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Human rights situations that require the Council's attention

Note verbale dated 30 June 2020 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Armenia to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and has the honour to transmit the statement made by the Ministry of Foreign Affairs of the Republic of Armenia on the ruling of the European Court of Human Rights on the case *Makuchyan and Minasyan v. Azerbaijan and Hungary* (see annex).

The Permanent Mission of Armenia kindly requests the Office of the High Commissioner to circulate the present note verbale and the annex thereto* as a document of the forty-fourth session of the Human Rights Council, under agenda item 4.

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



Annex to the note verbale dated 30 June 2020 from the Permanent Mission of Armenia to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The statement by the Foreign Ministry of Armenia dated 26 May 2020 on the ECHR ruling on “Makuchyan and Minasyan vs Azerbaijan and Hungary” case

Today, on May 26, the European Court of Human Rights ruled in the case of “Makuchyan and Minasyan vs Azerbaijan and Hungary,” which is related to the release and glorification by Azerbaijan of Ramil Safarov, who brutally killed Armenian officer Gurgen Margaryan.

In 2004, in Budapest the Azerbaijani officer Ramil Safarov, who was participating in a training course within the framework “Partnership for Peace” programme, murdered Armenian officer Gurgen Margaryan while he was asleep by axing him to death and attacked another Armenian officer Hayk Makuchyan. Ramil Safarov, who was sentenced to life imprisonment by the Hungarian court, was transferred to Azerbaijan, where enforcement of the sentence should have been continued. However, immediately after the transfer Ramil Safarov was pardoned and glorified. In this regard the ruling stated: “The court is particularly struck by the fact that, in addition to immediate release, upon his return to Azerbaijan R.S. was granted a number of other benefits, such as salary arrears for the period spent in prison, a flat in Baku and a promotion in military rank awarded at a public ceremony.”

The court has found violations of the 2nd (right to life) and 14th (non-discrimination) articles of the European Convention on Human rights by Azerbaijan.

It’s noteworthy that the ruling determined that the violation of those articles was interrelated, thus establishing that the impunity and glorification granted by the highest leadership of Azerbaijan to Ramil Safarov, who was convicted in the brutal murder on the grounds of hatred, had a causing link to the ethnicity of the victims.

This ECHR decision is a ruling against Azerbaijan's policy of Armenophobia. It not only recognizes, but also adjudicates on the inadmissibility of the promotion on the state level of hate crimes committed against the Armenians by Azerbaijan.

The ruling imposes a legal obligation to Azerbaijan to undertake such actions which will put an end to those violations of the European Convention of Human Rights and redress the effects.

The Republic of Armenia views this ruling of the ECHR as a demand addressed to the authorities of Azerbaijan to restore justice in the dreadful murder of Gurgen Margaryan and end its racist policy towards Armenians. To this end, the Republic of Armenia will make consistent efforts in the relevant international bodies.

The release of convicted murderer Ramil Safarov by the decree of the President of Azerbaijan and his glorification is a disrespect and affront to the standard of civilization and human dignity. Today, when those actions received their legal assessment, we more than ever are determined to prevent hate crimes and protect the security of the Armenian people in the region.

We will continue to work relentlessly to achieve a peaceful and secure region free of hatred.
