Azerbaijan from 8-21 December 1991 until 16 August 1996 and to Armenia from December 1991 to 23 June 1993?*

1. Succession of states in respect of treaties

International succession of states is one of the recently codified fields of international law. The UN International Law Commission elaborated some draft conventions in this field. As a result, the Diplomatic Conference in Vienna adopted the Convention on Succession of States in respect of Treaties on 23 August 1978 and the Convention on Succession of States in respect of State Property, Archives and Debts on 8 April 1983.

In effect, these conventions are the only international universal treaties in the field of international succession of states. International treaties, regulating the similar relations are of regional or bilateral character. As a rule, such kinds of treaties are concluded because of territorial changes (the collapse of the USSR, Yugoslavia, Czechoslovakia, the unification of Northern and Southern Yemen, FRG and GDR). Memorandum on Mutual Understanding on Issues of Succession in respect of Treaties of Mutual Interest of the Former USSR" (signed by Armenia, but not by Azerbaijan) belongs to the same category. The Memorandum determines the common approach with respect to the treaties of the USSR. (*Memorandum of the Council of Head of States on Mutual Understanding on Issues of Succession in respect of Treaties of Mutual Interest of the Former USSR, dated 6 July 1992*). Paragraph 1 of the Memorandum reads as follows,

Almost all the multilateral international treaties of the former USSR have mutual interest for the member states of the CIS. Nevertheless, these treaties do not require any joined decision or act of the CIS member states. **The issues of accession to these treaties are decided by each CIS member state independently, in accordance with the principles and norms of international law,** depending on specifics of each particular case, character and content of the treaty.

Neither Azerbaijan, nor Armenia acceded to the Vienna Convention of 1978 and 1983. Nevertheless, some provisions of the Vienna Conventions have the character of customs law and respectively, they have been asserted in international practice. For example, this is characteristic for the norm of the Convention (Article 31.1), which stipulates, **"When two or more States unite and so form one successor State, any treaty in force at the date of the succession of States in respect of any of them continues in force in respect of the successor State unless:"**

Or, according to Article 34 of the Convention,

1. When a part or parts of the territory of a State separate to form one or more States, whether or not the predecessor State continues to exist:

(a) any treaty in force at the date of the succession of States in respect of the entire territory of the predecessor State continues in force in respect of each successor State so formed;

(b) any treaty in force at the date of the succession of States in respect only of that part of the territory of the predecessor State which has become a successor State continues in force in respect of that successor State alone.

2. Paragraph 1 does not apply if:

(a) the States concerned otherwise agree; or

(b) it appears from the treaty or is otherwise established that the application of the treaty in respect of the successor State would be incompatible with the object and purpose of the treaty or would radically change the conditions for its operation.

The effort is undertaken in the "Memorandum on Mutual Understanding on Issues of Succession in respect of Treaties of Mutual Interest of the Former USSR" of 1992 to meet this lack. However, in practice, except the Russian Federation, declaring itself the successor in respect of treaties of the USSR, the majority of the former Soviet republics, as well as Armenia and Azerbaijan applied the principle of *"tabula rasa"* (the new state is not bound with the international treaties of the state-predecessor) instead of the principle *«continuitet»* (the existing treaties continue to keep their force).

In other words, in the context of Khojaly the issue of force of the Convention on prevention of genocide with regard to Azerbaijan and Armenia since the collapse of the Soviet Union until respectively 16 August 1996 and 23 June 1993 remains open.

In the case of Bosnia and Herzegovina v. Yugoslavia (Serbia and Montenegro) the International Court of Justice rendered a decision (Ordonnance de la Cour indiquant des mesures conservatoires, Comme suite au communiqué de presse 93/9 du 8 avril 1993) related to its competence *ratione materiae* under Article IX of the Convention on prevention of genocide:

The Court observes that the former Socialist Federal Republic of Yugoslavia signed the Genocide Convention on 11 December 1948, and deposited an instrument of ratification, without reservation, on 29

August 1950; and that **both Parties to the present case correspond to parts of the territory of the former Socialist Federal Republic of Yugoslavia.**

The Court proceeds to consider two instruments: a Declaration whereby (the present) Yugoslavia, on 27 April 1992, proclaimed its intention to honor the international treaties of the former Yugoslavia, and a "Notice of Succession" to the Genocide Convention deposited by Bosnia-Herzegovina on 29 December 1992.

Yugoslavia contended that Bosnia-Herzegovina should be held to have acceded (not succeeded) to the Convention with effect, under Article XI thereof, only as from the ninetieth day following the deposit of its instrument, so that the Court would possess jurisdiction, if at all, only subject to a temporal limitation. **The Court, however, considers it unnecessary to pronounce upon this contention in deciding whether to indicate provisional measures, when it is concerned not so much with the past as with the present and future.** On the basis of the two instruments **the Court finds that Article IX of the Genocide Convention appears to afford a basis on which the jurisdiction of the Court might be founded to the extent that the subject-matter of the dispute relates to "the interpretation, application or fulfillment" of the Convention, including disputes "relating to the responsibility of a State for genocide or for any of the other acts enumerated in Article III" of the Convention.**

Having further examined a document which in Bosnia-Herzegovina's submission constituted an additional basis of jurisdiction of the Court in this case, namely a letter, dated 8 June 1992, addressed to the President of the Arbitration Commission of the International Conference on the former Yugoslavia by the President of the Republic of Montenegro and the President of the Republic of Serbia, **the Court finds itself unable to regard that letter as constituting a prima facie basis of jurisdiction in the present case and must proceed therefore on the basis only that it has prima facie jurisdiction, both *ratione personae* and *ratione materiae* under Article IX of the Genocide Convention.**

In other words, the Court determined its competence under Article IX of the Convention on prevention of genocide, without touching upon the issue of temporal framework (discontinuity), (i.e. the issue of participation in the convention remained open). In this context, the participation of Armenia in the Convention in February 1992 generates more questions (as Armenia acceded to the Convention in 1993), rather than the participation, for example of Russia (motorized infantry regiment no. 366, affiliated in the composition of the Russian troops having taken part in the massacre in Khojaly), which did not interrupt its participation in the Convention in line with the "*continuitet*" principle. In other words, the Convention did not lose its force with respect to Russia.

The Court further observes that, in the context of the present proceedings on a request for provisional measures, it cannot make definitive findings of fact or of imputability and that it is not called upon now to establish the existence of breaches of the Genocide Convention by either Party, but to determine whether the circumstances require the indication of provisional measures to be taken by the Parties for the protection of rights under the Genocide Convention. The Court then finds that it is satisfied, taking into account the obligation imposed by Article I of the Genocide Convention, that the indication of measures is required for the protection of such rights.

The Court finally observes that **the decision given in the present proceedings in no way prejudices the question of the jurisdiction of the Court to deal with the merits of the case or any questions relating to the merits themselves, and leaves unaffected the right of the Governments of Bosnia-Herzegovina and Yugoslavia to submit arguments in respect of such jurisdiction or such merits.**

2. Rights and obligations, set forth in the Convention on prevention of genocide have "erga omnes" character The 1948 Convention is the integral part of international customary law. Thus, the Convention on prevention of genocide states: "The rights and obligations enshrined in the Convention are rights and obligations erga omnes" (*CIJ, Application of Convention for the prevention and the repression of the crime of genocide (Bosnia-Herzegovine against Yugoslavia), preliminary exceptions of July 11, 1996, Rec, 1996, p. 616*), i.e. this is the obligation envisaged for all, in other words, general obligation. Accordingly, the *rationae temporis* competence of the Court with respect to the complaint is not limited with the moment of abidance of the parties with the Convention.

Besides that, the paragraph 3 of Article 6 of the International Covenant on civil and political rights reads as follows,

"When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide".

In other words, the paragraph 3 of Article 6 of the Covenant confirms the "*ergaomnes*" character of the rights and obligations enshrined in the Convention on prevention of genocide In the Advisory Opinion of the International Court of Justice (*International Court of Justice. I.C.J. Rep. 1951. P. 15. — L.C Green. International Law through the cases. Fourth Edition. The Carswell Company Limited. Toronto, Canada;*

Oceana Publications, Inc. Dobbs Ferry, New York, USA. 1978. P. 573 -579) on "Lawfulness and validity of the reservations to the Convention on the Prevention and Punishment of the Crime of Genocide", rendered in 1951 on the request of the General Assembly, it is stated that,

The origins of the Convention show that it was the intention of the United Nations to condemn and punish genocide as "a crime under international law" involving a denial of the right of existence of entire human groups, a denial which shocks the conscience of mankind and results in great losses to humanity, and which is contrary to moral law and to the spirit and aims of the United Nations (Resolution 96 (1) of the General Assembly, December 11 1946). The first consequence arising from this conception is that **the principles underlying the Convention are principles, which are recognized by civilized nations as binding on States, even without any conventional obligation.** A second consequence is **the universal character** both of the condemnation of genocide and of the **co-operation** required "in order to liberate mankind from such an odious scourge" (Preamble to the Convention). **The Genocide Convention was therefore intended by the General Assembly and by the contracting parties to be definitely universal in scope.** The Convention was manifestly adopted for a purely humanitarian and civilizing purpose.

Its object on the one hand is to safeguard the very existence of certain human groups and on the other to confirm and endorse the most elementary principles of morality. **In such a convention the contracting States** do not have any interests of their own; they merely have, one and a **common interest**, namely, the accomplishment of those high purposes, which are the *raison d'être* of the convention. The high ideals, which inspired the Convention, provide, by virtue of the common will of the parties, the foundation and ensure of all its provisions.

2.1. «Erga omnes» obligations and consequences for the third parties

As it has already been noted, the obligations enshrined in the Convention on prevention of genocide have "erga omnes" character. (*CIJ, Application of Convention for the prevention and the repression of the crime of genocide (Bosnia-Herzegovine against Yugoslavia), preliminary exceptions of July 11, 1996, Rec, 1996, p. 616.*) Today it is undisputable that there exist a number of agreements, which generate consequences not only for non-participants, but also for "all states"

In accordance with Article 31 of the Vienna Convention on the Law of Treaties of 1969, "The rights arise for a third State from a provision of a treaty if the parties to the treaty intend the provision to accord that either to the third State, or to a group of States to which it belongs, or to all States, and the third state assents thereto. Its assent shall be presumed so long as the contrary is not indicated, unless the treaty otherwise provides"

(Article 36 §1 of the Convention of Vienna on the right of the treaties of May 23, 1969).

3. Retroactive effect of the Convention

In order to solve this issue, the Azerbaijani legislature adopted the Constitutional Law (12 May 2006) on "Retroactive effect of the law determining responsibility for international crimes".

The Preamble of the law reads,

The current Constitutional Law is adopted to ensure the accordance of the application of the norms of the criminal legislation in force of the Republic of Azerbaijan, setting forth the responsibility for the crimes against peace and mankind, the crime of genocide and war crimes with the relevant provisions of the Convention for the "Protection of Human Rights and Fundamental Freedoms" and International Covenant on "Civil and political rights".

Article 1 of the Law reads.

Nothing in the Constitution of the Republic of Azerbaijan shall be interpreted or understood as a provision prejudicing the trial and punishment of any person for any act or omission that at the time when it was committed was criminal according to the general norms of international law.

The Constitutions of a number of states (for example, Poland, Portugal) envisages the retroactive application of the law, setting forth the responsibility for international crimes the international practice demonstrates that, in the exceptional circumstances the norms of criminal law can have retroactive effect. Thus, after World War II the norms determining the criminal responsibility were applied retroactively in order to ensure the punishment of the war criminals (the statutes of the Nuremberg Tribunal 1945, of the Tokyo Tribunal 1946) (*R.K.Məmmədov «Beynəlxalq cinayət hüququ və Azərbaycan Respublikasının cinayət qanunvericiliyi», dis. avtoreferat, Bakı 2005*).

In accordance with Article 7.2 of the European Convention on Human Rights,

This article shall not prejudice the trial and punishment of any person for any act or omission that, at the time when it was committed, was criminal according to the general principles of law recognized by civilized nations.

The waiver with regard to some crimes was aimed for the application under very exceptional circumstances after World War II, when the laws with retroactive effect "were rather applied to punish the persons, accused of was crimes, treason and collaboration with enemy than intended to legal or moral condemnation of such crimes". In this case, Germany made a reservation, referring to the constitutional provision on prohibition of the retroactive application. However, in practice, it did not protect the war criminals, since their deeds were qualified as illegal in accordance with pre-Nazi legislation irrespective of the "laws" of

the Hitler regime, which were declared invalid (*Д.Гомьен, Д.Харрис, Л.Зевак. Европейская Конвенция о правах человека и Европейская Социальная Хартия., М., 1998, с.268*).

One of the main prosecutors of the Nuremberg Tribunal Hartley Showcross said in his speech, "the Statute of the Tribunal only envisages the responsibility of the persons having committed crimes, which are obviously crimes under common legislation. There is a big difference between to tell to the person: Now, you will be punished for the deeds, which did not constitute a criminal offence at the time when it was committed", and to tell that: "Now, you will be punished for the deed, which contradicted the law and constituted a criminal offence, at the time when you committed it, however due to the shortcomings of the international mechanism, that time there was not a court, which had a competence to try you for that". And if this is the application of the retroactive effect of the law, we state that, it is in full line with the supreme norms of justice, which in practice of all civilized nations, set certain framework for the application retroactively of the law" (*Из выступлений речи главного обвинителя от Великобритании Хартли Шоукросса, произнесенной на заседании Международного Военного Трибунала в Нюрнберге на процессе по делу главных немецких военных преступников 4 декабря 1945 г.*).

Because of the same provision, the paragraph 2 of Article 15 of the Covenant on Civil and Political Rights of 1966 states that,

"Nothing in this article shall prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognized by the community of nations".

Thus, the application retroactively of the norms of criminal law, envisaging the responsibility of the persons, having committed criminal offences under the international customary law and the general principles of law is not ruled out (*Действующее международное право в 3-х томах/под ред. Ю.М.Колосова и Э.С.Кривчиковой, М., 1999, том 2*).

4. Statutory limitations to crimes of genocide

Some moments should be mentioned with respect to the question of application of statutory limitations to crimes of genocide. The matter is that only in the Statutes of the Tribunals on former Yugoslavia and Rwanda, as well as the Statute of the ICC the genocide is distinguished from the war crimes and crimes against humanity and is set forth as separate crime. Taking into account this point, it is possible to understand, why the genocide is not envisaged as a separate crime in the UN Convention of 1968 on "Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity".

However, in paragraph b) of Article 1 the genocide is envisaged as a part of the crimes against humanity. It is explained, in the meantime, with the fact that some elements of the crimes against humanity and war crimes inherent to the genocide.

In accordance with the Convention of 1968, no statutory limitation shall be applied to war crimes and crimes against humanity. With this purpose, the State Parties undertake to implement the relevant legislative and other measures (Azerbaijan acceded to the Convention on 16 August 1996 and Armenia on 23 June 1993).

In addition, on the regional level there is also a Convention of the Council of Europe on Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, dated 25 January 1974 (however, neither Azerbaijan, nor Armenia are parties to this Convention). Article 1 of the Convention refers to the "crimes against humanity, enumerated in the Convention on prevention of genocide".

In other words, the statutory-limitation is not applied to this crime. One might assume that it is possible to achieve certain results, once the appropriate measures are taken on the international and national level.

II. The issue of Ratione personae

Article IX of the Convention reads, "Disputes between the Contracting Parties relating to the interpretation, application or fulfillment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute".

In other words, the State Parties can automatically lodge an application with the International Court of Justice against other State Parties on the issues of interpretation, application or fulfillment of the Convention.

In the case of Bosnia and Herzegovina, Yugoslavia (Serbia and Montenegro), which was considered in April 1993 (*Ordonnance de la Com indiquant des mesures conservatoires, Comme suite au communique de presse 93/9 du 8 avril 1993*). Touching upon the issue of its competence the Court stated, turning to the question of jurisdiction the Court recalls that it ought not to indicate provisional measures unless the provisions invoked by the Applicant or found in the Statute appear, prima facie, to afford a basis on which the jurisdiction of the Court might be established; and that this consideration embraces jurisdiction both ratione personae and ratione materiae.

The Court then refers to the indication by Bosnia-Herzegovina in the Application that the "continuity" of Yugoslavia with the former Socialist Federal Republic of Yugoslavia, a Member of the United Nations, has been contested by the entire international community, including the United Nations Security Council (cf. resolution 777) and General Assembly (cf. resolution 47/1). After citing the texts of the above-mentioned resolutions of the Security Council and General Assembly, as well as the text of a letter from the Legal Counsel of the United Nations to the Permanent Representatives to the United Nations of Bosnia-Herzegovina and Croatia, which contains the "considered view of the United Nations Secretariat regarding the practical consequences of the adoption by the General Assembly of resolution 47/1", and noting that the solution adopted therein is not free from legal difficulties, the Court observes that the question whether or not Yugoslavia is a Member of the United Nations and as such a party to the Statute of the Court is one which the Court does not need to determine at the present stage of the proceedings. Article 35 of the Statute, after providing that the Court shall be open to the parties to the Statute, continues:

"The conditions under which the Court shall be open to other States shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court";

The Court therefore considers that proceedings may validly be instituted by a State against a State which is a party to such a special provision in a treaty in force, but is not party to the Statute, and independently of the conditions laid down by the Security Council; that a compromissory clause in a multilateral convention, such as Article IX of the Genocide Convention, relied on by Bosnia-Herzegovina in the present case, in the view of the Court, can be regarded *prima facie* as such a "special provision"; that accordingly if Bosnia-Herzegovina and Yugoslavia are both parties to the Genocide Convention, **disputes to which Article IX applies are in any event *prima facie* within the jurisdiction *ratione personae* of the Court.**

In this regard, it should be noted that the international legal personality of both Azerbaijan and Armenia is not a subject for dispute. The UN and its members as independent countries have recognized both states.

III. The issues on the substance of the Convention

In its decision of 26 February 2007 on the application of the Convention on the prevention and punishment of the crime of genocide (Bosnia and Herzegovina v. Serbia and Montenegro) the International Court of Justice stated that,

In this case, the Court's jurisdiction is solely based on Article IX of the Genocide Convention. This means that the Court has no authority to rule on alleged breaches of obligations under international law other than genocide, as defined by the Genocide Convention. This is important to understand because in this case, we were confronted with substantial evidence of events in Bosnia and Herzegovina that may amount to war crimes or crimes against humanity - but we had no jurisdiction to make findings in that regard. We have been concerned *only* with genocide - and, one may add, genocide in the legal sense of that term, not in the broad use of that term that is sometimes made.

This was an extremely fact-intensive case. The hearings lasted for two-and-half-months, witnesses were examined and cross-examined, and the Parties each submitted thousands of pages of documentary evidence. About one third of the Judgment is devoted to analyzing this evidence and making detailed findings as to whether alleged atrocities occurred and, if so, whether there was the specific intent on the part of the perpetrators to destroy in whole or in part the protected group, identified by the Court as the Bosnian Muslims. **It is this specific intent, or *dolus specialis*, that distinguishes genocide from other crimes.** In this case, it was not enough for the Applicant to show that, for example, deliberate unlawful killings of Bosnian Muslims occurred. **Something more was required - proof that the killings were committed with the intent to destroy the group to which the victims belonged.**

Accordingly, in order to **raise the issue of genocide in Khojaly, one must present the evidences certifying that the Armenians (the armed forces of Armenia) had specific intent to destroy the population of Khojaly.** Otherwise, these deeds will constitute the elements of the crime against humanity and war crimes and will not fall under the effect of the Convention on the prevention of genocide.

Given the exceptional gravity of the crime of genocide, the Court required that the allegations be proved by evidence that is "fully conclusive". We made our own determinations of fact based on the evidence before us, but we also greatly benefited from the findings of fact that had been made by the International Criminal Tribunal for the former Yugoslavia (ICTY) when it was dealing with accused individuals.

Although, no international tribunal was established in relation **to genocide in Khojaly a great number of factual materials were found out on the national level in the framework** of conducted investigation. In addition, many displaced persons lodged applications with the European Court of Human Rights with respect to the violations of their rights by Armenia. In this respect, one might benefit from the future decisions of the European Court.

The Court has found it conclusively established that massive killings and acts causing serious bodily or mental harm were perpetrated in specific areas and in detention camps throughout Bosnia and Herzegovina. We also found that there was deliberate infliction of terrible conditions of life. In many cases, Bosnian Muslims were the victims of these acts. However - with one exception, which one should return to - the evidence did not show that these terrible acts were accompanied by the specific intent to destroy the group that is required for proof of genocide.

The Applicant had argued that the specific intent could be inferred from the pattern of atrocities. The Court could not accept this. The specific intent has to be convincingly shown by reference to particular circumstances; a pattern of conduct will only be accepted as evidence of its existence if genocide is the *only* possible explanation for the conduct concerned.

In other words, when the issue concerning Khojaly is raised, one must prove that the Armenians (the armed forces of Armenia) killing the population of Khojaly pursued specific intent, this conduct had systematic character and the only explanation of such conduct was to carry out genocide. This conduct was directed against the Azerbaijani population. That means, there were conducted purposeful actions. The specific intent was to destroy the Azerbaijani population of Khojaly, which is one of the elements (specific intent - to destroy the representatives of the Azerbaijani ethnic group) characterizing the crime of genocide.

However, there was an important exception to these findings. The Court found that there was conclusive evidence that killings and acts causing serious bodily or mental harm targeting the Bosnian Muslims took place in Srebrenica in July 1995. The Main Staff of the VRS (the army of the Republika Srpska) who possessed the specific intent required for genocide directed these acts.

Having determined that genocide was committed at Srebrenica, the next step was for the Court to decide whether the Respondent was legally responsible for the acts of the VRS. If the VRS was an organ of Serbia and Montenegro (as that country was then called), then in law the Respondent would be responsible for the VRS actions. The Respondent would also be responsible in law if the VRS were acting on the instructions of, or under the direction or control of, the Respondent. In the light of the information available to it, the Court has found that it was not established that organs of the Respondent committed the massacres at Srebrenica. It has also not been established that those massacres were committed on the instructions, or under the direction of the Respondent, nor that the Respondent exercised effective control over the operations in the course of which those massacres were perpetrated. This is the test in international law. In fact, all indications are that the decision to kill the adult male population of the Bosnian Muslim community in Srebrenica was taken by some members of the VRS Main Staff, without instructions from or effective control by the FRY.

As far as the paramilitary unit called "Scorpions" is concerned, during the oral proceedings the Applicant presented a video to the Court showing the execution by paramilitaries of six Bosnian Muslims, in Trnovo, an area near Srebrenica, in July 1995. This video had previously been shown on Serbian television and during the Milosevic trial at the ICTY. In addition to this video, the Applicant alleging that the Respondent was responsible for the acts of the «Scorpions» submitted other evidence to the Court. The Court has systematically assessed all the information brought to its notice. The Court can only make decisions because of materials before it. In addition, based on these materials, the Court has been unable to find that the Respondent was responsible for the acts of the "Scorpions" in Trnovo in mid-1995.

As far as the question of complicity in the Genocide Convention is concerned, the Court had to consider whether the Respondent provided the means to enable or facilitate the events in Srebrenica in full awareness that the aid supplied would be used to commit genocide. It is clear that the Respondent supplied quite substantial aid of a political, military and financial nature to the Republika Srpska and the VRS, long before the tragic events of Srebrenica, and the aid continued during those events. However, a crucial condition for complicity was not fulfilled; namely, the Court did not have conclusive proof that authorities of the Respondent, when providing this aid, were fully aware that the VRS had the specific intent characterizing genocide.

It is not so easy to grasp the distinction in law between complicity in genocide and the breach of the duty to prevent genocide. In few words, it can be explained as follows. The Court did find it conclusively proven that the FRY leadership, and President Milosevic above all, *were* fully aware of the climate of deep-seated hatred which reigned between the Bosnian Serbs and the Muslims in the Srebrenica region, and that massacres there were likely to occur. They may not have had knowledge of the specific intent to commit genocide, but it must have been clear that there was a *serious risk of genocide* in Srebrenica. This factor is important because it activates the obligation to prevent genocide, which is enshrined in Article I of the Genocide Convention.

Here the legal issue is not whether, had the Respondent made use of the strong links it had with the Republika Srpska and the VRS, the genocide would have been averted. The legal issue is whether the Respondent took all the measures, which were within its power to prevent the genocide.

The Court has found that the *Respondent could, and should, have acted to prevent the genocide, but did not*. The Respondent did nothing to prevent the Srebrenica massacres despite the political, military and financial links between its authorities and the Republika Srpska and the VRS. It therefore violated the obligation in the Genocide Convention to prevent genocide.

There is one further obligation, which is the obligation to punish genocide. Article VI of the Genocide Convention requires that persons charged with genocide or any other acts enumerated in Article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by an international penal tribunal. In this case, the genocide occurred in Srebrenica, which is outside the Respondent's territory. Therefore, the Respondent cannot be held responsible for not having tried before its national courts those accused of having participated in the Srebrenica genocide. The relevant question, then, is whether the Respondent fulfilled its obligation to cooperate with the ICTY by arresting and handing over to the Tribunal any persons accused of genocide because of the Srebrenica genocide and finding themselves on its territory.

Taking into account an approach of the International Court of Justice, one can formulate the issue as the violation of Armenia of its obligation to prevent and punish the crime of genocide *In other words, Armenia could and had to act in order to prevent and punish the genocide, but failed to do that*

The Court has not failed to notice the plentiful, and mutually corroborative, information suggesting that General Mladic, indicted by the ICTY for as one of those principally responsible for the genocide in Srebrenica, was on the territory of the Respondent at least on several occasions and for substantial periods during the last few years and may still be there now, without the Serb authorities doing what they could and can reasonably do to identify his location and arrest him. The Court has found that the Respondent failed in its duty to cooperate fully with the ICTY and therefore has violated the obligation to punish genocide.

As the Court has not found the Respondent itself committed, or was responsible for, the genocide at Srebrenica, the issue of massive reparations for that does not arise. As far as the violation of the obligation to prevent genocide, the Court has found as the Applicant in fact suggested - that a declaration of the Court is itself the appropriate satisfaction. As to the breach of its obligation to punish genocide, the Court has determined that this is a continuing breach. We have therefore made a declaration that Serbia shall immediately take effective steps to ensure full compliance with this obligation and to transfer individuals accused of genocide for trial by the ICTY, and to co-operate fully with that Tribunal.

As it is seen, the *Court regards the violation of obligation to punish the genocide as continuing violation*. In addition, as it was indicated above, the Convention on the prevention of genocide states that the *rights and obligations enshrined in the Convention are erga omnes ones (CIJ, Application of Convention for the prevention and the repression of the crime of genocide (Bosnia-Herzegovine against Yugoslavia), preliminary exceptions of July 11, 1996, Rec, 1996, p. 616.)*, i.e. they are obligations for all. in other words *general obligations*.

Thus, it is possible to raise before the International Court of Justice the issue of continuing violation by Armenia of the general obligation, which has to be fulfilled by all states and which is recognized as such by international law, i.e the obligation to prevent and punish the genocide and to raise the issue of satisfaction.

BIBLIOGRAPHY

1. The Convention on the Prevention and Punishment of the Crime of Genocide adopted in 1948, <http://untreaty.un>.
2. Memorandum of the Council of Head of States on Mutual Understanding on Issues of Succession in respect of Treaties of Mutual Interest of the Former USSR, dated 6 July 1992, <http://www.savekosova.org/articleimages/Alasani.pdf>
3. Ordonnance de la Cour indiquant des mesures conservatoires, Corame suite au communiqué de presse 93/9 du 8 avril 1993, <http://www.icj-cij.org>.
4. CIJ, Application of Convention for the prevention and the repression of the crime of genocide (Bosnia-Herzegovine against Yugoslavia), preliminary exceptions of July 11, 1996, Rec, 1996, p. 616., <http://www.icj-cij.org/search/mdex.php?p2=2&pg=9pl&str=libyenne>
5. International Court of Justice I C.J Rep. 1951 P. 15 LC Green. International Law through the cases. Fourth Edition the Carswell Company Limited Toronto, Canada. Oceana Publications, Inc Dobbs Ferry, New York, USA 1978 P 573—579)
6. Convention of Vienna on the right of the treaties of May 23, 1969. <http://untreaty.un.org>. 1 1969 pdf
7. R.K.Mammədov «Beynəlxalq cinayət hüququ və Azərbaycan Respublikasının cinayət qanunvericiliyi», dis avtoreferat, Bakı 2005
8. Д.Гомьен, Д.Харрис, Л.Зевак Европейская Конвенция о правах человека и Европейская Социальная Хартия, М, 1998, с 268
9. Действующее международное право в 3-х томах/под ред Ю М.Колосова и Э.С.Кривчиковой, М, 1999, том 2
10. Из выступлений речи главного обвинителя от Великобритании Хартли Шоукросса, произнесенной на заседании Международного Военного Трибунала в Нюрнберге на процессе по делу главных немецких военных преступников 4 декабря 1945 г.

<http://www.pseudology.org/Nurnberg/index.htm>

11. Decision of 26 February 2007 on the application of the Convention on the prevention and punishment of the crime of genocide (Bosnia and Herzegovina v. Serbia and Montenegro), <http://www.icj-cij.org/docket/index.php?pl=3&p2=3&k=f4&case=91&code=bhy&p3=4>

“Dirçalış-XXI əsr”. - 2010.-№143-144.-pp.153-168.

INTERNATIONAL LEGAL RESPONSIBILITY FOR THE CRIME OF GENOCIDE IN KHOJALY

*Tofiq F. Musayev**

INTRODUCTION

The logical consequence of the territorial claims against Azerbaijan by Armenian nationalists at the end of the 1980s was the occupation in 1992-1993 of a significant part of its territory, including Nagorny Karabakh and seven adjacent districts. The resulting war unleashed against Azerbaijan led to the deaths and wounding of thousands of people; hundreds of thousands became refugees and were forcibly displaced and several thousand disappeared without trace.

The capture of Khojaly was particularly tragic. Before the conflict, 7000 people lived in this town of Nagorny Karabakh inhabited by the Azerbaijanis. From October 1991, the Armenians surrounded the town. Over the night from the 25th and 26th of February 1992, following massive artillery bombardment of Khojaly, the assault on the town begun from six directions. The infantry guards regiment of the former Soviet Union army stationed in Nagorny Karabakh, the personnel of which was composed mainly of the Armenians, participated directly in the capture of Khojaly by the Armenian armed units. As a result, 613 civilians, including women, children and the elderly were killed with especial cruelty.

THE PERPETRATORS OF THE CRIME

There have been numerous instances in the practice of states disguising their role in the forcible capture of the territory of another state as well as denying the crimes committed in this territory. These features are all evidenced in the policies and practices followed by Armenia. It denies both the involvement in the armed conflict, along with that it has anything to do with controlling these territories, and that there is any occupation within the meaning of international law. Thus, in one of his interviews the current president of Armenia Serzh Sargsyan claimed, "Only volunteers had fought for Nagorny Karabakh". At the same time, Armenia, in his words, acted as "guarantor of the security of Nagorny Karabakh", prepared to intervene immediately in the event of the outbreak of a new war.¹ The question of Armenia providing guarantees is also mentioned in the country's national security strategy of 7 February 2007.² No explanation is provided, however, of how these guarantees, which affect a portion of Azerbaijan's territory, fit with international law.

Such attempts to disguise aggression against a neighbouring state and thereby to assert its innocence for crimes committed in the course of this aggression are unlikely to be taken seriously, given the incontrovertible evidence testifying to the diametrically opposite situation.

In addition to the facts at the disposal of the Azerbaijani authorities attesting to the direct involvement of the Armenian armed forces in the military hostilities against Azerbaijan and the presence of these forces in the occupied territories — issues which merit a separate and careful investigation — the assessment of Armenia's role given by independent observers is also completely unequivocal.

As the PACE rapporteur David Atkinson pointed out, "Armenians from Armenia had participated in the armed fighting over the NagornoKarabakh region besides local Armenians from within Azerbaijan. Today, Armenia has soldiers stationed in the Nagorny Karabakh region and the surrounding districts, people in the region have passports of Armenia, and the Armenian government transfers large budgetary resources to this area".³

Resolution 1416 (2005) adopted on 25 January 2005 by the Parliamentary Assembly of the Council of Europe acknowledges the continued occupation of considerable parts of the territory of Azerbaijan and the conduct of ethnic cleansing. It is no coincidence that the Assembly draws attention to Armenia's obligations

* LL.M in International Human Rights Law (University of Essex, 2003-04).

¹ Caucasus Context 2007, vol. 4, issue 1, pp. 43-44. See also the message by Serzh Sargsyan of 1 September 2007 on the occasion of the "sixteenth anniversary of the independence of the Republic of Nagorny Karabakh", "Hayinfo" website: <http://www.hayinfo.ru/page_rev.phpStb_idsl 8&subjd=1 &id=1 8956>.

² National security strategy of the Republic of Armenia of 7 February 2007, chapter III, see website of the Ministry of Defence of Armenia <<http://www.mil.am/eng/?page=49>>.

³ Report of the Parliamentary Affairs Committee of the Parliamentary Assembly of the Council of Europe. Document 10364, 29 November 2004. Explanatory memorandum by the Rapporteur, para. 6.

under international law and points out "that the occupation of foreign territory by a Member State constitutes a grave violation of that State's obligations as a member of the Council of Europe [...]".⁴

The responsibility of Armenia for the massacre in Khojaly, despite its denial by the official Yerevan, is confirmed by numerous facts at the disposal of the lawenforcement agencies of Azerbaijan and testimonies by eyewitnesses of the tragedy. The following words by current President of Armenia Serzh Sargsyan in the famous book by the British journalist Thomas de Waal "Black Garden: Armenia and Azerbaijan through Peace and War" leave no doubts:

"Before Khojali, the Azerbaijanis thought that they were joking with us, they thought that the Armenians were people who could not raise their hand against the civilian population. We were able to break that [stereotype]. And that's what happened. And we should also take into account that amongst those boys was people who had fled from Baku and Sumgait".⁵

QUALIFICATION OF THE CRIME

International law of armed conflict appeared to a considerable extent as the right of war, which included the legal basis to embark upon wars (*jus ad helium*), and the law of warfare (*jus in bellum*). After the adoption of the United Nations Charter, the threat or use of force against the territorial integrity or political independence of any state was recognized unlawful, while the legitimate use of armed force was limited to the exercise of the right of selfdefence. As a result, the right of war has transformed into humanitarian law, the basic sources of which are the norms of customary law as well as such multilateral instruments as the Hague Conventions of 1899 and 1907 on the laws and customs of war, the Geneva Conventions of 1949 on the protection of war victims and two additional protocols of 1997 thereto.

The Diplomatic Conference held in Rome in 1998 under the United Nations auspices adopted the Rome Statute of the International Criminal Court, the jurisdiction of which covered the most serious crimes affecting the interests of the international community as a whole. Such crimes include genocide, crimes against humanity, war crimes and aggression.

A distinction should be drawn between the two stages in the perpetration during the conflict between Armenia and Azerbaijan of the most serious international offences such as genocide, crimes against humanity and war crimes. The first stage can be sited during the active military campaign, which had such tragic consequences for the civilian Azerbaijani population. The second stage relates to the situation in the occupied territories of Azerbaijan, in particular to the transfer of settlers into these territories, exploitation of natural resources, destruction and appropriation of the historical and cultural heritage of Azerbaijan.

Depending on the specific circumstances, a single action may constitute a number of offences. Thus, the war crimes committed by the Armenians during the conflict in some cases compound other international crimes, such as genocide and crimes against humanity, or are coterminous with them. For example, the massacre of the civilian Azerbaijani population of the town of Khojaly, which constituted a serious breach of the law of armed conflicts, is also qualified as genocide.

In 1948, the United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide. This international instrument represents a competent codification of basic legal principles relating to genocide. The Convention confirmed that genocide is a crime under international law entailing individual criminal responsibility. In accordance with this multilateral treaty, genocide means acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religions group, as such.

In the following years, genocide was included among the number of offences falling under the jurisdiction of the international tribunals on the former Yugoslavia and Rwanda and of the International Criminal Court. Important case law has been developed through these first two international judicial institutions, while the leading judgment is now that of the International Court of Justice dated 26 February 2007 in *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovinay. Serbia and Montenegro)*.

RESPONSIBILITY UNDER INTERNATIONAL LAW

Offences committed during the conflict between Armenia and Azerbaijan entail state responsibility and individual criminal responsibility.

According to article 1 of the Articles on Responsibility of States for Internationally Wrongful Acts adopted by the International Law Commission on 9 August 2001 and commended to governments in General Assembly resolution 56/83, "[e]very internationally wrongful act of a State entails the international responsibility of that State", while article 2 provides that "there is an internationally wrongful act of a State

⁴ PACE resolution 1416 (2005), entitled "The conflict over the Nagorny Karabakh region dealt with by the OSCE Minsk Conference", 15 January 2005, para. 2.

⁵ Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War* (New York and London, 2004), p. 172.

when conduct consisting of an action or omission (a) is attributable to the State under international law; and (b) constitutes a breach of an international obligation of the State"⁶. This principle has been affirmed in the caselaw. Thus, as early as 1928, in its ruling in the *Factory at Chorzów* case, the Permanent Court of International Justice described the principle of international responsibility as one of the principles of international law and, furthermore, of the general understanding of the law.⁷

The principle of responsibility is closely bound up with the principle of the conscientious fulfillment of obligations under international law (*pacta sunt servanda*).

The responsibility of the state is incurred for any act or omission of its authorities, which occurs either within or beyond its national borders. The organs of a State or by its agents, acting ultra vires or contrary to instructions also perpetrate an internationally wrongful act.⁸

There is a convincing body of evidence attesting to the use of force by Armenia against the territorial inviolability of Azerbaijan and the exercise by Armenia of effective overall military and political control over the occupied territories of Azerbaijan. This control is being exercised both directly by the armed forces of Armenia and indirectly through its subordinate separatist regime established in the occupied territory, which, by performing the functions of a local administration, survives by virtue of the military and other support of the occupying power.

Armenia's responsibility arises as the consequence both of the internationally wrongful acts of its own organs and agents in the occupied territories and the activities of its subordinate local administration. Furthermore, there is responsibility even in the event of consent to, or tacit approval of, the actions of this administration.⁹

Armenia's international responsibility, which is incurred by its internationally wrongful acts, involves legal consequences manifested in the obligation to cease these acts, to offer appropriate assurances and guarantees that they will not recur and to provide full reparation for injury in the form of restitution, compensation and satisfaction, either singly or in combination.¹⁰

As stated in the commentary to the Articles on Responsibility of States for Internationally Wrongful Acts, "[e]very State, by virtue of its membership in the international community, has a legal interest in the protection of certain basic rights and the fulfillment of certain essential obligations".¹¹ A significant role in securing recognition of this principle was played by the decision of the International Court of Justice in the *Barcelona Traction* case. This identified the existence of a special category of obligations — obligations towards the international community as a whole. The International Court of Justice states: "[b]y their very nature the former [the obligations of a State towards the international community as a whole] are the concern of all States. In view of the importance of the rights involved, all States can be held to have a legal interest in their protection; they are obligations *erga omnes*."¹²

Accordingly, serious breaches of obligations flowing from peremptory norms of general international law may have additional consequences affecting not only the state bearing the responsibility, but also all other states. Inasmuch as all states have a legal interest, they are all entitled to invoke the responsibility of the state, which has breached its responsibility *erga omnes*. Furthermore, states must cooperate with a view to ending such breaches by lawful means.¹³

⁶ James Crawford, *The International Law Commission's Articles on State Responsibility. Introduction, Text and Commentaries* (Cambridge: Cambridge University Press, 2002), p. 61.

⁷ *Factory at Chorzów (Claim for Indemnity) Case (Germany v. Poland) (Merits)*, P.C.I.J. Series A (1928) No. 1, Permanent Court of International Justice. For text, see Martin Dixon and Robert McCorquodale, *Cases and Materials on International Law* (Oxford: Oxford University Press, 3rd ed., 2003), p. 404. See also I.I.Lukashuk, *International law* (Moscow: Walters Kluwer, 3rd ed., 2007), p. 376.

⁸ *Ilaşcu and others v. Moldova and Russia*, ECHR Judgment of 8 July 2004, para. 319. See also *Ireland v. United Kingdom*, ECHR Judgment of 18 January 1978, para. 159, ECHR Portal, HUDOC Collection; *Articles on Responsibility of States for Internationally Wrongful Acts*, article 7, in Crawford, op. cit., p. 62.

⁹ See *Louizidou v. Turkey*, ECHR Judgment of 23 March 1995, para. 62; *Louizidou v. Turkey*, ECHR Judgment of 18 December 1996, para. 52; *Cyprus v. Turkey*, ECHR Judgment of 10 May 2001, para. 77; *Ilaşcu and others v. Moldova and Russia*, paras. 314-319, ECHR Portal, HUDOC Collection.

¹⁰ See *Articles on Responsibility of States for Internationally Wrongful Acts*, articles 28, 30, 31 & 34-37, in Crawford, op. cit. pp. 66-68.

¹¹ See Crawford, op. cit., comment to article 1, p. 79, para. 4.

¹² *Case Concerning the Barcelona Traction, Light and Power Company, Limited (Belgium v. Spain)*, I.C.J. Judgment of 5 February 1970, I.C.J. Reports 1970, para. 33. See also Lukashuk, pp. 379-380.

¹³ Lukashuk, pp. 379-380, 394-396; *Commentary to article 1 of the Articles on Responsibility of States for Internationally Wrongful Acts*, in Crawford, op. cit., p. 79, para. 4.

It is generally recognized that the category of serious breaches of obligations under peremptory norms of general international law includes, among others, the crime of genocide.¹⁴ Thus, the Convention on the Prevention and Punishment of the Crime of Genocide is clear in stating that genocide is a crime under international law, which states undertake to prevent and punish.

In accordance with international law, "[n]o State shall recognize as lawful a situation created by a serious breach [of obligations under peremptory norms of general international law], nor render aid or assistance in maintaining that situation."¹⁵

Furthermore, the crime of genocide falls under the purview of the principle of universal jurisdiction in international criminal law which empowers states to establish their jurisdiction over international crimes and, accordingly, provides unavailability of punishment of the perpetrator, regardless of the place of commission of the crime and the nationality of the perpetrator or of the victim. Thus, with the aim of protecting universal values, states have been authorised to substitute territorial and national states in order to prosecute and punish, on behalf of the whole international community, persons responsible for international crimes. Under the influence of international rules, a number of states have included the principle of universal jurisdiction into their national legislation. This situation and the existing judicial practice in these and some other states create the necessary legal prerequisites for effective criminal prosecution of those individuals responsible for international crimes against the citizens of Azerbaijan.

Alongside Armenia's responsibility as the State which unleashed war against Azerbaijan, under the customary and treaty norms of international criminal law, certain acts perpetrated in the context of an armed conflict are viewed as international criminal offences and responsibility for them is borne on an individual basis by those participating in the said acts, their accomplices and accessories. Because of operative and investigative measures undertaken by the lawenforcement agencies of Azerbaijan, concrete individuals have been accused of especially grave offences during the conflict, including the genocide in Khojaly. Arrest warrants have been issued to ensure effective international search of these persons.

The international community, acting chiefly through the United Nations, has proclaimed and set down in international instruments a compendium of fundamental values, such as peace and respect for human rights. The consensus on them was reflected in the adoption in 1948 of the Universal Declaration of Human Rights, according to which "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world". At the same time, the Universal Declaration emphasizes, "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind."¹⁶

Regrettably, even some 60 years after the adoption of the Universal Declaration of Human Rights, the conspicuous "silence" in certain international criminal proceedings serves to accentuate a deficiency characteristic of the international community today: the gap between the theoretical values of law and harsh reality, which impedes the application in practice of the rich potential of international law standards. At the same time, if one is to be consistent in upholding universally accepted values, it is essential to take steps to inhibit any brazen attempt to reject these and not to permit lawlessness, including by prosecuting their supposed perpetrators.¹⁷ It is clear that there can be no longterm and sustainable peace without justice and respect for human dignity, rights and freedoms.

All existing facts of the tragic events in Khojaly confirm that the intentional actions of the occupying forces were directed to mass extermination of the inhabitants of this town only because they were Azerbaijanis.

Measures taken at the national level as well as existing legal framework of prosecution of and punishment for international crimes secure conviction in the perspective of ending impunity for the genocide committed against the Azerbaijani population of Khojaly. Some are inclined to believe that the possibility of recognition of the unilateral secession of Kosovo from Serbia may create a precedent to address similarly the fate of other separatist territories, including Nagorny Karabakh. However, in addition to a number of differences between these two situations, the actions of Armenia aimed at forceful capture of a part of the territory of Azerbaijan, the puppet nature of the regime established in the occupied Azerbaijani lands as well as war crimes, acts of genocide and crimes against humanity committed by the occupying power *a priori* rule out any probability of application of the Kosovo scenario to Nagorny Karabakh.

¹⁴ Commentary to article 40 of the Articles on Responsibility of States for Internationally Wrongful Acts, in Crawford, op. cit., p. 246, para. 4.

¹⁵ See Articles on Responsibility of States for Internationally Wrongful Acts, article 41, in Crawford, op. cit., p. 69; See also General Assembly resolution 62/243 of 14 March 2008, entitled "The situation in the occupied territories of Azerbaijan", op. 5.

¹⁶ Universal Declaration of Human Rights, General Assembly resolution 217 A (III), 10 December 1948. For text, see United Nations Centre for Human Rights, Human Rights: A Compilation of International Instruments, ST/HR/1 /Rev.5, vol. 1 (First Part), New York and Geneva, United Nations, pp. 1-7, at p. 1.

¹⁷ See, e.g., Antonio Cassese, International Criminal Law (Oxford: Oxford University Press, 2003), p. 446.

**KHOJALY TRAGEDY IS A GENOCIDE COMMITTED AGAINST OUR PEOPLE
FASCISM, SAVAGERY HAS NO DEGREE.
THE ACTIONS OF THE ARMENIAN AGGRESSORS PROVE THIS NAMELY.**

*Ilham Abbasov,
Deputy Director of the Academy under the Ministry of Justice*

The history of humankind witnessed many tragedies. Hiroshima, Nagasaki, Songmi, Khatyn, the genocide committed by the Armenians against Azerbaijanis. The 1948-1952-deportation of Azerbaijanis from their native lands given under control of Armenia, 20 January and other tragic events are the crimes of the Armenians. The Khojaly tragedy is namely of such crimes.

Many people did not know about the existence of the settlement called Khojaly in the Upper Karabakh (Nagorno or Mountainous Karabakh) still in the Soviet period. Khojaly has remained in the Azerbaijan history under the name of “Khojaly tragedy” in connection with the events taken place on February 26, 1992 only.

Militants of our neighbor Armenian Republic’s armed forces and the 366th motorized-infantry regiment of the former Soviet Army committed act of genocide on February 26,1992, ineffaceable stain on humanity, having completely destroyed Khojaly town of Mountainous Karabakh, killed and wounded its residents.

As a result of this tragedy, 613 civilian Azerbaijanis, including 63 children, 106 women, 70 aged people within several hours were killed by giving them unbearable tortures only because of their being Azerbaijanis, 487 were given heavy injuries, 1275 residents – helpless elderly people, children, women were taken hostages and subjected to inadmissible tortures, humiliations and abasements. Not being satisfied, the Armenian militaries scalped heads, of the killed men, cut off organs, took out children eyes, pierced pregnant women’s stomach, buried or burnt people alive; Khojaly town was practically razed to the ground.

At that time when 613 peaceful Azerbaijanis were savagely executed, false information on perishes of only two residents of Khojaly was released for the public through official mass media.

Let us imagine for a moment all family members sleep in their beds and armored motorized forces enter the civilian apartments. Fire is opened from weapons of different caliber and innocent people are bleeding to death in their own native home.

In addition, this very event took place after October 1991, in other words, after the Azerbaijan Republic had restored its historical independence. In reality, this tragedy was a big-scale crime against not only the Azerbaijani people, but also against the whole humankind. However, it is a great pity that the authorities of the republic did not take necessary measures in order to prevent this tragedy. What is more, as if it were little did not release true information to the public and even concealed it.

The national leader Heydar Aliyev said wisely: “It is easier to prevent an event, than to eliminate its results after it has taken place” [1,p.10]. Though 16 years have already passed since that time, one just question makes everybody think: was it possible to prevent this tragedy?

The answer is unambiguous: it was possible to prevent this tragedy! If, speaking generally, persons greedy for posts, who had once benefited from the help of the national leader Heydar Aliyev, having held high posts as the first secretaries of district party committees, constituting in 1991 a big part of the deputies of the Supreme Soviet (parliament) of the Azerbaijan Republic, considering the fate of their positions higher than the destiny of the people, keeping an alien position to the people, trying to remain neutral when groundless attacks were being made against Heydar Aliyev, however, at the same time trying to hide their faces from the cameras or pretending being slept, had not hindered the ingenious person, world-famous politician Heydar Aliyev to return to the leadership of the republic. If the ingenious person Heydar Aliyev had been at the republican leadership in our country’s difficult days, not only the Khojaly tragedy, but even the 20th January tragedy, the loss of 20% of our lands, in one word, also other tragedies from time to time occurred, undoubtedly, would have been prevented.

Along with being the display of the terrorist policy turned against Azerbaijan’s state independence and territorial integrity, the Khojaly tragedy an act of mass and ruthless massacre was a cruel criminal act committed not only against Azerbaijanis, but also against humanity in a whole. When committing this act of genocide in Khojaly, the Armenian nationalists intended to frighten the Azerbaijani people not willing to give its native land to the aggressors, to break, eliminate its fighting determination.

Unfortunately, the world community treated indifferently the aggression of the Armenian Republic against the territorial integrity of Azerbaijan, the aggressive policy and ethnic cleansing, committing of terrible crimes as the Khojaly genocide in order to carry out the land claims to the neighbor country in the end of the 20th century, did not undertake effective measures to halter the aggressor. It is the result of the impunity atmosphere created around the aggressive state of Armenia that 20% of the territory of our country, that is the

Upper Karabakh and the surrounding 7 districts, has until now been occupied by the armed forces of Armenia, more than one million Azerbaijanis have been driven out their native places.

As a result of the Armenian aggression, 20% of the lands of our republic being occupied, 900 settlements were seized, 4366 social objects, 690 schools, 280 kindergartens, 862 clubs, 932 libraries, 1831 cinemas, 855 pre-school institutions, 856 medical ambulatories, pharmacies and other medical establishments, 10 mosques being worship places of the people, were destroyed, 380 villages of our compatriots driven out of Armenia were seized and all the property stayed there. Our republic suffered damages estimating around 50 billion USD. If we take into consideration that according to the information of the mass media given recently, the illegal exploitation by Armenia of the gold mines in Kelbejar, wide-scale fires set on the occupied territories, the 50 billion damage suffered by Azerbaijan is growing not year by year, month by month, but day by day. [2, səh.12].

After the national leader Heydar Aliyev returned to power on June 15, 1992, during his official trips abroad in his meetings with state officials, businessmen, the public, the Azerbaijani Diaspora as the head of the state, he informed them tirelessly visually on maps about the Karabakh truths and worked for the formation of the objective thinking in the international world that Upper Karabakh is an integral part of Azerbaijan, these territories are historically Azerbaijani lands.

It is no accident that after the national leader Heydar Aliyev's return to power on June 15, 1993 the Milli Mejlis (parliament) of the Azerbaijan Republic adopted on February 24, 1994 the resolution "On the Khojaly Genocide". It was decided in the first paragraph of the resolution mainly to commemorate the Khojaly events being one of the Azerbaijani tragedies and bloody pages of the human history, committed by the Armenian aggressors on February 26, 1992, as "the Day of the Khojaly genocide" on February 26, each year. [3,1-2].

Also, by the Decree of the national leader Heydar Aliyev dated February 25, 1997 "On declaring a minute of silence in commemoration of the victims of the Khojaly genocide", it was decided to mark the memory of the victims of the Khojaly genocide by a minute of silence on February 26 annually at 17:00 on Azerbaijan's territory as a sign of respect to it.

Under the leadership of the worthy representative of the national leader Heydar Aliyev's government school the follower of his expedient, wise, knowledgeable domestic and foreign policy, the President of the Azerbaijan Republic Mr. Ilham Aliyev our people will achieve the liberation of our seized lands by peaceful means and in conformity with the international norms. As declares Mr. Ilham Aliyev, if the liberation of our lands is impossible through peaceful means, the return of these lands by our military forces is an integral and constitutional right of our people.

It is seen from the information published these days in mass media that the National Parliament of Turkey will bring up to the discussion of its meeting the issue related to the Khojaly genocide [4, səh.1]. This shows once more that the icy cover created by the Armenian lobby in the international public around the so-called problem of the Upper Karabakh, the Khojaly genocide being its component, has been broken, truths have started being formed in the international public about the realities of the Upper Karabakh.

One question is now worrying the population of our republic: what must be done in order that such tragedies fallen on our people wouldn't be repeated any more, our state would get stronger, raise higher the economic and military force of our country, The answer is unambiguous: the civil society must be established in full and the national unity must be achieved for this. There is every condition in our country to achieve this goal.

On this heavy mourning day, we express our deep condolences to the families of the victims of the Khojaly genocide and wish our shahids paradise from our Almighty God.

Notes:

1. H.A. Aliyev Aphorisms (Wise thoughts selected from the speeches of the President of the Republic of Azerbaijan Heydar Aliyev), Baku-1997, p.10.

2. I.G.Abbasov, Article "Mountainous Karabakh is an integral part of Azerbaijan". Edition of the Azerbaijanis Congress, p.12.

3. "Azerbaijan" newspaper, 26 February 1994, N-40.

4. "Azerbaijan" newspaper, 17 February 2008, N-37.

"Today & Tomorrow. Azerbaijan in Focus".-2008.-№ 3(10). pp.4-6