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Press Release

Criminal complaint to the Federal Prosecutor General in Karlsruhe for war crimes committed against persons in the current Karabakh war by Azerbaijani soldiers

Yesterday, Tuesday, 20 October 2020, the German-Armenian Lawyers' Association (DEARJV) filed a criminal complaint with the Federal Prosecutor General at the Federal Court of Justice in Karlsruhe concerning Azerbaijan's war crimes against persons during the current Karabakh war.

In the early morning of 27 September, Azerbaijani forces launched a wide-ranging war of aggression against the Republic of Artsakh (Nagorno-Karabakh) which is continuing on a massive scale, despite the fact that humanitarian ceasefire agreements have been negotiated twice. Various acts have since been identified which suggest that the Azerbaijani forces have committed massive war crimes in this active manner. As a result, several crimes and events were evaluated, analysed and classified as such, in violation, among other things, of the norms of the Code of Crimes against International Law (abbreviated in German as VStGB). In order to ensure that these terrible actions do not go unpunished and that the perpetrators are brought to justice, we, the German-Armenian Lawyers' Association, which has set itself the objective of promoting legal clarification of the Nagorno-Karabakh (Republic Artsakh) conflict, have decided to report these events and crimes to the Federal Prosecutor General.

In our view, the crimes we have named in the criminal complaint are war crimes against persons in different constellations of the VStGB. In the past few days, for example, video and photo material circulated in the social media showing the exposure of Armenian prisoners by Azerbaijani soldiers. In addition, the captured Armenian soldiers were subjected to inhuman treatment, severe humiliation and psychological and physical torture. In one case, two Armenian soldiers in captivity were barbarously humiliated and executed by order. In other cases, Azerbaijani soldiers posed with the severed head of an Armenian soldier and with Armenian corpses. They also performed desecrations of corpses on them and published this on various channels on the Internet.

Furthermore, various other possible war crimes are known, including the use of cluster bombs and the shelling of civilians and civilian infrastructure facilities such as hospitals, supply facilities, kindergartens, schools, cultural facilities such as theatres and churches, roads (supply routes), bridges and entire residential areas.

Under universal jurisdiction, criminal prosecution in the Federal Republic of Germany is also possible if the offence was committed abroad and the perpetrator is located in Germany after

the crime. In addition, we have made explicit statements against the extradition of the perpetrators to Azerbaijan, as we believe that criminal prosecution in Azerbaijan is not guaranteed in such a case. This was confirmed in the case of the Azerbaijani officer Ramil Safarov, who, during the NATO training course in Hungary in 2004, cut off the head of an Armenian participant with an axe while he was sleeping. After his extradition to Azerbaijan, he was absolved and celebrated as a hero at all levels of the state. This circumstance was also noted in the judgement of the European Court of Human Rights in spring this year (*Makuchyan, Minasyan v. Hungary, Azerbaijan*, N. 17247/13, judgement of 26 May 2020, paras. 164, 172) which doubts the conviction of Azerbaijani perpetrators in the context of acts committed against Armenians.