

## **Urgent Call for Action**

### **In response to the destruction of Armenian cultural heritage sites by Azerbaijani armed forces and Denial of and Erasure of Armenian Cultural Heritage**

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#### **I. Background of the Report**

On 9 November 2020, Azerbaijan, Armenia, and Russia announced an agreement to end military hostilities in the region of Nagorno Karabakh (the “Trilateral Agreement”). Nagorno Karabakh (also referred to by its historical name of “Artsakh”) is an Armenian-populated enclave located within Azerbaijan. Due to its strategic location at the crossroads of the European and Asian continents, Nagorno Karabakh has served as a vassal state, buffer area, and semi-autonomous region throughout most of its history. Despite the numerous peoples that passed through the region—including the Mongols, Arabs, Seljuk Turks, Russians, and Caucasian Tatars—Nagorno Karabakh has maintained a majority Armenian population and unique Armenian cultural heritage for over two millennia, since it (Artsakh) became part of the Kingdom of Armenia in 189 BC. The most recent conflict over Nagorno Karabakh has its roots in the Soviet era, during which Joseph Stalin decided to create the Nagorno Karabakh Autonomous Oblast (“NKAO”) and place it within the borders of the newly created Azerbaijani Soviet Socialist Republic (“SSR”). Before the breakup of the Soviet Union, Nagorno Karabakh’s population voted to secede from the Azerbaijani SSR (in accordance with the Soviet Union’s Constitution), which decision for self-determination neither the Azerbaijani SSR nor the later Republic of Azerbaijan accepted.

At the center of Azerbaijan’s territorial claims to Nagorno Karabakh are the Armenian monasteries, archaeological sites, and fortresses of Artsakh. Still standing after hundreds of years of conquest, they are inseparable from Artsakh’s geographic and cultural landscape. Their surviving presence poses a formidable challenge to modern competing territorial claims: any ethnic group laying claim to this territory must first explain its ties to these cultural monuments (which coexist with but predate other influences in the area) or destroy them.

Azerbaijan has chosen a policy of cultural destruction and cultural erasure. The Trilateral Agreement officially ended a 44-day long offensive, which was initiated by Azerbaijan and its military and cultural ally Turkey against the Armenian-populated region of Nagorno Karabakh to gain *de facto* territorial control of the region. During that offensive, Azerbaijani forces used precision-guided weapons (such as drones), as well as internationally sanctioned weapons (such as cluster munitions) to target and destroy civilian infrastructure, including Armenian cultural and religious sites.<sup>1</sup>

The hostilities resulted in many thousands of casualties and 90,000 ethnic Armenians were displaced from their ancestral homes.<sup>2</sup> Over the course of the 44-day offensive, Azerbaijani forces engaged in destruction of Armenian cultural heritage sites, including “movable and immovable cultural heritage, objects of worship, education, and cultural practices.”<sup>3</sup>

The Trilateral Agreement mandated that Armenians (governed by the Republic of Artsakh) cede two-thirds of Nagorno Karabakh (including all of the Karvachar/Kalbajar, Kashatagh/Lachin, and Aghdam districts, most of the Hadrut district, which Azerbaijani forces later fully conquered after the Trilateral Agreement, some of the Martakert/Aghdara and Martuni/Khojavend districts, and the strategically important town of Shushi) to the control of Azerbaijan. This land transfer threatens many Armenian monuments and religious places of worship, which are now within the borders of Azerbaijan—a country that has a documented history of destroying Armenian cultural heritage within its borders. While Russian Peacekeeping Forces have been deployed and monitor some Armenian places of worship and monastic complexes, they do not and cannot provide protection for the nearly 400 Armenian religious sites in Nagorno Karabakh. For example, while Russian Peacekeeping Forces provide security for clergy remaining at Dadivank, a 7th-9th century monastic complex with a cathedral rebuilt in the 13th century located in Karvachar/Kalbajar, other areas such as Hadrut/Khojavend reportedly have no Russian Peacekeeping presence.

Despite pleas from international organizations and NGOs, there have been limited assurances that Armenian cultural heritage sites will be protected in territories that will now be controlled by Azerbaijan, and there are no clear mechanisms in place to monitor those sites on an ongoing basis or to allow for

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<sup>1</sup> In preparation for and in the implementation of its offensive, Azerbaijan received direct support from Turkey in the form of military material and personnel, logistical assistance, and through Turkey’s recruitment and organized deployment of Syrian mercenary groups aligned with extremist organizations. These events and apparent violations of international humanitarian law were reported in the international media and documented in the official statements of several states, including France, Russia, Iran, Syria, as well as in the statements of Congressional members and MPs from the United States, European Parliament, and the United Kingdom, and several United Nations groups, such as the UN OHCHR Working Group on Mercenaries. See “Complaint to the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination” (9 Oct. 2020), <https://prwb.am/wp-content/uploads/2020/10/Complaint-to-the-Working-Group-on-the-use-of-mercenaries-as-a-means-of-violating-2.pdf>; United Nations Human Rights Office of the High Commissioner, “Mercenaries in and around the Nagorno-Karabakh Conflict Zone Must Be Withdrawn – UN Experts” (11 Nov. 2020), available at [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26494](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26494); see also Annex A: Collection of articles regarding the recent war.

<sup>2</sup> Artsakh Ombudsman, “The Updated Edition of the Second Interim Report on the Azerbaijani Atrocities Against the Artsakh Population in September to October 2020” (18 Oct. 2020), <https://www.artsakhombuds.am/en/document/735>.

<sup>3</sup> “A Brief Review of Cultural Heritage Violations in Nagorno Karabagh (Artsakh) in September–November of 2020,” International Council of Museums Armenia (26 Nov. 2020), <http://icom-armenia.mini.icom.museum/a-brief-rewiev-of-cultural-heritage-violations-in-nagorno-kharabagh-artsakh-in-september-november-of-2020/>.

Christian pilgrims to use the Armenian religious sites for their intended purposes. The actions and statements of Azerbaijani officials during this recent armed conflict and its immediate aftermath, as well as in times of peace, have shown Azerbaijan's intent to (1) erase any evidence of Armenian presence in Artsakh, (2) deny the historical existence of Armenians in the region generally, and (3) make it impossible for Armenian apostolic Christians to return to the territories under Azerbaijani control. These actions and statements increase the urgency of intervention.

## II. History of Cultural Sites in the Region

Nagorno Karabakh's rich, multi-faceted cultural history is undeniable. It is home to many complexes, fortresses, religious sites, and antiquities dating back centuries. Nagorno Karabakh's cultural landscape also has an indelible Armenian presence, as Armenians have inhabited Artsakh continuously over two millennia.

For example, Nagorno Karabakh's Aghdam region—which was ceded to Azerbaijan under the Trilateral Agreement—contains the partially excavated Tigranakert archaeological site. This site is known as the “best preserved city of the Hellenistic and Armenian civilizations” of the Caucasus, founded in the second to first century BC, and which later was a major hub for early Christianity, with over 10 inscriptions discovered to date in the Armenian and Greek languages dating to the fifth and seventh centuries CE.<sup>4</sup>

Nagorno Karabakh is also home to many important sites for Armenian religious and cultural heritage. For example, the Amaras Monastery, located in Martakert (which depending on the final line of demarcation may be ceded to Azerbaijan), was founded in the fourth century CE, upon the burial place of St. Gregory the Illuminator's (who converted the Armenian nation to Christianity in 301 CE) grandson, St. Grigoris, who was the Catholicos of New Albania (as Artsakh was called at the time after it came under the Sassanid Empire's rule). Notably, Amaras is also where St. Mesrop Mashtots—inventor of the Armenian alphabet—opened the first-ever Armenian language school, in the fifth century.<sup>5</sup> The cultural significance of Amaras Monastery cannot be understated: the creation of the Armenian alphabet in the early fifth century helped to homogenize Armenian culture, as it finally allowed churches to conduct their Liturgies in Armenian, rather than in Greek or Syriac as they had been doing until that point.<sup>6</sup>

Indeed, Nagorno Karabakh is culturally and religiously important for Armenians. “The historical monuments of Karabakh, a mountainous territory in the South Caucasus, collectively testify to the millennia-long Armenian character of the region. While the Hellenistic archaeological site of Tigranakert, the fifth-century tomb at Amaras and basilica of Tzitzernavank, the medieval monastery of Dadivank, and the 19th-century Cathedral of Shushi are most cited in scholarship, they represent only a small fraction of the extant Armenian structures, many of which date to the medieval period. For example, the north-west

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<sup>4</sup> Simon Maghakyan, “Archeologist Raises Alarms Over Azerbaijan's Shelling of an Ancient City,” HyperAllergic (5 Nov. 2020), <https://hyperallergic.com/592287/tigranakert-artsakh-nagorno-karabakh-war/>.

<sup>5</sup> Victor A. Shnirelman, *The Value of the Past: Myths, Identity and Politics in Transcaucasia*, Suita, Japan 2001, 26-27.

<sup>6</sup> Michael B. Papazian, *Light from Light: An Introduction to the History and Theology of the Armenian Church*, Canada 2006, 65-70.

province of Karvajar alone contains 22 major sites, each of which comprises several monuments and tombstones.”<sup>7</sup>

To be clear, most of the religious cultural heritage in the region fell victim to the Soviet union’s nationalizing policies, during which these sites suffered from a lack of maintenance or were outright transformed into industrial spaces, agricultural storage facilities, or collective farms. For example, Amaras Monastery, one of the world’s oldest Christian monuments as discussed above, became part of the collective farm of the nearby Armenian village of Soss, during the Soviet period. “The authorities of Soviet Azerbaijan, to which NKAO was forcibly attached in 1921, did everything they could to condemn Amaras to oblivion, decay and the tyranny of the so-called ‘black archeologists’—criminally-minded treasure-hunters. Persistent appeals of the people of Karabakh to open Amaras for worship were rejected by Azerbaijan’s authorities. The fact remains that Soviet Azerbaijan’s Nagorno Karabakh Autonomous Oblast was the USSR’s only territory with [a] Christian majority that did not have a single functioning church.”<sup>8</sup>

After the fall of the Soviet Union and the Nagorno Karabakh War of the 1990s, through which the Armenians of Nagorno Karabakh gained their independence and established the Republic of Artsakh, their newly formed state undertook the restoration and preservation of numerous religious and cultural heritage sites. The Armenians in Nagorno-Karabakh have made efforts to restore Azerbaijani (or Caucasian Tatar/Turk as they were called pre-1918) and Muslim sites, including the Gohar Agha Mosque in Shushi.<sup>9</sup> They have also strived to embrace diversity of cultures in the region, for instance through the opening of an Armenian-Iranian Scientific Cultural Center.<sup>10</sup>

### III. History of Azerbaijani Efforts to Erase Evidence of the Existence of Armenians in the Caucasus

Azerbaijan has a historical record of intentionally destroying Armenian cultural heritage sites within its borders.<sup>11</sup>

From 1997 to 2006, Azerbaijan erased nearly all traces of prevalent Armenian culture in the Azerbaijani exclave of Nakhichevan, with more than 89 medieval churches, 5,840 carved cross-stones (khachkars), and 22,000 historical tombstones vandalized and, ultimately, vanishing.<sup>12</sup>

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<sup>7</sup> Christina Maranci, “The Medieval Armenian Monuments in Nagorno-Karabakh Must be Protected,” Apollo Magazine (9 Dec. 2020), <https://www.apollo-magazine.com/medieval-armenian-monuments-nagorno-karabakh/>.

<sup>8</sup> “History and Architecture,” Amaras (last visited: 10 January 2021), <https://www.amaras.org/history-and-architecture/>.

<sup>9</sup> “Preserve Artsakh: An Open Letter to the World Community,” GlobeNewswire (12 Nov. 2020), <https://www.globenewswire.com/news-release/2020/11/12/2125920/0/en/Preserve-Artsakh-An-Open-Letter-to-the-World-Community.html>; see also “Gohar Agha Upper Mosque restored in Shushi” (October 4 2019), Lragir Newspaper, available at: <https://www.lragir.am/en/2019/10/04/73365>.

<sup>10</sup> “Artsakh President attends opening of Armenian-Iranian Scientific-Cultural Center” (14 October 2019) available at: <https://armenpress.am/eng/news/991615.html>

<sup>11</sup> See *ibid.*, “A Brief Review of Cultural Heritage Violations in Nagorno Karabagh (Artsakh) in September -November of 2020.”

<sup>12</sup> Christina Maranci, “The Medieval Armenian Monuments in Nagorno-Karabakh Must be Protected,” Apollo Magazine (9 Dec. 2020), <https://www.apollo-magazine.com/medieval-armenian-monuments-nagorno-karabakh/>.



Cross-stones, which represent Jesus Christ's crucifixion and salvation through that crucifixion, "carry inscriptions, including a date, names of sponsors and family members, and pleas for salvation," making them "not only aesthetically appealing markers of a general Armenian presence [and also] specific documentary sources that, along with manuscripts, constitute a remarkable resource for reconstructing the history of the region."<sup>13</sup> They are also used for devotional and worship purposes by Armenian Christians and pilgrims. For all of these reasons, they are on UNESCO's Representative List of the Intangible Heritage of Humanity.<sup>14</sup>

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<sup>13</sup> *Ibid.*

<sup>14</sup> <https://ich.unesco.org/en/RL/armenian-cross-stones-art-symbolism-and-craftsmanship-of-khachkars-00434>



Video footage from 2005 depicts Azerbaijan “destroying what was left of Djulfa, a medieval necropolis that once housed tens of thousands of khachkars dating back to the sixth century A.D.”<sup>15</sup> Azerbaijan’s campaign of cultural heritage destruction, unprecedented in the modern world, has been referred to as the “worst cultural genocide of the 21st century”<sup>16</sup> and would later be closely compared to the culturally-calamitous desecration carried out by the Islamic State in the Syrian city of Palmyra.<sup>17</sup>

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<sup>15</sup> Nora McGreevy, “Why Scholars, Cultural Institutions Are Calling to Protect Armenian Heritage,” *Smithsonian Magazine* (24 Nov. 2020), <https://www.smithsonianmag.com/smart-news/metropolitan-museum-scholars-call-protection-cultural-heritage-nagorno-karabakh-180976364/>. See also: Alexandre de Rhodes, *Divers voyages et missions du père Alexandre de Rhodes de la Compagnie de Jésus en la Chine et autres royaumes de l’Orient, avec son retour en Europe par la Perse et l’Arménie* (Various voyages and missions of Father Alexander of Rhodes of the Society of Jesus in China and other kingdoms of the East, with his return to Europe through Persia and Armenia) (in French), Paris: Sébastien Cramoisy, 1653, Part 3, 63.

<sup>16</sup> Dale Berning Sawa, “Monumental loss: Azerbaijan and ‘The Worst Cultural Genocide of the 21st Century,’” *The Guardian* (1 Mar. 2019), <https://www.theguardian.com/artanddesign/2019/mar/01/monumental-loss-azerbaijan-cultural-genocide-khachkars>.

<sup>17</sup> “Azeri Soldiers Vandalized a Cemetery in Nagorno Karabakh, Rekindling Fears of Destruction of Armenian Heritage,” *Archyde* (27 Nov. 2020), <https://www.archyde.com/azeri-soldiers-vandalized-a-cemetery-in-nagorno-karabakh-rekindling-fears-of-destruction-of-armenian-heritage/>.



Appendix B contains additional photos of cultural heritage destroyed in Azerbaijan. The destruction has also been documented in numerous other publications.<sup>18</sup>

Azerbaijan claims, despite a bedrock of factual and historic evidence to the contrary, that Nakhichevan never contained any Armenian cultural heritage or presence. In fact, Azerbaijan claims, without any basis, that the cross-stones (khachkars) found in Artsakh were artificially planted, oxidized, and greased with vinegar to look old and to serve, speciously so, as proof of Armenian presence in the land. No sources, credible or otherwise, are cited for this outlandish proclamation.

Against the backdrop of systemic eradication of Armenian cultural heritage sites for well over a decade, the fate of cultural sites in the territories handed over as a result of Azerbaijan's recent military aggression is even more concerning.

#### IV. Azerbaijan's Intentional Destruction of Cultural and Religious Sites During the War and Continued Active Denial of the Existence of Armenian Cultural Heritage in the Region Warrants Immediate Action

During the hostilities, in direct violation of the Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, to which both Armenia and Azerbaijan

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<sup>18</sup> "Destruction of the Armenian Cemetery of Djulfa" Article in ICOMOS Heritage at Risk, available at: [https://www.icomos.org/risk/world\\_report/2006-2007/pdf/H@R\\_2006-2007\\_09\\_National\\_Report\\_Azerbaijan.pdf](https://www.icomos.org/risk/world_report/2006-2007/pdf/H@R_2006-2007_09_National_Report_Azerbaijan.pdf); "Azerbaijan: Famous Medieval Cemetery Vanishes: IWPR reporter confirms that there is nothing left of the celebrated stone crosses of Jugha" available at Institute for War & Peace Reporting: <https://iwpr.net/global-voices/azerbaijan-famous-medieval-cemetery-vanishes>; "When the World Looked Away: The Destruction of Julfa Cemetery" Radio Free Europe (10 December 2020), available at: [https://www.rferl.org/a/armenia-azerbaijan-julfa-cemetery-destruction-unesco-cultural-heritage/30986581.html?fbclid=IwAR38guzAYkn3\\_fnSCPI3XoD8iBeNxJOdcjcw4fb4V8HW9ZvNLzNKn-uwM0M](https://www.rferl.org/a/armenia-azerbaijan-julfa-cemetery-destruction-unesco-cultural-heritage/30986581.html?fbclid=IwAR38guzAYkn3_fnSCPI3XoD8iBeNxJOdcjcw4fb4V8HW9ZvNLzNKn-uwM0M)

are signatories,<sup>19</sup> as well as customary international humanitarian law, Azerbaijan intentionally demolished Armenian historical and cultural heritage sites. Such destruction continued following the war.

### 1. Destruction of Immovable Cultural Heritage and Objects of Worship

Significant examples of the destruction, desecration and erasure of Armenian immovable cultural heritage and objects of worship during Azerbaijan’s 2020 military campaign and even after the ceasefire include:

- Multiple intentional assaults on the Holy Savior Ghazanchetsots Cathedral, a landmark of Armenian cultural and religious identity in Shushi, a city whose Armenian population was massacred in 1920 by the Turks and Caucasian Tatars (later Azerbaijanis) but again became inhabited by Armenians during the Soviet Period and after the first Nagorno Karabakh War. On 8 October 2020, Azerbaijan using precision weaponry (drones) shelled the cathedral twice, with the two attacks taking place within hours of each other.<sup>20</sup> Civilians were sheltering in the Cathedral at the time of the attacks, and three journalists who had come to the scene to document the first strike were injured in the second attack.<sup>21</sup> A “gaping hole” can now be seen in the masonry vaults, and “the floor and pews are covered in debris.”<sup>22</sup> The same cathedral was destroyed in the 1920 massacre of Armenians in Shushi, and damaged again in the Nagorno Karabakh War of the early 1990s. Human Rights Watch referred to the attacks as a possible war crime.<sup>23</sup> The damage to the interior and exterior of the cathedral was extensively documented.<sup>24</sup>



<sup>19</sup> The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and its two additional Protocols.

<sup>20</sup> Artsakh Ombudsman, “Artsakh Ombudsman Second Interim Public Report on the Azerbaijani Atrocities Against the Artsakh Population in September to October 2020” (18 Oct. 2020), <https://artsakhombuds.am/en/document/735>.

<sup>21</sup> “Azerbaijan: Attack on Church Possible War Crime,” Human Rights Watch (16 Dec. 2020), <https://www.hrw.org/news/2020/12/16/azerbaijan-attack-church-possible-war-crime>.

<sup>22</sup> See *ibid.*, “Preserve Artsakh: An Open Letter to the World Community.”

<sup>23</sup> See *supra* note [16].

<sup>24</sup> Artsakh Infocenter (13 Oct. 2020). Available at: <https://bit.ly/2SVJ13Y>





Further acts of vandalism of the Holy Savior Ghazanchetsots Cathedral were documented after the Trilateral Agreement and included graffiti and the destruction of key features on the outskirts of the cathedral portraying angels and other Christian religious imagery.<sup>25</sup>



- Shelling of the Tigranakert archaeological site, “the best-preserved city of the Hellenistic and Armenian civilizations” of the Caucasus, founded in the 2nd to 1st centuries B.C., and later a “major hub for Early Christianity” with over 10 inscriptions discovered to date in Armenian and Greek dating to the 5th and 7th centuries CE. [Damage to the archaeological camp is shown below.]

<sup>25</sup> <https://twitter.com/RALee85/status/1327791527507144705?s=20>



- The removal of the Armenian cross and rounded, pointed dome (a key feature of Armenian church architecture) from the “Kanach Zham” (Green Chapel) Armenian Church of St. John the Baptist. Azerbaijan falsely claims that the Kanach Zham church is not Armenian but Russian Orthodox. The following photos appear to show the church before and after the act of vandalism.<sup>26</sup>



<sup>26</sup>

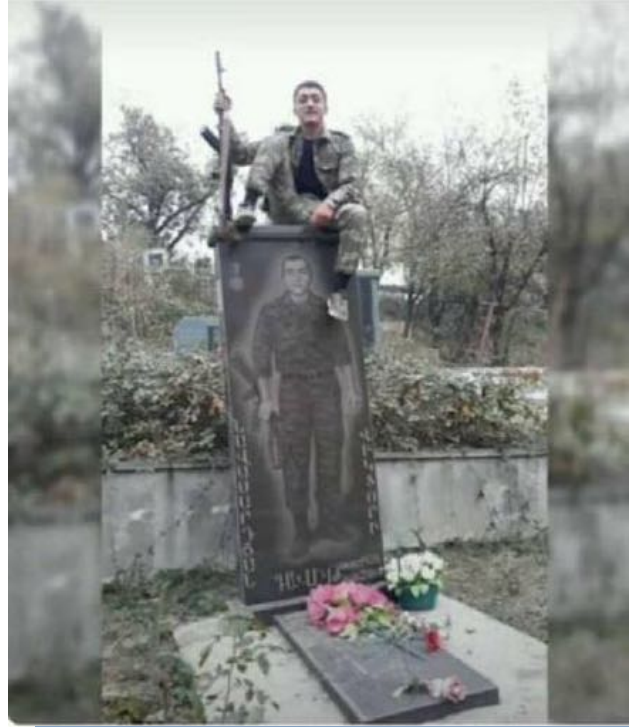
<https://twitter.com/saschadueerkop/status/1329754063064489986?lang=en>

- The vandalism of Armenian cemeteries, funeral or other monuments captured in photos or on video. In one instance, Azeri armed forces pummel a grave, laugh, and vandalize the tombstone until it falls.<sup>27</sup>



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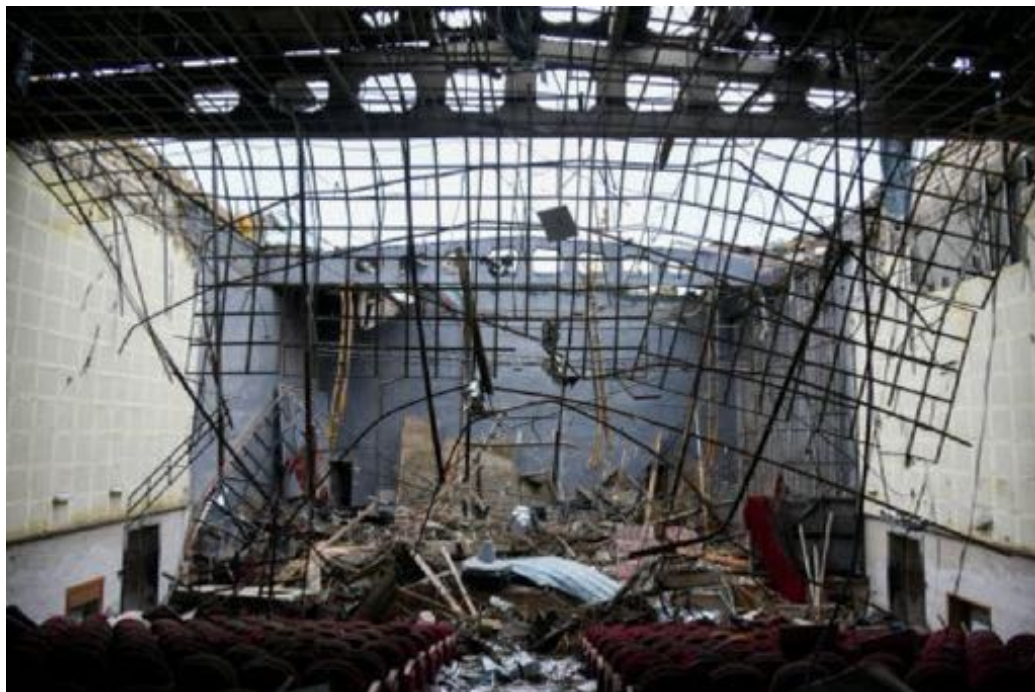
<sup>27</sup> “Azeri Soldiers Vandalized a Cemetery in Nagorno Karabakh, Rekindling Fears of Destruction of Armenian Heritage,” Archyde (27 Nov. 2020), <https://www.archyde.com/azeri-soldiers-vandalized-a-cemetery-in-nagorno-karabakh-rekindling-fears-of-destruction-of-armenian-heritage/>.







- Shelling and destruction of the Cultural and Youth Center in Shushi on October 7.<sup>28</sup>



<sup>28</sup> See Ghahramanyan, D. (7 Oct. 2020). 24 News. Available at: <https://bit.ly/34ZsktJ>; See also Shushi After the Shelling: The Cultural Center, EVN Video Report: Available at: <https://www.youtube.com/watch?v=6yjgDSdeHBE>; Shushi Cultural Center before the war: Armenia Fund Video: <https://www.youtube.com/watch?v=Ut-uvp9sYqg>



- Shelling and destruction of schools and kindergartens.<sup>29</sup>



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<sup>29</sup> See The Republic of Artsakh Human Rights Ombudsman. (Oct. 12, 2020). *Second Interim Report on the Azerbaijani Atrocities against the Artsakh Population in September-October 2020*. Available at: <http://bit.ly/OmbudsReport>; The Government of Armenia. (Oct. 14, 2020). Available at: <https://bit.ly/311rDPF>



Azerbaijan's intentional destruction has been combined with official efforts to re-write history and engage in cultural erasure, which efforts began in the 1950s when Azerbaijani scholars first claimed that Nagorno Karabakh's earliest inhabitants were not Armenian but rather Caucasian Albanian (a confederacy of semi-nomadic tribes that lived near the banks of the Caspian Sea).<sup>30</sup> Numerous Azerbaijani government officials, public figures, and bots repeat the unfounded (and debunked) claim that Armenian cultural heritage in Nagorno Karabakh can be attributed exclusively to the Caucasian Alabians.

The Azerbaijani Ministry of Defense released a video of Dadivank, a monastery complex dating from the 7-9th and 13th centuries, located in the Karvajar/Kalbajar District of Nagorno Karabakh now

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<sup>30</sup> See Thomas De De Waal, *Black Garden: Armenia and Azerbaijan Through Peace and War*, New York, 2003, 152-154; Nora C. Dudwick, "The Case of the Caucasian Albanians; Ethnohistory and Ethnic Politics," *Cahiers du Monde russe et soviétique*, Vol. 31, No. 2/3, 377-83; Strabo, *Geography* Ulubabian/Hasratian, *Gandzasar*, Harace Leonard Jones trans, Cambridge 1969, 378.



occupied by Azerbaijan, after Russia announced its peacekeepers were present at Dadivank; notably missing from the many scenes in the video was one of the most recognizable features of Dadivank’s cathedral: its founding inscriptions engraved in the Armenian language—presumably because such inscriptions undermine Azerbaijan’s claims of the monastery’s Caucasian Albanian origin. Despite Azerbaijan’s unsubstantiated claims that Dadivank and similar cultural heritage are not Armenian but rather *exclusively* “Caucasian Albanian” (proto-Azerbaijani), such claims have not stopped Azerbaijan from destroying cultural heritage that it labels as “Caucasian Albanian,” such as in Nakhchivan. Notably, Azerbaijan not only denies its conduct—which was captured on video—but denies the existence of Armenian cultural heritage at all.

The erasure of centuries-long Armenian presence in the region is further complicated by the rise in jihadist extremism that was introduced into the region from Turkey’s recruitment of northern Syrian mercenaries to fight for Azerbaijan. On 14 November 2020, Armenia’s ambassador to the Netherlands, Tigran Balayan, shared on Twitter a video of a jihadist mercenary bellowing out “Allahu Akbar” from the bell tower of Saint Mary Church, located near the village of Mekhakavan (Jebrayil) in Artsakh.<sup>31</sup>

## 2. Moveable Cultural Heritage at Risk

Before Azerbaijan’s recent aggression, movable heritage had been preserved in twenty-one museums in different regions of Artsakh.<sup>32</sup> Twelve of those museums are located in Shushi, Hadrut, and other regions under the current control of Azerbaijan.<sup>33</sup> These museums “preserved a vast collection of the history, arts, religion, everyday life, nature and culture of the region.”<sup>34</sup>

Given the unexpected nature of the attacks from Azerbaijan beginning on 27 September 2020, museum staff had no opportunity to evacuate their collections.<sup>35</sup> Moreover, because all major towns were under constant shelling with the use of internationally-sanctioned weapons, it was near impossible for museum staff to leave the bomb shelters where they sought refuge to preserve the collections during Azerbaijan’s military hostilities.<sup>36</sup> Despite the Trilateral Agreement initiating a ceasefire, the Armenian side has had no access to, and no information on, the fate of the museum collections.<sup>37</sup>

The museums in the cities of Martuni and Hadrut are reported to have suffered the most.<sup>38</sup> The Old District in the city of Hadrut, where a museum was located, is said to have been burned to the ground by Azerbaijani armed forces.<sup>39</sup> In the aftermath of the war, “[t]he collections of some museums could be exposed to illicit trafficking.”<sup>40</sup>

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<sup>31</sup> Tigran Balayan, Twitter (14 Nov. 2020), <https://twitter.com/tbalayan/status/1327676346315706369?s=20>.

<sup>32</sup> See *ibid.*, “A Brief Review of Cultural Heritage Violations in Nagorno Karabagh (Artsakh) in September -November of 2020.”

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

## V. More than 4,000 of Artsakh’s Cultural Heritage Sites are Still in Danger

Depending on the final demarcation of the line of contact, more ancient Armenian cultural and religious treasures face complete destruction, including the Amaras Monastery (dating to the 4th century, which served as the first school to teach the Armenian language in the early 5th century), the Tigranakert fortress, and Tsitsernavank (a 5th century monastery). These and Nagorno Karabakh’s other 4,000 Armenian cultural heritage sites and monuments (including nearly 400 churches) will be at constant risk of the same vandalism, demolition, and cultural erasure seen in the exclave of Nakhichevan—which destruction Azerbaijan denies.

Amaras Monastery, the burial site of Saint Grigoris, grandson of Armenia’s patron saint, Saint Gregory the Illuminator, and the Grigoris tomb, one of the oldest surviving Armenian Christian burial structures dating back to the 5th century, all face extinction.<sup>41</sup> Lesser-known sites are at risk as well, including “the north-west province of Karvajar [which] alone contains 22 major sites, each of which comprises several monuments and tombstones.”<sup>42</sup>

## VI. Armenian Apostolic Christians No Longer Have Free Access to Their Religious Sites

After the Trilateral Agreement, Azerbaijan arrested ethnic Armenian civilians, including humanitarian aid workers and individuals who returned to the territories under Azerbaijani control to attempt to take their belongings and personal effects left behind when they fled the hostilities. As but one example, the ECHR recently confirmed that Lebanese-Armenian repatriate Maral Najarian is imprisoned in Azerbaijan, after being kidnapped in Shushi by Azerbaijani forces on 10 November.<sup>43</sup> Under these conditions, along with videos and images of civilians being beheaded by Azerbaijani forces, apparently *after* the Trilateral Agreement, it is difficult to imagine how Armenians will be able to worship in Nagorno Karabakh.<sup>44</sup> Indeed, one person who was able to visit Dadivank in December to partake of a wedding and mass held there, explained the process of visiting Dadivank accompanied by Russian Peacekeepers and provided witness to the following [emphasis added]:

*“During our time there, multiple Azerbaijani soldiers walked by just mere walking distance from where we were standing and multiple times at that. This particular moment is critical to understand the psychological intimidation and infliction that can be caused and was caused by this. I understand that Azeris are close by and there can be several opportunities to see them. However, what is the purpose of walking by several times and even driving a vehicle, clearly labeled as an Azerbaijani car, by these people? It was evident that there was a special service and visit going on that day and that there would be Armenians present paying their respects and visiting this holy site. It’s also clear that these soldiers knew the affect their simple stroll near these people would leave and what type of impact it would*

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<sup>41</sup> See *ibid.*, “Azeri soldiers vandalized a cemetery in Nagorno Karbaakh, rekindling fears of destruction of Armenian heritage.”

<sup>42</sup> See *ibid.*, “The Medieval Armenian Monuments in Nagorno-Karabakh Must be Protected.”

<sup>43</sup> “ECHR confirms Armenian woman imprisoned in Azerbaijan, says MP,” PanArmenian.Net (11 January 2021), [https://www.panarmenian.net/eng/news/289241/ECHR\\_confirms\\_Armenian\\_woman\\_imprisoned\\_in\\_Azerbaijan\\_says\\_MP](https://www.panarmenian.net/eng/news/289241/ECHR_confirms_Armenian_woman_imprisoned_in_Azerbaijan_says_MP).

<sup>44</sup> See The Human Rights Ombudsman of Artsakh “Fifth Ad Hoc Report On Torture and Inhuman Treatment of Members of Artsakh Defense Army and Captured Armenians by Azerbaijani Armed Forces” (From Nov. 19-Dec. 2, 2020) (available upon request; certain of these reports are not disseminated publicly, given the disturbing images and content they display).

*presumably have . . . On one hand, I have extreme difficulty comprehending this and accepting the reality that this is the process of how we must visit various regions of our homeland. It hurts because it's wrong and unimaginable on so many levels. All I have left to say is that, we can't stop these visits. We can't stop praying. And we can't stop honoring. If we stop, Dadivank will just be another site that Azerbaijanis culturally erase, destroy, desecrate, and raise an Azeri and Turkish flag [upon]."*

As is apparent from the above witness, even for the religious sites that certain Armenians can arrange to visit, with the assistance of Russian Peacekeepers, such visits are not free from psychological intimidation.

## VII. International Organizations and NGOs Are Struggling to Address the Issues in a Way that Will Ensure Protection or Motivate Azerbaijan to Refrain from further Destruction

Many UN and international organizations have decried the destruction of cultural heritage sites,<sup>45</sup> but without the cooperation of Azerbaijan or Azerbaijani cultural professionals, they are unable to prevent it.

On 5 October 2020, ICOM International published a statement calling for an end to the destruction of cultural heritage on both sides.<sup>46</sup> On 9 October 2020, UNESCO published a statement expressing its “grave concern” about the hostilities and urging “all sides to comply with their obligations” to “ensure the prevention of damage to cultural heritage in all its forms.”<sup>47</sup> On 15 November 2020, World Monuments Fund called for the “protection of all cultural property within the Nagorno-Karabakh region.”<sup>48</sup> In an open letter to the international community dated 12 November 2020, academics and scholars sought to raise awareness on the longstanding record of the destruction of Armenian cultural heritage sites and raised the alarm over the fate of such sites in the aftermath of the most recent war.<sup>49</sup> On 17 November 2020, The Metropolitan Museum of Art implored all parties to respect cultural heritage sites.<sup>50</sup> Still, words of condemnation alone, often containing false equivalencies or that otherwise failed to draw attention to Azerbaijan’s targeted attacks, without accompanying action, have fallen flat.

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<sup>45</sup> “Blue Shield Statement on Fighting in Nagorno-Karabakh” available at: <https://theblueshield.org/blue-shield-statement-on-fighting-in-nagorno-karabakh/>; UNESCO Statement available at: <https://en.unesco.org/news/situation-nagorno-karabakh-conflict-zone-unesco-statement>; WMF Statement available at: <https://www.wmf.org/blog/wmf-statement-safeguarding-cultural-heritage-nagorno-karabakh>; Getty Trust Statement available at: [https://blogs.getty.edu/iris/getty-trust-statement-on-the-need-to-protect-armenian-cultural-heritage/?fbclid=IwAR2Rn7yueo6\\_yYjGq43VhT0H8\\_rMFxhNg7SUA8g4nn0Z2Dh69vZwRA2qgAM](https://blogs.getty.edu/iris/getty-trust-statement-on-the-need-to-protect-armenian-cultural-heritage/?fbclid=IwAR2Rn7yueo6_yYjGq43VhT0H8_rMFxhNg7SUA8g4nn0Z2Dh69vZwRA2qgAM)

<sup>46</sup> “ICOM Strongly Condemns the Targeting of Cultural Heritage as a Weapon of War in the Nagorno-Karabakh Region, and Urge Parties to Find a Peaceful Solution,” International Council of Museums (5 October 2020), <https://icom.museum/en/news/icom-nagorno-karabakh/>.

<sup>47</sup> “Situation in the Nagorno-Karabakh conflict zone,” UNESCO, (9 October 2020), <https://en.unesco.org/news/situation-nagorno-karabakh-conflict-zone-unesco-statement>.

<sup>48</sup> “WMF Statement on Safeguarding Cultural Heritage in Nagorno-Karabakh,” World Monument Fund (15 Nov. 2020), <https://www.wmf.org/blog/wmf-statement-safeguarding-cultural-heritage-nagorno-karabakh>.

<sup>49</sup> See “Preserve Artsakh: An Open Letter to the World Community” available at: <https://apnews.com/press-release/globenewswire-mobile/travel-lifestyle-new-york-cultural-preservation-turkey-a3331050862ff5e20fc11e3d5e27b661>.; See also “A Brief Review of Cultural Heritage Violations in Nagorno Karabagh (Artsakh) in September -November of 2020.”

<sup>50</sup> “Statement from The Met on Armenian Cultural Heritage Sites,” Metropolitan Museum of Art (17 Nov. 2020), <https://www.metmuseum.org/press/news/2020/statement-about-armenian-cultural-heritage>.

On 11 December 2020, the Committee for the Protection of Cultural Property in the Event of Armed Conflict of the Second Protocol to The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, issued a Declaration that, among other things, welcomed a UNESCO initiative “taken in conformity with Article 23 of the 1954 Hague Convention, to carry out as soon as possible an independent technical mission, with the agreement of all concerned Parties, with the aim of assessing the status of the cultural property in all its forms as a prerequisite for the effective protection of heritage.”<sup>51</sup> However, despite reaching out to Azerbaijan, UNESCO has yet to hear from Azerbaijan about authorizations to participate in such a technical mission.<sup>52</sup>

Armenia’s Minister of Culture, Arayik Harutyunyan, has accused UNESCO of failing to unequivocally condemn the destruction of Armenian cultural monuments.<sup>53</sup> For example, after Azerbaijan’s intentional shelling of St. Ghazanchetsots Cathedral in Shushi, UNESCO released the 9 October statement calling on “all sides” to refrain from destroying cultural heritage. Harutyunyan urges that the organization’s “[complicit silence] toward Azerbaijan’s acts of cultural genocide” is a result of Azerbaijan’s financial contributions to UNESCO. In 2013, Azerbaijan donated \$5 million to the institution after the United States pulled its funding,<sup>54</sup> and Azerbaijan’s payments to and close relationships with certain UNESCO directors have been criticized in the past as, at best, creating a conflict of interest that has prevented UNESCO from addressing Azerbaijan’s destruction of both Armenian and Azerbaijani cultural heritage.<sup>55</sup>

## VIII. Conclusion

The undersigned organizations acknowledge (1) that *intentional* destruction of cultural heritage is a violation of human rights; (2) that the right of access to and enjoyment of cultural heritage forms part of the right to take part in cultural life; and (3) that cultural rights are at the core of human identity and enable many other civil, economic, political and social rights.

Acknowledging that respect for and recognition of cultural and religious rights and diversity are key to building lasting peace in the region, we urge the Special Rapporteur in the field of cultural rights and the Special Rapporteur on freedom of religion and belief to respond to this information through constructive action, including by attempting to implement the following measures working in cooperation

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<sup>51</sup> “Declaration of the Committee for the Protection of Cultural Property in the Event of Armed Conflict of the Second Protocol to The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict – ensuring cultural property protection in and around Nagorno-Karabakh and setting-up an independent technical mission” available at: [https://en.unesco.org/sites/default/files/en\\_15\\_com\\_declaration\\_haut-karabakh\\_final\\_1.pdf](https://en.unesco.org/sites/default/files/en_15_com_declaration_haut-karabakh_final_1.pdf).

<sup>52</sup> <https://en.unesco.org/news/unesco-awaiting-azerbajians-response-regarding-nagorno-karabakh-mission>.

<sup>53</sup> Dorian Batycka, “Armenian Monuments in Line of Fire in Nagorno-Karabakh Conflict,” The Art Newspaper (26 Oct. 2020), <https://www.theartnewspaper.com/news/monuments-in-line-of-fire-in-nagorno-karabakh-conflict>.

<sup>54</sup> *Ibid.*

<sup>55</sup> Luke Harding, Caelainn Barr, and Dina Nagapetyants, “UK at centre of secret #3bn Azerbaijani money laundering and lobbying scheme,” the Guardian (4 September 2017), <https://www.theguardian.com/world/2017/sep/04/uk-at-centre-of-secret-3bn-azerbaijani-money-laundering-and-lobbying-scheme>; Khadija Ismayilova, “Letter; When UNESCO’s Director General Broke Her Silence,” Organized Crime and Corruption Reporting Project (11 October 2017), <https://www.occrp.org/en/announcements/40-press-releases/7117-letter-when-unesco-s-director-general-broke-her-silence>.

with state parties (e.g. Armenia, Azerbaijan, Turkey, Russia), international organizations, Ministries of Culture and cultural heritage professionals in Azerbaijan and Armenia:

- ☐ Engage with the Government of Azerbaijan and call for an immediate end to the targeting of moveable and immovable cultural heritage sites and demand the respect and protection of all such sites under the control of Azerbaijani authorities in accordance with UN Resolution 2347 on the protection of the cultural heritage located in conflict zones;
- ☐ Request information from Azerbaijan on what measures have been taken to record information on the destroyed or demolished sites of cultural heritage by Azerbaijani forces and what measures have been taken to find and prosecute persons engaged in such actions;
- ☐ Request information on the measures taken to prevent the recurrence of racist and xenophobic acts, to foster tolerance, mutual understanding and social harmony, and promote respect for cultural diversity of all people (including the Armenian people) in Azerbaijan;
- ☐ Explore and facilitate the potential for a memorandum of understanding among relevant state actions or cultural heritage professionals that would set up procedures for dealing with destruction (including defacement and change of character) of monuments;
- ☐ Explore and facilitate the potential for other collaborative projects in the area of culture and religion between Armenian and Azerbaijani cultural and religious leaders;
- ☐ Explore the establishment of monitoring mechanisms including satellite imagery and security cameras; and
- ☐ Draw the attention of the Human Rights Council and the General Assembly to the cultural erasure by the Azerbaijani armed forces against the Armenians of the Artsakh Republic.

We are available to discuss these issues with you at your convenience and look forward to working with you to protect and preserve the cultural heritage of the region that are an intrinsic part of world and Christian history.

Submitted by:

[List organizations]

## Appendix A – Articles Related to Protection of Cultural Heritage After the War

- **Asia Times: 16 Nov** [Cultural erasure may spark next Nagorno-Karabakh war](#)
- **Atlas Obscura: 10 Dec 2020** ["Cultural Heritage Is Caught Up in the Conflict Over Nagorno-Karabakh"](#)
- **BBC: 8 Oct 2020** ["Nagorno-Karabakh: Armenia accuses Azerbaijan of targeting cathedral "](#)
- **Christianity Today: 17 Nov 2020** ["A Plea to Save Artsakh's Armenian Heritage"](#)
- **Civilnet: 14 Nov 2020** ["Dadivank Monastery to remain under the control of Russian peacekeepers"](#)
- **Cultural Property News: 19 March 2019** ["World Heritage Committee Meeting in Baku Will Be Hosted By Cultural Destroyers"](#)
- **Eurasianet: 16 Nov 2020** ["Now comes a Karabakh war over cultural heritage"](#)
- **Europa Nostra: 28 Oct 2020** ["Europa Nostra Statement related to the armed conflict in and around the Nagorno-Karabakh region"](#)
- **France 24: 17 Nov 2020** [Armenia looks to protect cultural artefacts amid conflict with Azerbaijan](#)
- **France24: 13 Nov 2020** ["Armenians bid 'painful' farewell to monastery ceded in peace deal"](#)
- **Greek City Times: 16 Nov 2020** ["Azerbaijani Islamist destroys a Cross as Putin calls for respect of Artsakh's religious sites"](#)
- **Hyperallergic: 13 Nov 2020** ["Google Arts & Culture as an Agent of Ethnic Cleansing"](#)
- **Hyperallergic: 3 Oct 2020** ["Archeologist Raises Alarms Over Azerbaijan's Shelling of an Ancient City"](#)
- **Los Angeles Times: 16 Dec 2020** ["Armenian monuments are at risk in Azerbaijan. L.A. artists make their own to keep memory alive"](#)
- **Los Angeles Times: 7 Nov 2020** ["Historic Armenian monuments were obliterated. Some call it 'cultural genocide' "](#)
- **Medium: 14 Dec 2020** ["The US can help prevent the destruction of cultural heritage in Nagorno-Karabakh. Here's how."](#)
- **Medium: 25 Nov 2020** ["Church and memorial desecration in post-ceasefire Nagorno Karabakh"](#)
- **Medium-DFR Lab: 25 Nov 2020** ["Church and memorial desecration in post ceasefire Nagorno-Karabakh"](#)
- **NAASR: 14 Nov 2020** ["The Armenian Cultural Heritage of Artsakh \(Nagorno-Karabakh\) "](#)
- **News.ru: 12 Nov 2020** ["Lavrov says restoration of monuments in Nagorno-Karabakh requires UNESCO"](#)
- **NY Times: 30 Nov 2020** ["When an Enemy's Cultural Heritage Becomes One's Own"](#)
- **Radio Free Europe: 12 Nov 2020** ["Left Behind? Churches, Monasteries Due for Handover To Azerbaijan"](#)
- **Radio Free Europe: 14 Nov 2020** ["Left behind? Churches, Monasteries due for handover to Azerbaijan"](#)
- **Sky News: 23 Nov 2020** ["'I don't want to say goodbye': Armenian monastery guarded by military set to pass to Azerbaijan"](#)
- **Smithsonian Magazine: 24 Nov 2020** ["Why Scholars, Cultural Institutions Are Calling to Protect Armenian Heritage"](#)

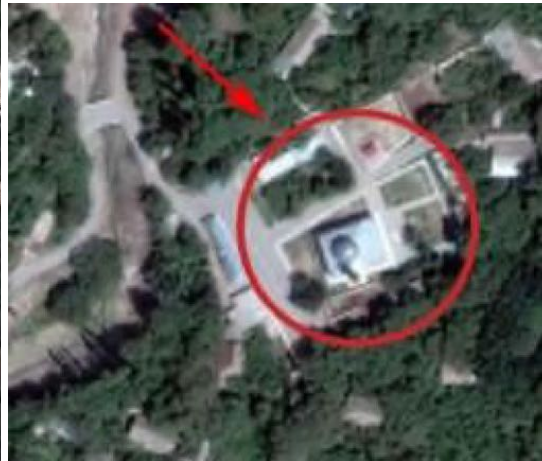
- **Sunday Times: 22 Nov 2020** ["Armenians fear a sacking of the monasteries with Nagorno-Karabakh retreat"](#)
- **The Art Net: 10 Dec 2020** ["What International Audiences Must Understand About the Conflict Between Armenia and Azerbaijan—and the Cultural Heritage That’s at Stake"](#)
- **The Art Newspaper: 17 Nov 2020** [Metropolitan Museum of Art appeals for protection of cultural heritage sites in Nagorno-Karabakh](#)
- **The Art Newspaper: 28 Oct** [Europa Nostra Statement related to the armed conflict in and around the Nagorno-Karabakh region](#)
- **The Conversation: 15 Dec 2020** ["Armenians displaced from Nagorno-Karabakh fear their medieval churches will be destroyed"](#)
- **The European Post: 30 Nov 2020** ["Europe should stand up to Turkey and protect the cultural heritage in Nagorno Karabakh"](#)
- **The Guardian: 19 Nov** [The ceasefire agreement with Azerbaijan comes with great risks for Armenia](#)
- **The Middle East Council of Churches: 23 Nov 2020** ["Justice for Artsakh"](#)
- **The National Interest: 16 Dec 2020** ["Now that Azerbaijan Controls Nagorno-Karabakh, Are Medieval Churches in the Crosshairs?"](#)
- **The Observer: 18 Nov 2020** ["Armenians in Nagorno-Karabakh fear destruction of their cultural heritage"](#)
- **The Times: 16 Dec 2020** ["Nagorno-Karabakh: priceless Christian artefacts are at risk of being destroyed"](#)
- **Vatican News: 25 Nov 2020** ["Nagorno Karabakh, l'appello delle Chiese del Medio Oriente"](#)
- **Wall Street Journal: 18 Nov 2020** ["Cultural Heritage in the Crosshairs Once More"](#)
- **World Council of Churches: 10 Nov** [WCC calls for immediate end to military actions in Nagorno-Karabakh region](#)
- **World Council of Churches: 13 Nov** [WCC makes urgent call for “lasting peace founded on justice and human rights” for people of Nagorno-Karabakh](#)
- **World Council of Churches: 23 Nov 2020** ["WCC letter to UNESCO on Nagorno-Karabakh/Artsakh’s Armenian historical, religious and cultural heritage"](#)

**Appendix B – Examples of Historically Destroyed Armenian Cultural Heritage in Azerbaijan**

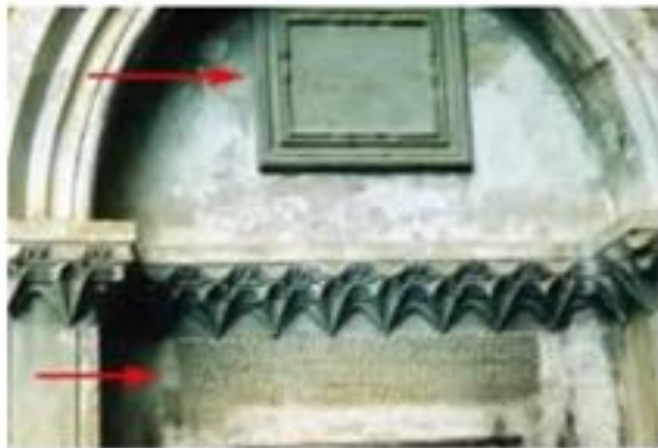


**Nakhichevan city.** St. Gevorg (George) Church marked on the map of the USSR Armed Forces General Headquarter (1976). According to the satellite image of Google Earth of 2008 the church does not exist anymore.





**Agulis village, Nakhijevan, St. Tovma (Thomas the Apostle) Monastery** (photo of 1900-1910s) marked on the map of the USSR Armed Forces General Headquarter (1976). In the late 1990s, the monastery was completely destroyed, and in its place a mosque was built, as evidenced by satellite image Google Earth of 2011 and 2016.



**Nij village, Qabala (Kutkashe) region, Azerbaijan. St. Yeghishe (Elisha) Church** and two inscriptions carved on its southern entrance tympanum in commemoration of its thorough restoration carried out by the efforts of Priest Astvatzatur Jodanians in the 1840s (Photo of 1985). The inscriptions were completely scraped away during restoration work in the early 2000s.

The destruction of monuments of the village of Tsar in the Karvachar region.<sup>56</sup>



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<sup>56</sup> Council of Europe, Parliamentary Assembly Documents 2002 Ordinary Session (First Part), Volume I, “Maintenance of historical and cultural heritage in the Nagorno-Karabakh Republic”, p. 35.