



Open Letter to Olaf Scholz, Chancellor of Germany, Regarding Complicity in Genocide

May 30, 2023

Dear Mr. Olaf Scholz,

On behalf of the Lemkin Institute for Genocide Prevention, a grassroots advocacy organization based in the U.S. dedicated to ending the cycle of violence and promoting long lasting peace, we write to you concerning the upcoming European Political Community summit in Moldova on 1 June, when Armenian Prime Minister Nikol Pashinyan and Azerbaijan President Ilham Aliyev are scheduled to discuss the possible immediate signing of a peace agreement.

The meeting, which we understand will be hosted by your office and the office of President Emmanuel Macron, will discuss, among other things, the status of Artsakh (Nagorno-Karabakh), the ongoing blockade, the recent establishment of a checkpoint by Azerbaijani authorities at the Lachin Corridor, the fate of Armenian POWs still being held hostage by Azerbaijan, and the future treatment of Artsakhsi Armenians by the government of Azerbaijan.

The Lemkin Institute wishes to remind the Chancellor that Azerbaijan is responsible for gruesome atrocity crimes against Armenian POWs and civilians during the 2016 and 2020 wars, atrocity crimes that bear the hallmarks of genocidal intent. President Aliyev himself continues to threaten not just Armenians in Artsakh but also in the Republic of Armenia by, for example, invading the latter and making land claims to most of existing Armenian territory. Both the current blockade of Artsakh and the Lachin Corridor checkpoint are in violation of Point 6 of the 2020 Tripartite Agreement that ended the 44-day war. Additionally, Azerbaijan continues to blatantly disregard and fails to comply with the International Court of Justice's (ICJ) legally binding decision on provisional measures issued on February 22, 2023, which ordered Azeri authorities to ensure free

movement of goods and people through the Lachin Corridor. We are concerned that the Aliyev regime is being rewarded for its aggressive and threatening actions towards Armenians and Armenia. Given Azerbaijan's track record, we do not believe that it will honor any legally-binding agreement.

The Lemkin Institute highlights that the blockade – and any granting of Azerbaijan the rights to control the people and the land of Artsakh – represents a clear existential threat to the 120,000 ethnic Armenians living in the breakaway region. Their lives are endangered by a hostile neighbor whose intentions are clear: to wipe out all traces of Armenian life and of an Armenian presence in this region. Azerbaijani President, Ilham Aliyev, has consistently and repeatedly stated that he intends to eradicate the indigenous Armenians dwelling in Artsakh. During the 2020 war he said, "If they don't leave on their own, we'll chase them out like dogs." He is supported in his genocidal pursuits by his Turkish counterpart, President Recep Tayyip Erdoğan. Both countries aim to weaken Artsakh Armenians through these genocidal threats, including the threats of starvation, exposure, and ethnically motivated violence, so that they are terrorized and leave their historical land. Let us remember that the region of Artsakh has been inhabited by a majority Armenian population throughout history despite the region's incorporation into various empires over the centuries. Local leadership, language, and culture has remained unshakably and profoundly Armenian.

The Western world continues to disregard Azerbaijan's war crimes, crimes against humanity, and use of terror and is granting Azerbaijani President Ilham Aliyev near complete impunity to do as he pleases with the 4000-year-old indigenous Armenian community that has never before been under Azerbaijani control. The European Political Community, which prides itself on its unwavering commitment and support for democracies such as Armenia, is turning a blind eye to the Azerbaijani dictatorship for geopolitical and resource reasons.

The Lemkin Institute fears that this position will lead Germany to sponsor a forcible "coordinated" transfer of the Armenian population of Artsakh to Armenia proper. The forced transfer of the Armenians of Artsakh would constitute a violation of the right to self-determination, a fundamental pillar of the current legal order of the international community, and a fundamental right that the Armenians of Artsakh have been exercising long before the 1991 referendum that finally established the appropriate political institutions for self-governance. Likewise, the forced transfer would also constitute—at the very least—the crime against humanity of deportation. It would also arguably fall within the definition of the crime of genocide, as it would imply applying measures that would cause the total eradication of the autochthonous/indigenous population of the land where they have built their cultural identity and traditions.

The Lemkin Institute wishes to recognize and honor Germany's efforts to take responsibility for the role that the German government played in aiding and abetting the 1915-1923 genocide of Armenians committed by the Committee of Union and Progress in the Ottoman Empire. Recognition of such historical responsibility for past genocide has made Germany a model nation within a world community still struggling with the impact of 19th and 20th century genocides. In particular we wish to highlight the following points made by the 2 June 2016 resolution by the German parliament related to the "Remembrance and commemoration of the genocide of the Armenians and other Christian minorities in the years 1915 and 1916":

The Bundestag regrets the inglorious role of the German Empire, which, as a principal ally of the Ottoman Empire, did not try to stop these crimes against humanity, despite explicit information regarding the organized expulsion and extermination of Armenians, including also from German diplomats and missionaries. The commemoration of the German Bundestag is also an expression of particular respect for the probably oldest Christian nation on earth. The German Bundestag reaffirms its decision of 2005 (Printed matter 15/5689), which was dedicated to the commemoration of the victims as well as to the historical reappraisal of the events and which aimed at contributing to the reconciliation between Turks and Armenians. During the debate on the centenary commemoration day on April 24, 2015, in the German Bundestag, speakers of all parliamentary groups and in particular the Federal President, on the eve of the debate, condemned the genocide committed against the Armenians, commemorated the victims and called for reconciliation. The German Empire bears partial complicity in the events.

We also wish to underscore the commitment the people of Germany made to reconciliation in the name of protecting Armenia life:

The Bundestag commits to the special historical responsibility of Germany. This includes supporting Turks and Armenians in overcoming old divisions and seeking paths of reconciliation and understanding. This reconciliation process has come to a halt in the past few years and urgently needs new impulses.

We must note in this context that the current "peace" negotiations are not in line with the commitments made by Germany in 2016. Instead, they are regrettable capitulations to the threats and illegal behavior of a clearly genocidal regime in Azerbaijan, which is strongly supported by its ally Türkiye, a country that still threatens Armenians with

genocide and refuses to recognize its role in the 1915-1923 genocide and the long-term violent influence of that genocide on the Turkish state and society.

The current course of action is no solution to the ongoing genocidal threats faced by Armenians. The European Political Community, and especially the German nation, must place clear pressure on Azerbaijan and Türkiye to draw back their ongoing aggression against Armenian life through targeted sanctions and other diplomatic measures drawn from existing genocide prevention toolboxes. This must be done before Armenia is forced to sign any 'peace' agreement that would place Armenians in Artsakh and in the Republic of Armenia at risk of further Azerbaijani aggression. *Otherwise the European Political Community, the German state, and your office risk being complicit in genocide*, according to Article III(e) of the Genocide Convention. Any accord brokered by the European Political Community on Sunday that includes the forcible displacement of Artsakhis to Armenia will amount to a plan for genocide and should be tried in an international court. Peoples of the world can no longer afford to let complicity in genocide go unpunished.



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