

FEAR OF REVEALING THE TRUTH – THE REASON FOR PERSECUTING HUMAN RIGHTS DEFENDERS IN BAKU BY ORWELLIAN «BIG BROTHER»

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Expressing Armenian colleagues' any attitude towards the neighboring country's human rights defenders persecuted with accusations of high treason by Baku authorities is extremely difficult. We are talking about the opponents with whom we had to argue over the fundamental issues of the Nagorno-Karabakh settlement at almost all international academic-expert forums organized under the auspices of the international community. On the other hand, these are the colleagues, who, for the most part, having certain professional qualification and adhering to international standards of independent academic studies, could not but understand that peaceful and fair resolution of the Nagorno-Karabakh conflict is based on the political and legal fact of practical exercise of the right to self-determination by the Nagorno-Karabakh people with infallible use of legislative tools of direct democracy in compliance with the «USSR Law on Secession of a Soviet Republic from the USSR» which was in force in late 1991.ⁱ

At the same time, the neighboring country's human rights defenders as a result of independent studies, and due to the very essence of the academic pursuit of the truth, could not but come to the unbiased conclusion that in context of Azerbaijan's withdrawal from the USSR jurisdiction before the Karabakh referendum and the USSR's breakupⁱⁱ, a consent obtained on the results of the legitimate plebiscite with the relevant authorities of Azerbaijan and the USSR lost its legislative imperativeness.ⁱⁱⁱ

These experts, being committed to the requirements of academic objectivity, know that the legality of the right to self-determination, exercised by the Karabakh Armenians, is founded also on the fact of Azerbaijani minority's equal involvement in the preparation and conduct of the referendum, which is established in verifiable documents. The human rights defenders in Baku as a result of unbiased research could not but reveal the truth consisting in the fact that the reason for Karabakh Azerbaijanis' non-participation in the law-governed referendum was the decision of Baku authorities to boycott the Karabakh referendum.^{iv}

Thus, the authorities' awareness of objective provability of academic truth of the fact of legality of the Karabakh referendum and the subsequent process of the NKR's institution-building as a de facto legitimate democratic state is the main reason for the persecution of human rights defenders carrying out studies within international academic-expert community.^v

Thereby, the fundamental choice between the academic commitment to the truth or to its deliberate distortion has been put as a main reason for which the neighboring country's human rights defenders are incriminated for the high treason. It should be noted that in these terms, to

come out in favor of the colleagues persecuted by Baku authorities, is no easy task. Considering the realities of political persecution, and seeking the truth in support of the persecuted colleagues from Azerbaijan, we have to look to the «do no harm» principle.

Meanwhile, international support for Azerbaijani activists of «public diplomacy», subjected to repression by Baku authorities, drew the leading policymakers of the world and human rights organizations into its orbit. The arrest of Leyla Yunus, Director of the Institute for Peace and Democracy, charged with spying for foreign countries, attracts special attention. Baku authorities declared the lady to be secret service agent of the Republic of Armenia; the Main Intelligence Directorate, General Staff, Armed Forces, Russian Federation; and the State Department and CIA, US.

Many politicians and human rights organizations seem puzzled at the fact that Baku authorities having launched repressions against its own civil society activists involved in the academic-expert discussion of the issues of peaceful resolution of the Karabakh conflict, chair the Committee of Ministers of the Council of Europe, designed to further cooperation among the European countries in the areas of developing legal standards of vital activity of the European community, human rights and democracy promotion.

The colleagues from international analytical community, representing think tanks and universities of the US, Europe, Eurasia and Russia, while commenting on the June 2014 speech by the head of the neighboring state and his answers to the questions in the Parliamentary Assembly of the Council of Europe as to the facts of persecution of the human rights defenders in Azerbaijan, find parallels between the behavior of the Azerbaijani authorities and the dictatorship of «Big Brother» in the fictional state of «Oceania», described by George Orwell in his masterpiece pamphlet «1984».

As we know, Orwell describes a regime of total control not only over the political actions of the civil society members, but also their so-called «thought crime», which was a vile sin in «Oceania» and was punishable by death. Under such a dictatorship, not even a deed, but merely the very thought of it falls within the concept of «thought crime». Rules of behavior under these conditions run as follows - *«thinking about an offense a person signs his own death sentence, which sooner or later, but always inevitably overtakes him within the walls of the «Ministry of Love».* The repressive body, uncovering «thought crime» is the «Thought Police». And the public censure of the «thought-crime» and «thought-criminals», and justification of their cruel punishment under the dictatorship of its Head – «Big Brother» is provided by the «Ministry of Truth».

The colleagues from the international academic-expert community, indignant at repression against the human rights defenders in Baku engaged in «public diplomacy», see in their propagandistic denigration the hand of Baku's «Ministry of Truth» which on the grounds

identified by Orwell *«destroys, alters or adapts the facts, if the figures, opinions or forecasts they contain do not comply with the requirements of «Big Brother». In the «Ministry of Truth» even the history is scraped out as an old parchment and written anew - as many times as needed. Then the scrape-out is forgotten, and the lie becomes the truth.»* Drawing parallels it can be stated that by conducting prejudiced checks of the participants of conferences and workshops held under the auspices of respected international organizations and covering the issues of peaceful resolution of the Nagorno-Karabakh conflict, faults are found, inflated to the caliber of a criminal case, and then elevated to the category of felonies including high treason by Baku's «Thought Police», «Ministry of Truth» and «Ministry of Love».

As described by the British author of the brilliant dystopian novels «1984» and «Animal Farm», «Big Brother's» dictatorship principles in such regimes conform to the following formulae: *«The purpose of repression is the repression. The purpose of torture is the torture. The purpose of power is the power.»*

The Orwellian formulation of «Big Brother's» strategic priorities - *«Who controls the past, he controls the future, who controls the present, he controls the past,»* etc. can serve as an exact explanation of the policy objectives of Baku's dictatorship falsifying political and legal facts of the present and the past.

Now a few words about my personal impressions of Leyla Yunus, following the May 11, 1992 discussion of the fact of taking the town of Shushi by the Armenian forces (the night of 7th to 8th of May, 1992 may be the night of 8th to 9th) at Azerbaijan's Permanent Mission in Moscow which I attended as a political columnist on Transcaucasia of the newspaper «Russia», Supreme Council (Parliament) RF.

The victorious outcome of the military operation «Wedding in the Mountains» planned by the competent professionals of the Armenian army literally resulted in hysterical speeches of the present Azerbaijanis, who introduced themselves as sponsors of the war waged against the Nagorno Karabakh Republic by the Popular Front of Azerbaijan who has been coming in power in Azerbaijan.

Journalists from the Russian and foreign media were invited to the press conference at Azerbaijan's Permanent Mission with notification of the planned meeting with Azerbaijan's Minister of Defense Rahim Gaziyeu. Judging by the violent criticism of the Azerbaijani audience it was the Minister of Defense Gaziyeu whom they were looking to for explanations. However, he did not come. And Leyla Yunusova (now Yunus) assumed the burden of responsibility for the defeat. She spoke not from the standpoint of human rights protection, but as a representative of the Minister - «the culprit of defeat». Being appointed to the position of head of the Azerbaijan's Ministry of Defense Information Service just four days before the victory of Armenians in

Shushi, during two and a half hours she could withstand the attacks of the shocked Azerbaijani financial backers of the war against Karabakh.

Listening to Leyla Yunus and Azerbaijani participants of the press conference, dumbfounded by the political, legal and military impeccability of the Armenian sides activities, I, due to Shushi victory, consolidated my respect for the century-long martial traditions of Karabakh Armenians, having inscribed in the history of victorious wars the names of 5 Marshals and the Admiral of the Fleet of the USSR. Suffice it to mention that the Chiefs of Staff of the Soviet Navy and the Soviet Air Force at certain stages of the Second World War were Armenian commanders of Karabakh origin - Ivan Isakov, Admiral of the Fleet, USSR, and Armenak Khanfperiants-Khudyakov, Marshal of Aviation, USSR.^{vi}

The leaders of the Karabakh national liberation movement jointly with the Nagorno-Karabakh Government-in-exile acting in Moscow,^{vii} established at the initiative of the USSR People's Deputy Zori Balayan and the Head of Special Programs under the Government of Armenia Ashot Manucharyan, as a result of the punitive anti-Armenian operation «Ring» in Northern Artsakh, traced the challenges of the Ogarevo and Novo-Ogarevo processes, as well as the activities of the State Committee on the State of Emergency, and immediately after its downfall they launched institution-building process in line with the requirements of international law and the then effective Soviet legislation.^{viii}

Now, after 22 years, in the aftermath of the recent failed attempts to demonstrate the power of Azerbaijan on the frontline I am again convinced of the far-sightedness of the Karabakh Armenians, who, in contrast to the neighboring country's focus on fierce pogroms and armed violence, preferred law-governed solution to the Nagorno-Karabakh conflict in accordance with the legislation and political realities.

Political science in its independent and impartial application to the study of the Nagorno-Karabakh conflict leads to the irrefutable truth of the de facto legitimate and democratic character of the Nagorno-Karabakh Republic.

Returning to the mass repressions launched against the human rights defenders by the instance of Leyla Yunus, I want to emphasize that here the main goal of the totalitarian regime of Azerbaijan is the elimination of the community of qualified independent analysts of internal and external political processes, including the peaceful resolution of the Nagorno-Karabakh conflict. Thereby, Baku authorities destroy the academic-expert ground for developing an impartial political and legal basis for the peaceful resolution of the Nagorno-Karabakh conflict, ending in mutual recognition of the Republic of Azerbaijan and the Nagorno-Karabakh Republic.^{ix}

Baku's «Big Brother» with his «Ministry of Truth», «Ministry of Love» and «Thought Police» should know that its policy of systemic distortion of facts of both the current events and the

history, as well as justification of repression against the human rights defenders is strongly condemned by the international academic-expert community. Besides, it highlights the unacceptability of the fact that the Chairman of the Council of Europe's decision-making body - the Committee of Ministers aimed at facilitating cooperation among the countries of Europe in the field of human rights and democracy promotion, in the case of Azerbaijan holds the banner of total dictatorship of «Big Brother» in his hands.

There may be only one conclusion: the reason for persecution of human rights defenders in Baku by Orwellian «Big Brother» is the fear of revealing the truth.

ⁱ См. Закон СССР «О порядке решения вопросов, связанных с выходом союзной республики из СССР» № 1410-1 от 3 апреля 1990 г.» Ведомости Съезда народных депутатов СССР, Верховного Совета СССР», 1990, № 15; Закон АЗР «об упразднении НКАО АЗР», 26 ноября 1991 года. Ведомости ВС АЗР, 1991, № 24; . Акт о результатах референдума о независимости Нагорно-Карабахской Республики, 10 декабря 1991г. г. Степанакерт, Нагорно-Карабахская Республика, Министерство Иностранных Дел): - (<http://www.nkr.am/rus/facts/referendum.html>).

ⁱⁱ Алма-Атинская Декларация, Алма-Ата, 21 декабря 1991 г. Юридическая Россия. Федеральный правовой портал (v.3.2.).
<http://www.law.edu.ru/norm/norm.asp?normID=1168266&subID=100063823,100063824#text>

ⁱⁱⁱ См. КОНСТИТУЦИОННЫЙ АКТ АЗЕРБАЙДЖАНСКОЙ РЕСПУБЛИКИ О ГОСУДАРСТВЕННОЙ НЕЗАВИСИМОСТИ АЗЕРБАЙДЖАНСКОЙ РЕСПУБЛИКИ:
<http://www.azerbaijan.az/portal/History/HistDocs/Documents/ru/09.pdf>

^{iv} См.: ICES: Взаимное признание Азербайджана и Нагорного Карабаха - залог конструктивных переговоров. Гайк Котанджян, 2 декабря 2013:
<http://www.elections-ices.org/russian/publications/textid:17265/>

^v «EUROPE ET ORIENT». «Institution-building in Karabakh: The NKR is a de facto legitimate democratic state» by Major General Hayk Kotanjian
<http://europeetorient.blogspot.fr/2014/07/the-nagorno-karabakh-republic-is-de.html>

^{vi} Речь идет о следующих полководцах карабахского происхождения: Маршале Советского Союза Ованесе Баграмяне, Адмирале Флота СССР Иване Исакове, Маршале авиации Арменаке Ханферянце-Худяков, Маршале бронетанковых войск Амазаспе Бабаджаняне и Маршале инженерных войск Сергее Аганове.

^{vii} «Покойный Юрий Барсегов выполнял конфиденциальную миссию Министра юстиции правительства в изгнании Нагорного Карабаха: коллега», 11.08.2008:
02.07.2014pda.regnum.ru/news/1039699.html

^{viii} «Институциональное строительство в Карабахе: НКР - де-факто легитимное демократическое государство», 02.07.2014:
<http://www.regnum.ru/news/polit/1820961.html>

^{ix} ICES: Взаимное признание Азербайджана и Нагорного Карабаха - залог конструктивных переговоров. Гайк Котанджян, 2 декабря 2013:
<http://www.elections-ices.org/russian/publications/textid:17265/>