**Maat for Peace’ submission on Azerbaijan**

**Introduction**

Maat for Peace, Development and Human Rights presents this summary report to the United Nations Committee on the Elimination of Racial Discrimination prior to its sessions, in order to study the combined tenth to twelfth periodic reports of Azerbaijan to the Committee on assessing the extent to which the Government of Azerbaijan implements the provisions of the International Convention on the Elimination of All Forms of racial discrimination. In this way, Maat confirms that racial discrimination against ethnic and religious minorities in Azerbaijan still exists on a large scale, especially among the Lezgin and Talysh minorities. In the same regard, a large number of members of these minorities cannot speak their mother tongue or obtain education according to their cultural tradition; this coincides with the increase in racist discourses against members of the Armenian minority. On the other hand, human rights estimates indicate the spread of gender inequality in society, as well as the suffering of women from racial discrimination in many fields, and all of these things are considered violations of the Azerbaijani government's commitment to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination. It should be noted that Azerbaijan ratified the Convention in May 1996.

**Maat’s comment on the combined tenth to twelfth periodic reports of Azerbaijan**

By examining the combined 10th to 12th periodic reports submitted by Azerbaijan to the Committee on the Elimination of Racial Discrimination CERD/C/AZE/10-12 CERD/C/AZE/10-12, Maat noted several matters which would like to draw the Committee’s attention to and which contribute to limiting the spread of racial discrimination In all parts of the country, among these matters are the following: -

* Maat is seriously concerned about some of the phrases and paragraphs in the government report that have been used politically, in particular those related to the conflict in the Nagorno-Karabakh region. The report clearly ignores the situation of ethnic and religious minorities in the Nagorno-Karabakh region, and focuses instead on the Armenians’ government violations in clear politicization of the treaty mechanism, in the context of the independent United Nations human rights system.
* The report of the Azerbaijani government stated that Article 283 of the Penal Code is used to combat racist and hate speeches and prosecute what calls for it. In this regard, Maat has human rights concerns about the misuse of this article in arresting defenders of the rights of ethnic minorities against discrimination, or individuals who oppose the government, especially with regard to the situation in the Nagorno-Karabakh region. This article can allow the prosecution of opponents, politicians and human rights defenders. For this reason, Maat recommends that the Azerbaijani government respect the line between hate speech, racial discrimination, and freedom of opinion and expression, people should not be punished because of their opinions contrary to the decisions of the government.
* Maat appreciates the measures taken by the government in the last period to combat racism within the state's administrative agency, but it would like to obtain more information about the measures taken by the government to combat hate and racist speeches issued by government officials, in particular those letters related to the conflict in The Nagorno-Karabakh region, as well as the discourses related to the Armenians. On the other hand, Maat leads to know more statistics about the hate speeches that the government monitored in the societal context and how it dealt with them.
* Maat is deeply disappointed about the lack of information regarding serious investigations into the violations committed by security forces towards ethnic minorities in the Nagorno-Karabakh conflict zone, which lasted for more than 44 days, and during which many religious buildings of Armenians were destroyed, and no serious investigations will be mentioned about this matter.
* Maat wants to inquire about the status of the social and economic rights of ethnic and religious minorities in society, especially in the Nagorno-Karabakh region, as the information provided by the government is insufficient, and it would like to ask about the impact of the Coronavirus (COVID-19) pandemic on people most vulnerable to discrimination, and what are the measures taken by the government to reduce this matter.
* In the end, Maat requests the government of Azerbaijan to respond to the list of issues related to the combined 10th to 12th periodic reports, which the committee worked to submit to the government.

**The racist practices of the Azerbaijani government in the Nagorno-Karabakh region under its control towards the Armenian minority (Articles 2 and 3 of the Convention)**

Article 2 of the convention stipulates that the state undertakes not to take any actions that lead to racial discrimination. Article 3 also stipulates that the governments of the countries must take many measures aimed at prohibiting racial discrimination in their areas of control, as well as not to practice this discrimination. As such, Maat is deeply concerned about the policies of the Azerbaijani government in the Nagorno-Karabakh region towards ethnic and religious minorities, particularly the Armenian minority, which sometimes, according to human rights assessments, amount to policies of apartheid. In February 2022, the Minister of Culture of the Azerbaijani government stated in a press conference that a teamwork will be formed with the task of removing the fictitious monuments written by the Armenians on the Albanian religious temples, this means removing the Armenian apostolic inscriptions from the churches, and despite the government’s retreat from this matter due to international pressure on it, this position shows the extent of the racist policies pursued by the government towards ethnic minorities In the Nagorno-Karabakh region[[1]](#footnote-1).

In this context, Maat condemns the continuation of hostilities by the Azerbaijani armed forces towards religious facilities belonging to minorities, which is accompanied by complete impunity; this policy represents racial discrimination against the Armenian minority because of their inability and enjoyment to perform their religious rituals. Documented evidence and video footage indicate that the Azerbaijani armed forces vandalized the Church of St. Yeghishe in Mataghis, Artsakh in April 2021, before many of them destroyed the Church of the Virgin in Mikhakavan (Jabrayil)[[2]](#footnote-2). In October 2020, the Ghazanchetsots Cathedral, which is classified as a UNESCO World Heritage site, was severely damaged by an air raid without accountability for those who carried out this act or even just investigating[[3]](#footnote-3), which confirms the seriousness of the matter and that the actions committed by the Azerbaijani government may amount to policies of apartheid against the Armenians in the region Nagorno-Karabakh European Parliament Resolution adopted in March 2022, on the need to preserve the Armenian cultural and religious heritage in the region and to prevent its erasure or manipulation[[4]](#footnote-4).

**Racial discrimination against women (Article 2 of the Convention)**

Article 2 of the Convention states that the government should take many measures in order to eliminate racial discrimination in all its forms. Despite this, women still face restrictions on the basis of gender in Azerbaijan, and as a result, gender inequalities persist in education, employment, political participation, access to information and communication technology. In this regard, there are many professions that women are prohibited from working in, and the gender wage gap is very high[[5]](#footnote-5). In 2020, the average monthly salary for women was 63 percent of the average monthly salary for men, human rights estimates indicate that the law excludes women from 678 professions in 38 industries that have been framed as inherently dangerous jobs, and prohibits women from working at night[[6]](#footnote-6).

**Propaganda, discourse, and ideas based on racism and racial superiority (Article 4 of the Convention)**

Article 4 of the agreement stipulates that the government must confront racist ideas and speeches, but practical practices indicate the escalation of hate speech and racist ideas against the Armenian minority without an effective response by the government. In April 2021, a video appeared on Facebook showing the burning of the Armenian flag during a children's celebration, which serves to contribute to the upbringing of an entire generation in the light of hatred[[7]](#footnote-7). Twitter also canceled the official account of H. H., assistant to the President of the Republic of Azerbaijan and Head of the Department for Foreign Policy Affairs in the Presidential Administration, due to his violations of the hate speech policy on Twitter where he constantly used a vocabulary of hate speech against the Armenians.[[8]](#footnote-8)

On October 28, 2020, the European Football Association banned N. I., head of the press service of the Azerbaijani football club “Karabakh”, for violating the basic rules of decent behavior and calling on social media to kill Armenians, which represents an explicit call for discrimination, racism and incitement to hatred[[9]](#footnote-9). It is worth noting that the Azerbaijani government will not take any serious steps to eradicate these speeches or work to hold those who launched them accountable.

**Lack of respect for the educational rights of minorities (Article 7 of the Convention)**

Article 7 of the Convention stipulates that the cultural rights of minorities should be respected and promoted. Despite this, the government in Azerbaijan does not respect the educational rights of the Talysh minority, as the government does not allow them to teach in their mother tongue, nor does it allow them to conduct their own cultural activities. As such, this minority faces a crisis in its own identity and racial discrimination in various cultural fields, not only that, but activists who defend their rights are arrested and stifled[[10]](#footnote-10), and the best example of this is the arrest of the activist F. A. after his return from Russia in March 2019, as the latter was constantly defending the cultural and educational rights of the Talysh minority[[11]](#footnote-11).

**Recommendations**

In sum, it can be said that racial discrimination in Azerbaijan is still widespread, especially against ethnic and religious minorities. Maat for Peace, Development and Human Rights recommends the following: -

* The need not to use international human rights mechanisms to achieve political ends.
* Failure to use Article 283 of the Penal Code to punish opponents and human rights defenders;
* The need to obtain information about the measures taken by the government to combat hate speech and racism issued by government officials;
* The need for information on the measures taken by the government during the spread of the COVID-19 epidemic to protect ethnic and religious minorities;
* The need to respect the rights of the Armenian minorities in the Nagorno-Karabakh region, while preserving their culture on a large scale;
* The need to investigate the repeated attacks on religious buildings in the Nagorno-Karabakh region, while preventing impunity.
* Work to combat discrimination against women and achieve gender equality;
* The need for the government to confront racist ideas and discourses;
* The necessity of providing education in the mother language for ethnic and religious minorities, while allowing them to conduct various cultural activities.
1. Azerbaijan walks back plans to erase Armenian traces from churches**.** eurasianet. <https://bit.ly/3yyNP3l> [↑](#footnote-ref-1)
2. الأذربيجانيون يواصل تخريب الكنائس الأرمنية في أرتساخ، القضية ، أبريل ٢٠٢١ ، <https://bit.ly/3PjFyY8> [↑](#footnote-ref-2)
3. Armenians in Nagorno-Karabakh fear destruction of their cultural heritage. france24 . <https://bit.ly/3Ivivr1> [↑](#footnote-ref-3)
4. EU Parliament condemns destruction of Armenian heritage in Nagorno-Karabakh. **oc-media.** March 2022https://bit.ly/3Ro7j3k [↑](#footnote-ref-4)
5. Women continue facing gender-based restrictions in Azerbaijan. Strategeast. <https://bit.ly/3Iw1UDf> [↑](#footnote-ref-5)
6. 2021 Country Reports on Human Rights Practices: Azerbaijan. <https://bit.ly/3yyMKZq> [↑](#footnote-ref-6)
7. Anti-Armenian Xenophobia and racism in Azerbaijan 2021. transparency. <https://bit.ly/3uFOorf> [↑](#footnote-ref-7)
8. توتية توضح ما حدث في حساب الأخير علي موقع توتير ، <https://bit.ly/3NZjCQG> [↑](#footnote-ref-8)
9. **UEFA Bans Azeri Soccer Officer Who Said ‘We Must Kill All Armenians. asbarezhttps://bit.ly/3yUtk2v** [↑](#footnote-ref-9)
10. prepared by the Public Council of the Talysh People in Azerbaijan on implementation of CE Framework Convention for the Protection of National Minorities in the Republic of Azerbaijan for the protection of Talysh people, covering the period of 2016 – 2021 year. <https://bit.ly/3yw96Ld> [↑](#footnote-ref-10)
11. Ethnic Talysh Activist Arrested In Baku After Being Deported From Russia. <https://bit.ly/3uE3f5o> [↑](#footnote-ref-11)