

International Relations and Defence Committee Nagorno Karabakh and Armenia-Azerbaijan Relations

Written Submission by Humanitarian Aid Relief Trust (HART)

1. About us

Humanitarian Aid Relief Trust (HART) is an international development charity. We have operated in Nagorno Karabakh for over two decades.

Our primary humanitarian partner in the region is the Lady Cox Rehabilitation Centre, an internationally-recognised 'Centre of Excellence' based in Stepanakert. Before its emergency evacuation in September 2023, the health facility provided care for 1,500 patients annually, including children with autism and cerebral palsy, and adults in chronic pain.¹

The Rehabilitation Centre is named after HART's Founder President, Baroness Cox, who has undertaken 88 humanitarian missions to Nagorno Karabakh since the early 1990s.

2. Summary

All of the points raised come back to one central principle: there must be no impunity for the most serious international crimes. Azerbaijan has faced no consequences for its recent actions, which include:

- Forced displacement of over 100,000 ethnic Armenians from Nagorno Karabakh.
- Use of weapons incapable of precision targeting, in contravention of international humanitarian law and Geneva conventions.
- Destruction of non-military objects, including hospitals, schools and food stocks.
- Provocative incursions into the sovereign territory of Armenia.
- The continuing unlawful imprisonment of up to 100 Armenian hostages.
- Humiliating treatment and desecration of Armenian corpses.
- A nine-month blockade of the Lachin Corridor, preventing access to fuel, food and medicine.
- Discriminatory, segregational, restrictive and exclusionary practices, including anti-Armenian rhetoric.

¹ Among the 100,000 ethnic Armenians displaced from Nagorno Karabakh, persons with disabilities face disproportionate risk of abandonment and a lack of access to support. They require bespoke, accessible humanitarian assistance. Generic aid packages for food and non-food items will not go far enough to meet each individual's complex needs.

- Targeted erasure of significant Armenian cultural properties and centuries-old religious sites.
- Violation of the trilateral ceasefire agreement of 9 November 2020.
- Breaching the International Convention against the Recruitment, Use, Financing and Training of Mercenaries.

Serious violations of international human rights and humanitarian law have not been prevented, punished or adequately addressed. Failure to act gives Azerbaijan a green light to continue its violations with impunity.

3. Background

Nagorno Karabakh is often characterised as a battleground between two warring parties: Armenia and Azerbaijan. Each claim absolute historic ownership of the region. It has geopolitical significance to regional powers Russia, Turkey and Iran and to other states including France and the USA – all of whom claim to play their part as mediators in the peacebuilding process.

The territory straddles a deep religious divide (separating the historically-Christian world from the Muslim world, on the border of Eastern Europe and Western Asia) an ethnic divide (between ethnic Armenians and Turkic Azeris) and two systems of government (democratic versus authoritarian). For decades, these divisions have represented an axis of instability in the South Caucasus.

Whenever territorial control of Nagorno Karabakh has passed from one side to the other, it has been marked by the forced displacement of civilians. Both Armenia and Azerbaijan have perpetrated atrocities and contributed to the toll of human suffering. The conflict, however, is not tit-for-tat. The asymmetry of violence and oppression is stark and must be acknowledged by the International Relations and Defence Committee in their characterisation of the conflict.

Our written submission (below) highlights concerns since 2020.

4. Pro-war demonstrations in Baku

Pro-war demonstrations were held in Baku on 14 July 2020, during which thousands of protestors demanded that the Government of Azerbaijan deploy the army to “retake Nagorno Karabakh”. They waved the national flag and chanted “Death to Armenians!”, “Karabakh is Azerbaijani!” and “Mobilisation!”, with some entering the national parliament, smashing windows and chandeliers, and calling on the head of the armed forces to resign.

Two months later, on 27 September, Azerbaijan launched a large-scale military offensive against Nagorno Karabakh. It was, according to Ilham Aliyev, President since 2003, a response to the cry of his people to re-capture territories that were lost during the previous war:

Enough is enough, we will not tolerate this occupation any longer. We said that we would drive the enemy out of our lands! We are not interested in any negotiations... The Azerbaijani people's patience had already run out... I said that we would chase

*them, that we would chase them like dogs, and we chased them, we chased them like dogs.*²

Successive military offensives were openly backed by Turkey, who deployed F-16 jets to Ganja International Airport as a deterrent against Armenian counter-attacks³ and who supplied Azerbaijan with Syrian mercenaries to shore-up its military operations.⁴

5. Azerbaijani-Turkish military offensives

Over a six-week period, between 27 September and 9 November 2020, the Armenian population of Nagorno Karabakh endured almost-daily military offensives by tanks, helicopters, cluster munitions and Smerch multiple rocket launchers – weapons incapable of precision targeting – in breach of international humanitarian law and Geneva conventions.

Reports suggest that Baku acquired and deployed Israeli-built Harop loitering munitions, also known as ‘suicide’ or ‘kamikaze’ drones, which can be used to destroy radars as part of suppression of enemy air defence (SEAD) operations, as well as Hermes UAVs, designed for aerial reconnaissance and electronic warfare purposes.

An estimated 14,000 civilian structures were damaged or destroyed during the war, including homes, markets and infrastructure vital to the survival of the local population, such as bridges, electricity, telecoms, gas and water supply systems. Military offensives resulted in Azerbaijan’s occupation of 80 per cent of the territory.

6. Recruitment of foreign mercenaries

The recruitment of Turkish-backed foreign terrorists by Azerbaijan – as part of its military campaign against Armenians living in Nagorno Karabakh – was “an established and undeniable fact” during the 44-Day War, according to a report by the Armenia’s Permanent Representative to the United Nations.⁵

Precise numbers are unknown, though estimates suggest 1000-4000 foreign terrorists were deployed to the frontline, some of whom were provided with the Azerbaijani national military uniform. Recruitment reportedly occurred in the Turkish-controlled Syrian territories of Idlib and Aleppo, as well as the Hawar Kilis base on the Turkish-Syrian border.

Despite claims from President Aliyev that “we don’t use mercenaries... our army is capable of liberating its lands itself,”⁶ French President Emmanuel Macron confirmed on 1 October 2020:

² Press Release, President of the Republic of Azerbaijan, ‘Ilham Aliyev addressed the nation’, 10 November 2020, see en.president.az/articles/45924 as at 4 January 2024

³ *New York Times* / *Twitter*, 7 October 2020, see twitter.com/trbrtc/status/1313903827435892737 as at 4 January 2024

⁴ OHCHR, ‘Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn – UN experts’, 11 November 2020; *BBC News*, 10 December 2020; *The Guardian*; 2 October 2020; in addition to reports that foreign mercenaries were also recruited from Libya, Afghanistan and Pakistan.

⁵ Letter dated 10 December 2020 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General, ft. the Report (31 October 2020) on the involvement of foreign terrorist fighters and mercenaries by Azerbaijan in the aggression against Nagorno-Karabakh.

⁶ *BBC News*, 10 December 2020

We have information... that indicates with certainty that Syrian fighters have left the theatre of operations, fighters from jihadist groups have transited through [the Turkish city of] Gaziantep to reach the theatre of operations in Nagorno Karabakh.

The same concerns were echoed by the UN working group on the use of mercenaries:

Syrian fighters deployed to Azerbaijan are allegedly affiliated with armed groups and individuals that, in some cases, have been accused of war crimes and serious human rights abuses during the conflict in Syria, thus seemingly perpetuating a cycle of impunity and risking further abuses of international law.⁷

The working group said that the way in which these individuals were recruited, transported and used in and around Nagorno Karabakh appeared consistent with the definition of a mercenary, as set out in the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, to which Azerbaijan is a party.

7. Impact on children

The imperative to protect children during conflict is mandated under the fundamental principles of international law.⁸ Yet many children were killed or injured during the 44-Day War, with countless others suffering the psychological impact of exposure to rocket and missile attacks.

On the first day of fighting, 27 September 2020, nine-year-old Victoria Gevorgyan was killed from shelling in the yard of her house in the Martuni region of Nagorno Karabakh. Her two-year-old brother Artsvik Gevorgyan received shrapnel wounds in the process of evacuation. Their mother, who was also injured, said that strikes from Azerbaijani UAVs continued even as they fled the area by bus. On the same day, 13-year-old Robert Gevorgyan was badly wounded by Azerbaijani shelling while fleeing his home with his family. By the same shelling and in the same car, his cousin 15-year-old Narek Gevorgyan was also wounded. Other injured children include one-year-olds Lana Melkumyan and Tigran Avanesyan, two-year-old Marianna Kamalyan, 14-year-old Elina Mayilyan, 15-year-old Vanik Muradyan and 17-year-old Tigran Gabrielyan.

We reported during the 44-Day War that 71 schools and 14 kindergartens had been damaged by Azerbaijani shelling, rocket and air strikes – including schools in Stepanakert, Hadrut, Shushi, Aygestan and Mataghis. For security reasons, all 220 local schools and 58 pre-schools were closed during the conflict, which meant that all 24,000 children in Nagorno Karabakh were deprived of their Right to Education and the opportunity to attend school – in addition to the 4,000 pre-school children.

At School Number Ten on Starovoytova Street in Stepanakert, Human Rights Watch (HRW) saw evidence of “a crater several meters wide and deep in the front of the school” and

⁷ OHCHR, ‘Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn – UN experts’, 11 November 2020

⁸ For example, the rights of the children not taking part in the hostilities are recognised by the 1949 Geneva Convention (IV) on Civilians and the additional Protocol (Protocol I of 8 June 1977); Article 38 of the UN Convention on the Rights of the Child requires special measures of care and protection for children affected by armed conflict, in particular Articles 38.1 and 38.4; The UN Security Council, General Assembly and the Parliamentary Assembly of the Council of Europe have passed numerous resolutions affirming their strong condemnation of the deliberate targeting of civilians.

“significant blast damage to the front of the school”, including scores of broken windows, tables, chairs, and other school equipment in numerous classrooms.

Of the tens of thousands who fled from Nagorno Karabakh to Armenia in 2020, the vast majority were children. These children showed signs of anxiety and sleep deprivation, especially those separated from their parents and sent to stay with extended family or friends.⁹

8. Genocide emergency alert

Human rights group Genocide Watch issued two warnings during the 44-Day War. The first, a ‘Genocide Emergency Alert on the War in Nagorno Karabakh’, classified Azerbaijan at Stage 9 (extermination) and Stage 10 (denial) of the ten stages of the genocidal process:

Azerbaijan denies displaced Armenians the right to return and forbids a person of Armenian heritage from entering its territory. The Azerbaijani government promotes hate speech and encourages violence against Armenians... In September 2020, Azerbaijani troops crossed the ‘Line of Contact’ dividing Karabakh. Turkey intervened on the side of Azerbaijan. Armenia supports [Nagorno Karabakh]. Azerbaijan uses laser guided drones supplied by Turkey and Israel to target Armenian troops, villages and civilians. Azerbaijani military offensives against civilians are war crimes under the Geneva Conventions.

Genocide Watch concluded:

Azerbaijan’s leadership may intend to forcibly deport the Armenian population of [Nagorno Karabakh] by committing genocidal massacres that will terrorize Armenians into leaving [Nagorno Karabakh].

Such concerns were echoed by other genocide scholars, including the International Association of Genocide Scholars (IAGS):

...history, from the Armenian genocide to the last three decades of conflict, as well as current political statements, economic policies, sentiments of the societies and military actions by the Azerbaijani and Turkish leadership should warn us that genocide of the Armenians in Nagorno-Karabakh, and perhaps even Armenia, is a very real possibility. All of this proves that Armenians can face slaughter if any Armenian territory is occupied, consequently recognizing of the independence of the Republic of Artsakh is the way to save Armenians of Artsakh from extermination now or in the near future.

And already a case can be made that there is conspiracy to commit genocide, direct and public incitement to commit genocide, and attempt to commit genocide... We appeal to the international community to raise their voices against xenophobia, aggression, and war, and for the prevention of new genocide.¹⁰

Genocide Watch’s second warning related to possible war crimes committed by Armenia, focusing on Stage 8 (persecution) and Stage 10 (denial) of the genocidal process. The warning

⁹ Save the Children, ‘Nagorno-Karabakh Fighting Leaves Children Who Fled The Conflict In Distress’, 23 October 2020

¹⁰ Massis Post, ‘International Association of Genocide Scholars Statement on Imminent Genocidal Threat Against Artsakh’, 31 October 2020

stressed that Armenians were not expected to commit genocide. But it did refer to “the current shelling of Azerbaijani civilians by Armenian artillery” and the state’s denial of past crimes in the 1980s and 1990s:

The current Armenian and Artsakh governments deny involvement in past crimes against Azerbaijanis and erase their cultural history from the Armenian landscape. Armenian and Artsakh authorities deny Azerbaijani IDP’s the right to return to their former homes and villages.

President of IAGS, Professor Henry Theriault, writing in a personal capacity, has since criticised these warnings.¹¹ The second warning in particular, he argues, “parrots Azeri propaganda” and “follows closely the official manipulated Azerbaijani narrative of history,” a claim that was refuted by Genocide Watch. The warnings were raised in a House of Lords via Baroness Cox’s private notice question, in which members reiterated concerns about Azerbaijani-Turkish military offensives and called on signatories to the 1948 Genocide Convention – including the UK Government – to prevent and suppress actions of genocide.¹²

9. Fragile ceasefire

During October 2020, three separate ceasefires were agreed among the warring parties. Each was broken almost immediately, with each side accusing the other of violating the terms and continuing military offensives. On 10 November, a further ceasefire was agreed, which brought an end to major hostilities. It was brokered by Russia¹³ and signed by Azerbaijan and Armenia.

Two provisions are worth highlighting: Article 1, in which Azerbaijan agreed to “stop at their current positions”; and Article 8, in which Azerbaijan agreed to “the exchange of prisoners of war and other detainees”. Neither provision has been upheld – without consequence.

According to President Aliyev, in his address to the nation on 10 November 2020:

*This [ceasefire] has historic significance... This statement is our glorious victory... No-one can stop us. Everyone sees our strength; everyone understands what our iron fist is like. That is why we have driven them out and are perfectly right in doing that.*¹⁴

The peace agreement represented a compromise on the part of the people of Nagorno Karabakh and Armenia. It gave Azerbaijan control of all territories it captured during the war, including the historic town of Shushi. The ethnic Armenian population from three regions – Akna, Qarvachar and Berdzor – were given only days to evacuate. At least nine Armenian villages were given 48 hours to leave, reportedly without any involvement from the UN High Commissioner for Refugees.

¹¹ There are other, more robust frameworks for assessing the risk of genocide, such as from the UN or the Jacob Blaustein Institute. Genocide Watch’s ten-stage model – although imperfect – is useful for describing processes that have been shown to contribute to genocides and that may be early warning signs of genocide in the future.

¹² Hansard, House of Lords, Private Notice Question, 2 November 2020

¹³ Russia sent 2,000 troops to Nagorno Karabakh to enforce the ceasefire. Their mission was due to last for at least five years.

¹⁴ Press Release, President of the Republic of Azerbaijan, ‘Ilham Aliyev addressed the nation’, 10 November 2020, see en.president.az/articles/45924 as at 4 January 2024

Armenia's remaining connection to Nagorno Karabakh became the Lachin corridor (a narrow mountain road) which fell under Russian-Azerbaijani control, and which Azerbaijani officials immediately mislabelled as an 'evacuation route'.

10. Blockade of the Lachin Corridor

Azerbaijan's blockade of the Lachin Corridor – from December 2022 to September 2023 – prevented trucks from delivering 400 tonnes of daily supplies from Armenia to Nagorno Karabakh. Aid packages from the International Committee of the Red Cross and Russian peacekeepers were frequently disrupted and insufficient to meet demand.

Local authorities warned that a humanitarian disaster would occur if the blockade was not lifted and, on 23 February 2022, the International Court of Justice ordered Azerbaijan to ensure unimpeded movement of persons, vehicles and cargo. Azerbaijan's refusal to follow the ICJ's order prompted international condemnation, including from the European Union¹⁵ and UN officials,¹⁶ though no meaningful action followed. Azerbaijan continued the blockade with impunity.

HART, alongside eight other human rights groups, issued a Genocide Warning, highlighting that all 14 risk factors for atrocity crimes identified by the UN Secretary-General's Office on Genocide Prevention were present.¹⁷ Former chief prosecutor of the International Criminal Court, Luis Moreno Ocampo, echoed our concerns:¹⁸

The blockade of the Lachin Corridor by the Azerbaijani security forces impeding access to any food, medical supplies, and other essentials should be considered a Genocide under Article II, (c) of the Genocide Convention: 'Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.'...

There is a reasonable basis to believe that a Genocide is being committed against Armenians living in Nagorno-Karabakh in 2023.

Within six months of the blockade, we received the following urgent call for assistance from Vardan Tadevosyan, Founder and Director of the Lady Cox Rehabilitation Centre:

The shops are empty. Totally empty. Nothing to buy... Supplies are running out. People are being starved out of Nagorno Karabakh.

By August 2023, reports emerged of residents fainting in the streets from hunger. An estimated 90 per cent of pregnant women had anaemia. Miscarriages increased due to high levels of stress

¹⁵ EU Statement on recent developments around the Lachin corridor, 1473rd meeting of the Committee of Ministers, 6 September 2023

¹⁶ Press Release, UN experts urge Azerbaijan to lift Lachin corridor blockade and end humanitarian crisis in Nagorno-Karabakh, 7 August 2023

¹⁷ The Lemkin Institute for Genocide Prevention, *Risk Factors and Indicators of the Crime of Genocide in the Republic of Artsakh: Applying the UN Framework of Analysis for Atrocity Crimes to the Nagorno-Karabakh Conflict*, 5 September 2023; Special Joint Statement of Concern: 'Conditions are now present for genocide against the indigenous Armenian population of Nagorno Karabakh (Artsakh)', see www.genocidewarning-nk.com as at 18 September 2023

¹⁸ Expert Opinion: 'Genocide against Armenians in 2023', Luis Moreno Ocampo, New York, 7 August 2023

and a lack of access to vital medication. More than 2,000 babies became deprived of baby food. Patients with chronic diseases and disabilities were particularly at risk. So too were the elderly.

11. Azerbaijan's final military offensive

Baku launched its final military offensive on 19 September 2023. Officials claimed the “anti-terrorist operation” was “limited” and necessary to restore order. Yet within 24 hours of the first bombing, 16 Armenian villages were evacuated; 7,000 Armenians were forced to flee their homes. Innocent civilians were injured, with reports of at least 200 fatalities, including children.

Armenian families from rural areas flooded into the capital, Stepanakert, in a state of panic. The influx of new arrivals placed increased pressure on the population's already-scarce resources and food supplies. Reporting from inside the city, one of HART's local partners said:

We are tired of living in such conditions. We are really tired. We are mentally sick. We feel like we are in a prison without understanding how long we have to stay. Even in prison they get fed three times a day. But not here. There is no fuel. No fuel, guys. No fuel for hospital generators.

Patients cannot drive to hospital. Doctors cannot visit their patients. And no bread for patients. Nothing. There is no food for children. With the winter coming, we expect many ill children.

Day by day it is getting worse. I do not like to be negative but, really, these days are tough. Never could I imagine such things could happen. And it's happening in front of the eyes of the world.

Another local partner reported:

We heard automatic gunfire in the upper part of the city [Stepanakert]. The whole city is in a panic. People are escaping with their bags. They are running from the upper part of the city to the lower part. Like yesterday, many people are escaping to the airport, to the Russian peacekeepers area.

Stepanakert airport was controlled by Russian peacekeepers. No flights were scheduled – there had not been any flights for over 30 years. The people were simply hoping in desperation that some planes would come to evacuate them. Our local partner told us: “*There is confusion. Refugees from villages are out in the streets with their bags. I would not wish this upon anyone.*”

12. Mass forced displacement

Within 24 hours of Azerbaijan's “anti-terrorist” offensive, the local Armenian leadership (the Government of Artsakh) agreed to a Russian proposal for a ceasefire, including the complete disarmament of their military force. In President Aliyev's words:

Azerbaijan duly punished the enemy by immediately taking necessary steps...

*...those who despise us, those who despise our land, and those who set their sights on our lands should never forget that the Iron Fist is in place and will always be!*¹⁹

Already beleaguered by months of a humanitarian blockade, Aliyev's 'Iron-Fist' warning intensified the justifiable fear among local Armenians of the possibility of violent ethnic cleansing from their historic lands. By early October 2023, more than 100,000 people (over three-quarters of the population) fled to neighbouring Armenia. This includes the staff and patients of the Lady Cox Rehabilitation Centre, who crossed the border in haste, with minimal possessions and without essential equipment. Vardan Tadevosyan told us:

It was simply too dangerous for us to stay in Nagorno Karabakh. We are heartbroken. After 25 years of hope and healing, we had no choice but to evacuate. We will re-establish the Centre inside Armenia as soon as we are able, but my first priority is the immediate safety and wellbeing of my staff and patients.

According to a subsequent UN mission (their first visit in 30 years), no more than 1,000 Armenians remain in Nagorno Karabakh:

[We] saw very few local population remaining in the city. The team heard from interlocutors that between 50 and 1,000 ethnic Armenians remain in the Karabakh region.

13. Unlawful imprisonment of Armenian hostages

Armenian hostages remain vulnerable to killings, torture, indefinite imprisonment or enslavement – as happened during the previous war in the early 1990s.

During a visit to Nagorno Karabakh in November 2020, we received multiple reports of such mistreatment – including instances of torture, beheadings and desecrations of corpses – and claims that equivalent brutalities were perpetrated by foreign jihadist fighters who received payment for every Armenian beheaded. Baroness Cox was told that some of the perpetrators took over the prisoners' social media accounts and sent pictures of dismembered, decapitated bodies to their mothers and wives: "It was my painful privilege to sit with some of these women as they waited to hear from their husbands, brothers or sons, not knowing what might come to their phone."

In December 2020 and March 2021, HRW released reports documenting similar atrocities perpetrated by Azerbaijani forces, who slapped and kicked Armenian hostages and compelled them to kiss the Azerbaijani flag, praise President Aliyev and declare that Nagorno Karabakh belongs to Azerbaijan. In most of the videos, HRW report, the perpetrators' faces are visible, suggesting they did not fear being held to account.²⁰

A report published in December 2020 by the then Human Rights Ombudsmen of Nagorno Karabakh and Armenia cites footage of atrocities, which are published through Azerbaijani and Turkish social media accounts, including Facebook, TikTok and Instagram. One of the videos

¹⁹ Press Release, President of the Republic of Azerbaijan, 'Address to the nation by President Ilham Aliyev, 20 September 2023

²⁰ Human Rights Watch reports: 'Azerbaijan: Armenian Prisoners of War Badly Mistreated', 2 December 2020; 'Survivors of Unlawful Detention in Nagorno-Karabakh Speak Out about War Crimes' 12 March 2021; 'Azerbaijan: Armenian POWs Abused in Custody', 19 March 2021

shows the abuse and desecration of a human corpse, where “members of Azerbaijani Armed Forces put the severed head of an Armenian [man] on a body of a dead animal, accompanied with insults and mockery.”²¹ The victim was identified as Genadi Petrosyan, a non-combatant, aged 69. After his decapitation, a crowd claps and cheers loudly. “You have no honour, this is how we take revenge for the blood of our martyrs” and “this is how we get revenge – by cutting heads,” voices said off camera.²²

Amnesty International analysed the same footage of Genadi Petrosyan’s death, confirming the executioner as an Azerbaijani soldier, based upon the type of camouflage of his uniform, the Azerbaijani flag on his shoulder and a patch with his blood type listed on his sleeve, as is standard among Azerbaijani soldiers. Amnesty International examined multiple other videos of mistreatment, perpetrated by both Azerbaijani and Armenian forces, and called on the authorities from each country to “immediately conduct independent, impartial investigations and identify all those responsible.”²³

In December 2023, 32 Armenian hostages were released by Azerbaijan – most of whom had been held captive in Baku for nearly three years. They were exchanged for two Azerbaijani soldiers who infiltrated sovereign Armenian territory and killed an Armenian civilian.

The Centre for Truth and Justice has identified an additional 20 Armenian hostages who remain in captivity, including seven civilians (kidnapped from Nagorno Karabakh during the 2020 war, or during the blockade of the Lachin Corridor) and eight current or former members of the elected Government of Artsakh.

Members of the Government of Artsakh

- Ruben Vardanyan – former minister of state
- Arayik Harutyunyan – former president
- Bako Sahakyan – former president
- Arkadi Ghukasyan – former president
- Davit Ishkhanyan – Speaker of the National Assembly
- David Babayan – former foreign minister
- Levon Mnatsakanyan – former minister of defence
- Davit Manukyan – former deputy minister of defence

Civilians

- Vaqif Khachatryan (age 68)
- Rashid Beglaryan (age 61)
- Madat Babayan (age 71)
- Davit Tigran Davtyan (age 30)
- Gevorg Ruben Sujyan (age 34)
- Vicken Euljekjian (age 43)

²¹ The Human Rights Defender of Armenia and The Human Rights Ombudsman of Artsakh , ‘Sixth Ad Hoc Report on torture and inhuman treatment of members of Artsakh Defence Army and captured Armenians by Azerbaijani Armed Forces (from December 2-16, 2020)’, December 2020

²² *Loc cit*; *The Guardian*, 15 December 2020

²³ Amnesty International, ‘Armenia/Azerbaijan: Decapitation and war crimes in gruesome videos must be urgently investigated’, 10 December 2020

- Karen Sedraki Petrosyan (age unknown)

Soldiers

- Hambartsumyants, Davit Mikayel (age 22)
- Hovsepyan, Hayk Ararat (age 19)
- Kosrovyan, Alyosha Aramays (age 56)
- Mkrtchyan, Lyudvig Mkrtich (age 54)
- Yeghiazaryan, Aleksandr (age 34)

Siranush Sahakyan, a human rights attorney acting on behalf of the hostages' families, believes there may be as many as 80 more Armenian hostages, both soldiers and civilians. We urge the Committee to condemn publicly such flagrant contravention of humanitarian law. Detainees should be released and repatriated without further delay.

14. Escalation of anti-Armenian hate speech

Cases of anti-Armenian rhetoric, or 'Armenophobia', continue to rise among Azerbaijani state officials, state-dominated media outlets, non-state public figures and across social media.

The Azerbaijani President regularly incites hatred. He pardoned and then promoted Armed Forces Lieutenant Ramil Safarov for the murder of Armenian Lieutenant Gurgen Margaryan during a NATO-sponsored training seminar, which as outlined by Amnesty International, signalled "an endorsement of ethnically-motivated violence" and "that violence against Armenians is not only acceptable, but rewarded."²⁴

President Aliyev also incites hatred in public statements, referring to Armenia as a "country of no value" and to Armenians as "savages", "barbarians" and "dogs":

*Armenia as a country is of no value. It is actually a colony, an outpost run from abroad, a territory artificially created on ancient Azerbaijani lands.*²⁵

*Armenia keeps cows and pigs in our mosques... It is fascists, vandals and savages who have done this.*²⁶

*I said that we would chase them, that we would chase them like dogs, and we chased them, we chased them like dogs.*²⁷

*The Armenian barbarians and vandals have razed the city of Agdam to the ground.*²⁸

²⁴ Press Release, Amnesty International, 'Azerbaijan: Government sends dangerous message on ethnically-motivated violence', 6 September 2012

²⁵ President Aliyev / Twitter, see twitter.com/presidentaz/status/270827003521929216 as at 4 January 2024

²⁶ Press Release, President of the Republic of Azerbaijan, 'Appeal of President Ilham Aliyev to the people', 28 September 2020

²⁷ Press Release, President of the Republic of Azerbaijan, 'Ilham Aliyev addressed the nation', 10 November 2020

²⁸ President Aliyev / Twitter, see twitter.com/presidentaz/status/497364584743718913?lang=en as at 5 January 2024

During a victory parade on 10 December 2020, he praised his troops for completing “their glorious mission” to liberate “our native lands from occupiers” and made no apology for adopting such aggressive military tactics:

Armenia has been no match for us. I have repeatedly said over the past 17 years that if Armenia did not withdraw its occupying forces from our lands of its own free will, we would resolve the matter by military means... Life has shown that we took timely steps, mobilised all our resources, created an iron fist and crushed the enemy’s head... If Armenian fascism ever raises its head again, the result will be the same. Again, Azerbaijan’s iron fist will break their back.

His avowed commitment to ‘liberate lands’ and ‘crush the enemy’s head’ are doubly alarming, considering that in the same speech he claimed that territories beyond Nagorno Karabakh – including Armenia’s capital Yerevan – “are our historical lands” and belong to Azerbaijan. He made similar territorial claims in 2013, 2014, 2016 and 2018, promising the return of Yerevan to Azerbaijan.

15. Border incursions

Armed units have already advanced into new positions along the Armenian-Azerbaijani border, away from the conflict zone in Nagorno Karabakh, creeping into the sovereign territories of the Republic of Armenia. In some border villages, they have taken control of strategic positions, farmlands and water resources.

Violent border clashes in September 2022, including an incursion by Azerbaijan into Armenian territory, prompted the EU to step up its presence in the region. Their civilian mission in Armenia (EUMA Armenia) was deployed in February 2023. The UN, however, does not appear to be monitoring the situation closely. The office of Miroslav Jenča recently confirmed they “do not have visibility on discussions” about armed units advancing into new positions – claiming that the UN presence is specifically humanitarian, with no mandate to observe encampments.²⁹

We visited Tegh community, Syunik province, in September 2023 – internationally recognised as belonging to Armenia. We met Armenian soldiers on the frontline and saw with our own eyes where Azerbaijani forces have encroached onto Armenian land.

The local mayor explained:

Three out of seven villages in Tegh were attacked last year [in September 2022]. We have lost 125 hectares of agricultural land, in addition to pastural land. Farmers can see their fields, but they cannot farm the land. It badly impacts the economy of the region. Our people live in fear every day.

Almost everyone we spoke to along the border feared the breakout of another war. They anticipate that Azerbaijan is preparing a fresh military offensive to carve a land route (which it calls the Zangezur corridor) through the southern tip of Armenia to Nakhichevan, an Azerbaijani exclave that borders Iran.

²⁹ Meeting between HART and Akylbai Eleusizor, the office of Miroslav Jenča, in New York, November 2023

16. Destruction of Armenian cultural heritage sites

Serious concerns remain over the fate of hundreds of Armenian Christian monuments and cultural heritage sites, which are now under Azerbaijan's control. The sites include the ancient city of Tigranakert, Azokh Paleolithic Cave, and the Nor Karmiravan tombs.

Following the trilateral ceasefire agreement of 9 November 2020, UNESCO proposed to undertake an independent mission to draw a preliminary inventory of significant cultural properties, as a first step towards safeguarding the region's heritage. The Committee of The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict and its Second Protocol (1999) later welcomed UNESCO's proposal and reiterated the need for an independent mission to "take stock" of the situation regarding cultural properties in and around Nagorno Karabakh. To date, however, UNESCO has not received a reply from Azerbaijan.

The lack of response from Azerbaijan is a cause for concern, especially in light of the previous systematic erasure of centuries-old Armenian religious sites in Nakhchivan.

Destruction of monuments in Nakhchivan included an attack in 2005-06 on the Armenian Djulfa cemetery, where Azerbaijani soldiers, armed with sledgehammers and cranes, destroyed hundreds of hand-carved cross-stones. The soldiers reportedly dumped the debris into a nearby river. In total, an estimated 28,000 monuments were destroyed at Djulfa cemetery between 1997-2006, including 89 medieval churches, 5,840 cross-stones and 22,000 ancient tombstones.³⁰ According to a 2019 study, the cemetery has been replaced by a military rifle range,³¹ although this is difficult to corroborate as the Government of Azerbaijan refuse entry to international inspectors.

Numerous Armenian cultural and religious sites have been targeted or damaged in Nagorno Karabakh since 2020, including: Ghazanchetsots Cathedral; St. John the Baptist Church in Shushi; St. Sargis Church in the village of Mokhrenes; an archaeological camp near Tigranakert, a memorial dedicated to the victims of the previous war; Armenian tombstones; a cross-stone in Ishkhan village in Hadrout; a cross standing in the middle of Sanasar town in memory of the martyrs of the previous war; a cross-monument at St. Mariam Astvatsatsin church; cultural monuments in Talish village; the cross-stone near Katarovank monastery; the statues of Sparapet Vazgen Sargsyan and Garegin Nzhdeh.

In a BBC report 'the mystery of the missing church', Azerbaijani troops are seen celebrating the capture of the town of Jabrayil from the bell tower of the local church. Correspondent Jonah Fisher visited the site after the 44-Day War and the church was no longer there.³²

We visited Dadivank Monastery – one of the most iconic Armenian monasteries in Nagorno Karabakh – on the penultimate day of Armenian ownership before it was handed over to Azerbaijan. The monastery was built between the 9th-13th centuries on the site of a shrine believed to be the burial site of St. Dadi.

³⁰ The Human Rights Ombudsman of the Republic of Artsakh, 'Ad Hoc Public Report: The Armenian cultural heritage in Artsakh (Nagorno-Karabakh): Cases of vandalism and at risk of destruction by Azerbaijan', 26 January 2021

³¹ *Hyperallergic*, 'A Regime Conceals Its Erasure of Indigenous Armenian Culture', 18 February 2019

³² *BBC News*, 'Nagorno-Karabakh: The mystery of the missing church', 25 March 2021

We witnessed local people removing ancient icons, to be taken to Armenia for preservation, even digging up earth and gravel from the courtyard floor and placing it into plastic bags. Days later, Azerbaijan's First Deputy Minister of Culture, Anar Karimov, tweeted photos of Dadivank Monastery and said:

#Khudavang monastery is one of the best testimonies of ancient Caucasian Albania civilization. Built in 9-13th century by wife of Albanian prince Vakhtang in Kalbajar region of #Azerbaijan, this complex is composed of Church of Arzu Khatun, Church of Hasan, basilica and 2 chapels

The monastic complex of #Khudavang later was occupied by #Armenian armed forces in 1992 and was subject to alteration and falsifications aimed to change its origins and character in violation of @UNESCO Hague Convention of 1954

Similar claims were made by President Aliiev, who said during a meeting with the Head of the Islamic World Educational, Scientific and Cultural Organisation:

They [Armenians] changed the names of our towns and villages and even the origins of Christian religious monuments. They changed the origins of the religious heritage of the ancient Udi people. They turned the churches of Old Caucasian Albania into Armenian churches.

Such historical revisionism is, according to the region's former Human Rights Ombudsman, a 'campaign of appropriation' that dates back to the 1950s, whereby "Azerbaijani authorities simply rewrite history and replace the word Armenia / Armenian with Caucasian Albania / Caucasian Albanian". It is an attempt to "eradicate Armenian peoples' historical roots to the region and thereby diminish their entitlement to live in and govern these areas while fabricating an Azerbaijani historical presence."³³

The International Council on Monuments and Sites, Europa Nostra, and Caucasus Heritage Watch have each issued statements calling for immediate action to protect endangered sites – reinforcing calls from the International Court of Justice,³⁴ and the European Parliament.³⁵

Serious violations of international human rights and humanitarian law have not been prevented, punished or adequately addressed. Failure to act gives Azerbaijan a green light to continue its violations with impunity.

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³³ The Human Rights Ombudsman of the Republic of Artsakh, 'Ad Hoc Public Report', *Op cit*, 26 January 2021

³⁴ ICJ, Summary of the Order of 17 November 2023, see www.icj-cij.org/node/203314 as at 5 January 2024

³⁵ European Parliament Resolution of 14 December 2022 on the implementation of the New European Agenda for Culture and the EU Strategy for International Cultural Relations (2022/2047(INI)), paragraph 78