

**Center for Truth and Justice Alternative Report:
Azerbaijan's Violations
of the International Convention on the Elimination of All Forms of Racial Discrimination**

(Violations Occurring from December 7, 2021 to June 7, 2022)



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Introduction

On September 16, 2021, Armenia filed an Application with the International Court of Justice (“ICJ”), the principal judicial organ of the United Nations, instituting proceedings against Azerbaijan, alleging violations of the International Convention on the Elimination of All Forms of Racial Discrimination (“ICERD”). As cases before the ICJ can take years to adjudicate, Armenia requested that the ICJ grant provisional orders. On December 7, 2021, in its Order, which has binding effect, the Court indicated the following provisional measures:

- 1) “Azerbaijan must, in accordance with its obligations under CERD, protect from violence and bodily harm all persons captured in relation to the 2020 Conflict who remain in detention, and ensure their security and equality before the law;
- 2) take all necessary measures to prevent the incitement and promotion of racial hatred and discrimination, including by its officials and public institutions, targeted at persons of Armenian national or ethnic origin; and
- 3) take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, including but not limited to churches and other places of worship, monuments, landmarks, cemeteries and artifacts.”

Upon the ICJ’s December 7, 2021 Order (“ICJ Order”), the nonprofit organization Center for Truth and Justice (“CFTJ”) created a Task Force to monitor Azerbaijan’s compliance with the ICJ Order. In the first six months following the ICJ Order, CFTJ documented violations by Azerbaijan, as collected via the following:

- a) Testimonial evidence from POWs that returned to Armenia after December 7, 2021;
- b) Open source information published and disseminated by Azerbaijan’s state officials; and
- c) Statements and declarations made by Azerbaijan’s President and other state officials.

This report outlines Azerbaijan’s violations of the ICJ Order between December 7, 2021 and June 7, 2022, as documented by CFTJ. The factual information in this report aims to highlight that despite the ICJ Order and Azerbaijan’s obligations under ICERD, Azerbaijan continues to treat Armenian detainees in the most depraved and inhumane ways, incite racial hatred against Armenians, and destroy, demolish and vandalize Armenian cultural sites including churches and cemeteries. With this report, CFTJ appeals to the committee of ICERD to create a judicial review mechanism to send a clear message to Azerbaijan that their violations shall not be tolerated, with legal and diplomatic consequences to follow.

The Center for Truth and Justice

CFTJ is a non profit organization documenting crimes and human rights abuses committed in connection with the 2020 war in Nagorno-Karabakh, via first-hand testimonies from witnesses of

the war. CFTJ preserves the collected evidence and makes it available for purposes of education, advocacy, and legal action.

CFTJ is comprised of attorneys and law students in the US, Armenia, and Nagorno-Karabakh, as well as human rights advocates and other professionals, dedicated to amplifying the voices of victims of human rights violations including discrimination, ethnic cleansing, displacement, war crimes, mass atrocities, and genocide.

Mistreatment of Armenian Prisoners of War (POW)

Under Article 5(b) of ICERD, state parties are obligated to guarantee the right to security and protect persons from violence and bodily harm, whether inflicted by government officials or by any individual group or institution. Azerbaijan as a state party to the convention, has continuously failed to uphold its obligations under Article 5(b) by continuing to torture and subject Armenian POWs to cruel and inhumane treatment.

As a result of the 44 day war that ensued on September 27, 2020, when Azerbaijan attacked Nagorno-Karabakh, over 200 Armenian soldiers were detained in Azerbaijan, in violation of international law. Over 120 such captives have since been returned to Armenia. The number of those still being held in detention is, at best, an approximation due to the fact that Azerbaijan refuses to confirm or deny the full list of names of Armenians the country is holding as prisoners of war (“POWs”). It is estimated that there are another 119 POWs still being held captive. CFTJ has recorded over 30 testimonies from captives who returned to Armenia. The eyewitness accounts from returned captives establish that Azerbaijan is holding many more POWs than it admits.

The testimony also establishes that all returnees have severe post traumatic stress disorder due to their mistreatment in Azerbaijan. All suffered severe psychological stress due to the violence and inhumane conditions to which they were subjected in Azerbaijani captivity, and most were also badly physically abused. Due to the highly sensitive nature of their accounts, CFTJ does not publish the names of witnesses, but rather identifies witnesses by a special number to protect their privacy and keep their information confidential. Below are the statements of two Armenian POWs that Azerbaijan detained and eventually released to Armenia.

Testimonial Evidence of Witness #1

Witness 21LC-0078 was serving in the Armenian army on the border of Armenia and Azerbaijan on November 13, 2021, the date of his capture. That day, his group of soldiers inadvertently wandered onto land that Azerbaijan claims to have captured during the war that took place in Nagorno-Karabakh from September 27, 2020 to November 9, 2020. When Azerbaijani soldiers confronted the group and accused them of trespassing, the Armenian

soldiers gave up their weapons. The Azerbaijani soldiers arrested them anyway and took them into custody. While in initial custody, an Azerbaijani soldier took an Armenian soldier behind a post. This witness could hear shootings for 30 minutes. Witness 21LC-0078 was taken as a POW on November 16, 2021 and was held with the rest of his group at an Azerbaijani military camp. During those days, Azerbaijani military would enter the camp custody cells of Armenian captives and drag them out two at a time, and beat them. When they were first captured the Azerbaijani forces told them that they were from the Yashma, Azerbaijani special forces. The Azerbaijani soldiers said that they are orphans from orphanages and they had nothing to lose, instilling fear in the Armenian soldiers.

While at the Azerbaijani military camp, Witness 21LC-0078 was beaten. The Azerbaijanis covered his eyes and tied his feet and hands. While being struck with an object, he was forced to repeat "Karabakh is Azerbaijan." His knees were hit repeatedly with what felt like a stick or a hammer.

On the road an Azerbaijani soldier put a knife to the witness's ears and throat threatening to severely injure or kill the detained Armenian. The witness's hands were tied with plastic ties. When he complained about the pain, they tightened the ties even more. As a result, the victim has permanent scarring and damage to his wrists. They transported all the Armenians they had taken captive, including Witness 21LC-0078 to the disciplinary battalion. They did not feed them nor let them sit, forcing them to remain standing for two days.

An Azerbaijani soldier pointed his gun at the POW's head and said, "Didn't you feel sorry for our guys, their families...". The victim told the soldier to shoot him. He was severely beaten. Two days later the POWs were transported to jail.

While in custody, Witness 21LC-0078 shared that the POWs and those captured with them said they were interrogated on a regular basis. During one of these interrogations the Armenian captives were told that Azerbaijan had published the names of some of the captives, but not all. They told them that if their names did not make it on the published list, they would be considered missing in action ("MIA"). They told the Armenian soldiers, "We can kill you here and no one would know." The Azerbaijani side did not verify the names of the Armenian captives that were included in the published list. This victim discovered he was on the MIA list only after he was released and returned to Armenia.

The conditions in which the Armenian POWs were illegally held were appalling. November through February, in the dead of winter, when it was cold and freezing, they were not provided with any warm clothes. They were given hot water only twice a week. For 45 days they were given the same food to eat. They were provided with juice and fruits only the day before representatives of the International Committee of the Red Cross (ICRC) visited, which was only twice during this victim's time in Azerbaijani custody. The POWs were warned not to complain to the ICRC otherwise things would be "bad" for them.

They were not allowed to lay down nor sleep. If they did, they would be assaulted.

For clean air, the Azerbaijani guards would open the door to a balcony every 2 to 3 weeks.

When ICRC came, the Armenian POWs were given the opportunity to call their loved ones, but they were never allowed any privacy. They were constantly monitored by an Azerbaijani named Robert. He would stand right next to them and listen to their conversation with their loved ones.

Witness 21LC-0078 was allowed to call home only twice, when ICRC came to visit, on December 10, and then again on December 28, 2021. Prior to the phone calls they were told what they were allowed to say on the phone, and what they were not allowed to discuss with their family.

They were forced to read, “The History of Karabakh,” which stated that Nagorno-Karabakh is Azerbaijan. They were given a booklet called, “Yerevan Governorate,” which stated that Yerevan is a *khanate* (a tribal chiefdom) of Azerbaijan. They were told that if they wanted to be freed and go home alive, they had to read these books.

While in detention, this POW was severely beaten on the bottom of his feet, but he was never provided with any medical care, just five painkillers. To date, he suffers chronic pain and long-term disability due to his injuries.

Witness 21LC-0078 returned to Armenia on December 29, 2021.

Testimonial Evidence of Witness #2

On November 16, 2021, Witness 22LC-0003 was taken captive together with nine other Armenians. The Azerbaijani military took all of his personal belongings including his cross, which they yanked off of him and threw away.

Immediately, upon being taken into captivity, the Azerbaijani soldiers beat him over the head with a stick, and punched him all over his body. In the morning, they transported him to a hospital. Once he regained consciousness, they hog tied him and put him on the back of a military truck again. The victim watched how the Azerbaijanis were hitting another POW on the head with the back of the gun. This witness watched the Azerbaijani commander in charge of these soldiers carry out the beatings, but did not do anything to stop them.

They grabbed him from his hog tied legs and arms and dragged him off the truck. His entire body was scraped and became black and blue with hematomas. He was transported, laying down on his stomach with his face pressed to the bottom of the military truck, to a disciplinary battalion. Once they arrived, the POWS, including Witness 22LC-0003, were not allowed to sit, but forced

to remain standing for ten hours. This witness could hear screaming and moaning from cells next to his own.

Then, the Armenian POWs were taken to prison. Upon arrival, the plastic ties were removed, but the injuries lasted over a month. ICRC visited them three times. Every time they were given food, they had to kneel and say, “Karabakh is Azerbaijan,” “Pashinyan is ...”

Witness 22LC-0003 returned to Armenia on February 7, 2022.

Incitement and Promotion of Racial Hatred and Discrimination Toward Armenians

As a signatory of ICERD, Azerbaijan is obligated to not sponsor, defend or support racial discrimination under Article 2(b). Azerbaijan, under Article 4, must also condemn all propaganda based on the idea of superiority of one ethnic group, or that attempts to justify or promote racial hatred and discrimination in any form. However, Azerbaijani public officials engage in, facilitate, tolerate, and fail to punish and prevent hate speech targeting Armenians.

The President of Azerbaijan, Ilham Aliyev, has made several false and racist statements where he calls Armenians “fascist.” On January 31, 2022, in his interview for the Azerbaijan State News Agency, Azertag, he used “fascist” eleven times in reference to Armenians. In part, President Aliyev stated: “We will never allow Armenian fascism to rise in our region...If we see this, they will immediately be destroyed.”¹ He further went on and said that “the monument to Nzhdeh in the capital of Armenia is propaganda of fascism” and that “the current Armenian government promotes and protects the Nazis.”² Similarly, during a youth forum on February 2, 2022, he said, “Given the Armenian fascist nature, this is not a surprise to us.”³

The President's incitement of racial hatred and discrimination is not limited to labeling Armenians as fascist. In his speech to the Fifth Congress of World Azerbaijanis on April 22, 2022, he once again labeled Armenians as fascist and said that Armenians destroyed Shushi and Agdam.⁴ Earlier in April, on April 12, 2022, during a meeting dedicated to the results of the first quarter of 2022, President Aliyev said, “At the same time, of course, we must never forget the

¹ *President Ilham Aliyev was interviewed by AZERTAC VIDEO*, AZERTAC (31 Jan. 2022, 1:04 P.M.), <https://azertag.az/en/xeber/1994012>.

² *Id.*

³ *Ilham Aliyev attended Youth Forum of 25th anniversary of Day of Azerbaijani Youth*, President of the Republic of Azerbaijan Ilham Aliyev (2 Feb. 2022, 1:10 P.M.), <https://president.az/en/articles/view/55348>.

⁴ *Fifth Congress of World Azerbaijanis gets underway in Shusha city President Ilham Aliyev made a speech at the Congress*, AZERTAC (22 April 2022, 6:35 P.M.), https://azertag.az/en/xeber/Fifth_Congress_of_World_Azerbaijanis_gets_underway_in_Shusha_city_President_Ilham_Aliyev_made_a_speech_at_the_Congress_VIDEO-2104988.

occupation, the Armenian savagery.”⁵ He went on to make yet another statement calling Armenians “savage” saying, “I said that this savage tribe had put its nose everywhere...” Similarly, during an international conference on April 29, 2022, he stated that, “These mass destructions and devastations were not a result of the first Karabakh war. That resulted from barbarism and vandalism committed by Armenia throughout the 30 years of occupation.”⁶

On April 30, 2022, while visiting the military unit of the Defense Ministry’s Special Forces, President Aliyev stated, “What was driving us forward? Our patriotism, love of country and hatred for the enemy! We have brought up the young generation in this spirit.”⁷ Further, on May 2, 2022, while attending the opening of a new residential complex, he stated: “Our primary duty was to expel the Armenians from our lands.”⁸

While notable, President Aliyev is far from the only Azerbaijani public official inciting and promoting racial hatred towards Armenians. On January 7, 2022, the Head of the Probation Service of the Ministry of Justice of Azerbaijan, Akshin Ziyadov, tweeted that “Armenian fascist ideology and stupid belief in its pseudo-greatness prompts to look for a new reason for self-affirmation.”⁹ Similarly, on March 22, 2022 Azerbaijani Member of Parliament Elman Mammadov blamed Armenians for the gas issues in Nagorno-Karabakh stating “This is an Armenian plot, an Armenian Filth.”¹⁰

On January 16, 2022, the spokesperson of the Ministry of Foreign Affairs of Azerbaijan, Leyla Abdullayeva, contributed to dangerous denialism and historical revisionism when she tweeted: “MFA of #Armenia speaks again on fabricated pogroms of January 1990. Narratives where Armenians are victimized have been ideological basis for Armenian nationalism & led to territorial claims against #Azerbaijan. Such propaganda in a post conflict period is regretful & dangerous.”¹¹ Simultaneously, however, the Azerbaijani Consul in Los Angeles, Nasimi Aghayev, tweeted a video on January 28, 2022, that includes video footage of propaganda to

⁵ *President Ilham Aliyev chaired meeting on results of first quarter of 2022*, AZERTAC (12 April 2022, 11:43 P.M.), https://azertag.az/en/xeber/President_Ilham_Aliyev_chaired_meeting_on_results_of_first_quarter_of_2022_VIDEO-2089997.

⁶ *Ilham Aliyev attended the international conference themed “South Caucasus: Development and Cooperation” at ADA University*, President of the Republic of Azerbaijan Ilham Aliyev (29 April 29, 2022, 10:10 A.M.), <https://president.az/en/articles/view/55909>.

⁷ *President, Commander-in-Chief of Armed Forces Ilham Aliyev visited military unit of Defense Ministry’s Special Forces*, AZERTAC (30 April 2022, 4:30 P.M.), https://azertag.az/en/xeber/President_Commander_in_Chief_of_Armed_Forces_Ilham_Aliyev_visited_military_unit_of_Defense_Ministrys_Special_Forces_VIDEO-2117414.

⁸ *Ilham Aliyev and First Lady Mehriban Aliyeva have attended the opening of a new residential complex for families of martyrs and war disabled in the Sabunchu district, Baku*, President of the Republic of Azerbaijan Ilham Aliyev (2 May 2022, 2:00 P.M.), <https://president.az/en/articles/view/55929>.

⁹ Akshin Ziyadov, Twitter (7 Jan. 2022, 8:00 A.M.), <https://twitter.com/akshinz/status/1479483201064165376?s=21>.

¹⁰ Nəzrin Cavid, *Deputat: “Xankəndiyə qazı, elektrik enerjisini Ermənistan deyil, Azərbaycan verməlidir”*, PRAVDA (24 March 2022, 1:27 P.M.), <https://pravda.az/news/75877>.

¹¹ Leyla Abdullayeva, Twitter (16 Jan 2022, 1:04 A.M.), <https://twitter.com/LAbdullayevaMFA/status/1482639883764183049>.

promote racial hatred against Armenians based on events that took place in February 1992 – also a part of the first Nagorno-Karabakh war.¹²

Terrorist claims promoting racial hatred is one of the most common violations of Article 2(b). On March 26, 2022, Azerbaijani Member of Parliament Tural Ganjali tweeted: “All #Armenian terrorist gangs in the #Karabakh region of Azerbaijan must be either: 1) removed from our sovereign territories, or 2) shall be punished in accordance with the legislation of #Azerbaijan.”¹³ Similarly, on May 12, 2022, Azerbaijani ambassador to the Netherlands, Fikrat Akhundov, tweeted: “During the opening of Khachkar (Cross-stone) monument at Peace Palace in the Netherlands, Armenian PM Pashinyan mentioned that Khachkar is symbol of Armenian identity & culture. But he “forgot” to say that Khachkar is also symbol of ASALA Armenian terror organization, that committed terror act in the Netherlands in 1979.”¹⁴

An article posted on March 25 states that in early March, an Azerbaijani Member of Parliament from the ruling party said that Russian peacekeepers have stood in the way for too long: “Measures must be taken to eliminate those separatist terrorists who exist in our territory today.”¹⁵ Further, on April 26 a video was tweeted saying that people in Azerbaijan are calling for the Seizure of Syunik.¹⁶ On January 12, President Aliyev also commented on Valerie Pécresse, President of the Regional Council of Île-de-France, visiting Nagorno-Karabakh, saying: “If we knew they were there, we wouldn't have let them back, clearly. The Lachin corridor is under our control. You have been to Shusha and seen it. We can stop any car there and no one can tell us anything.”¹⁷

Outside of government officials, academia has also played an important role in Azerbaijan's incitement of racial hatred, similarly utilizing the terrorist narrative to promote hatred against Armenians. On March 25, 2022, Azerbaijani professor Dr. Gulmammad Mammadov tweeted: “If the Armenians of #Karabakh think they can continue as terrorist gangs within #AZE borders, they should know that our hands can reach their throats no matter where they are. They must put down their arms immediately & submit to the supremacy of the #AZE laws.”¹⁸ Dr. Gulmammad

¹² Nasimi Aghayev, Twitter (28 Jan 2022, 7:35 A.M.), <https://twitter.com/nasimiaghayev/status/1487087055494467586?s=12>.

¹³ Tural Ganjali, Twitter (26 March 2022, 6:41 A.M.), <https://twitter.com/tganjaliyev/status/1507714375406268419?s=21>.

¹⁴ Fikrat Akhundov, Twitter (12 May 2022, 1:38 A.M.), <https://twitter.com/akhundovfikrat/status/1524670339812315137?s=21&t=zaxxSGS57wrsoH4YMwnl5w>.

¹⁵ Gabriel Gavin, *Is Putin's war spreading? Armenians grow fearful as Russian forces are distracted*, The Spectator (25 March 2022, 6:20 A.M.), <https://www.spectator.co.uk/article/putin-s-war-risks-spreading>.

¹⁶ Public of Artsakh, Twitter (26 April 2022, 12:40 A.M.), <https://twitter.com/artsakhpublic/status/1518857476791173120?s=24&t=cAWooGaLy3yU8zFf24E-FA>.

¹⁷ President Ilham Aliyev interviewed by local TV channels (PHOTO/VIDEO), Trend News Agency (12 Jan 2022, 2:08 A.M.), <https://en.trend.az/azerbaijan/politics/3539946.html>.

¹⁸ Dr. Gulmammad Mammadov, Twitter (25 March 2022, 6:16 A.M.), https://twitter.com/gulmammad/status/1507345719467954178?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwtterm%5E1507345719467954178%7Ctwgr%5E%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Ftweetstamp.org%2F1507345719467954178.

Mammadov significantly promoted both racial hatred and violence towards Armenians. Similarly, on April 23, 2022, Dr. Fariz Ismailzade, vice rector at ADA University in Azerbaijan, tweeted a photo of the Armenian Genocide march in Armenia along with a photo of the KKK.¹⁹

Two separate instances indicate the prevalence of racial hatred targeting persons of Armenian national or ethnic origin in Azerbaijani school books. On January 28, 2022, there was a tweet about an Azerbaijani school book where an Armenian soldier orders an Azerbaijani mother to kill her son and the Azerbaijani mother kills the Armenian instead.²⁰ Similarly, there is another school book in Azerbaijan of an Azerbaijani girl killing an Armenian soldier with an ax to his head.²¹

Incited by Azerbaijani government officials, Azerbaijani civilians have also contributed to the promotion of racial hatred. On January 11 and 13 of 2022, there were two separate instances of Azerbaijani users on twitter posting war propaganda videos.²² The video tweeted on January 13 includes footage of Armenian POWs and drone strikes of Armenian soldiers.²³ Similarly, another Azerbaijani user tweeted an image of a wolf in sheep's clothing with the quote “Don't believe Armenia”²⁴ and there is video footage of an Azerbaijani volunteer in Ukraine saying “Armenians are worse than animals.”²⁵

As the violations depicted above demonstrate, Azerbaijan has ignored its obligations under ICERD and continues to promote and incite racial hatred and discrimination towards Armenians. We call upon the committee of the ICERD to condemn Azerbaijan and take measures both diplomatically and economically to stop Azerbaijan’s implicit violations of the ICJ Order. These findings are supported by Transparency International Anti-Corruption Center’s 2021 report, “Anti-Armenian Xenophobia and Racism in Azerbaijan²⁶,” as well as the Ombudsman report, “The Azerbaijani Policy of Hatred and Animosity Towards Armenians as Root Causes of Ethnically Motivated Violations of Human Rights: Evidence-Based Analysis of the Post-War Developments.”²⁷

¹⁹ Dr. Fariz Ismailzade, Twitter (23 April 2022, 11:04 A.M.), <https://twitter.com/fismailzade/status/1517927516895330305?s=21&t=7c5LyhXVvDemQ1ykQu6hcA>.

²⁰ <https://twitter.com/arzudreamwish/status/1487114651796230146?s=21>

²¹ Arzu, Twitter (28 Jan. 2022, 9:25 A.M.), <https://twitter.com/arzudreamwish/status/1487114651796230146?s=21>.

²² Babek Musazade, Twitter, <https://twitter.com/BabekMusazade/status/1480664569945391107>.

²³ Elvin Samadov, Twitter (13 Jan. 2022, 4:51 A.M.), <https://twitter.com/elvinsamadov/status/1481609782062690304?s=24>.

²⁴ Umar Mir, Twitter (15 Jan. 2022, 8:44 A.M.), <https://twitter.com/AbuYusufMir/status/1482393209062014984>

²⁵ Claudio Locatelli - Il giornalista combattente, Facebook (19 March 2022), <https://www.facebook.com/Claudio.Locatelli.Reporter/videos/4946927682057239>.

²⁶ *Anti-Armenian Xenophobia and Racism in Azerbaijan 2021*, Transparency International Anti-Corruption Center (Feb. 2022), <https://transparency.am/en/publication/pdf/266/9583>.

²⁷ *The Azerbaijani Policy of Hatred and Animosity Towards Armenians as Root Causes of Ethnically Motivated Violations of Human Rights: Evidence-Based Analysis of the Post-War Developments*, The Human Rights Defender of the Republic of Armenia (Feb. 2022), <https://ombuds.am/images/files/3101f60c869b0f378dbc737b002e5054.pdf>.

Acts of Vandalism and Desecration Affecting Armenian Cultural Heritage

The protection and preservation of Armenian historical, cultural and religious heritage are necessary in order to protect the right of persons of Armenian national or ethnic origin under Article 5 to equal participation in cultural activities, including the right of access to and enjoyment of their cultural heritage. However, Azerbaijan systematically destroyed, erases, and falsifies Armenian cultural heritage in Nagorno-Karabakh and Armenia.

Chairman of Azerbaijan's Parliamentary Committee on Economic Policy, Industry and Entrepreneurship, Tahir Mirkishili and a member of the Azerbaijani Parliament, Soltan Mammadov, visited the Blue Mosque in Yerevan on February 23, 2022. Mirkishili stated: "As far as we know, this is the only Azerbaijani monument preserved in Yerevan. Although there are inscriptions related to another state on its walls, these walls, and architecture as a whole belong to Azerbaijan."²⁸ The Blue Mosque was built in the 18th century when Yerevan, a provincial town of 20,000, was under Persian rule. It is a Shia mosque and one of the oldest extant structures as well as one of the most significant constructs from the city's Iranian period. It was secularized during the Soviet period, and then, after Armenia's independence, it was renovated and has become once again a place of worship for Muslims. It has never had any Azerbaijani inscriptions nor any features to signify anything related to Azerbaijan.

Despite the obligation to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, acts of vandalism and desecration of Armenian cultural heritage have continued incessantly. As early as December 23, 2021, Azerbaijan's Ministry of Foreign Affairs formally requested that Google's parent company, Alphabet Inc., change the "fake" Armenian names in Google maps to Azerbaijani names, to remove all traces of Armenian identification from the maps using a third private party to achieve cultural genocide/digital vandalism²⁹.

Azerbaijan's pattern of destroying Armenian cultural heritage includes the removal of crosses from Armenian churches and the destruction of cross-stones, known as *khachkars* in Armenian, that are unique to Armenians and symbolic of the Armenian Orthodox Church. On January 8, 2022, Azerbaijan removed the cross from the Spitak Khach Church in the Hadrut region.³⁰ On April 28, 2022, the dome of Surp Harutyun in Hadrut, and on May 9, 2022, the cross of the dome

²⁸ *Azerbaijani MPs visit Blue Mosque in Armenia's Yerevan (PHOTO)*, Trend News Agency (23 Feb 2022, 3:40 P.M.), <https://en.trend.az/azerbaijan/politics/3559488.html>.

²⁹ No:522/21, *Head of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan Leyla Abdullayeva answers the media's question about the names of the liberated territories of Azerbaijan in the "Google maps" application*, Republic of Azerbaijan Ministry of Foreign Affairs, <https://www.mfa.gov.az/en/news/no52221>.

³⁰ REC TIME, *Xocavənd rayonu Ağ oğlan qəsəbəsi (HADRUT)*, YouTube (7 Jan. 2022), <https://www.youtube.com/watch?app=desktop&v=UriqUakelks&t=6s>.

of a church in Togh were also removed.³¹³² Witnesses in Armenian villages have stated that since February of 2022, Azerbaijani soldiers have taken over old Armenian churches and on May 14, 2022, the Teachers' Park and a statue in Mets Tagher were also demolished and destroyed.³³ A YouTube video posted on January 17, 2022 shows a building next to the Kanach Zham (Green Church) in Shushi that has been converted into a restaurant.³⁴

Shushi has been an Armenian cultural center since the 15th century. Due to its strategic importance it has been fought over by the Ottoman and Persian Empires. The Association of Friends of Azerbaijan, through Twitter, falsely claimed Shushi as having been discovered in the mid-18th century by a vassal khan of Persia.³⁵ While many have documented the history of Shushi and Nagorno-Karabakh, and the historic facts are readily available, the Azerbaijani Government works relentlessly to rewrite history as well as destroy all cultural heritage sites in an effort to remove all evidence that these lands have been inhabited by the indigenous people of Nagorno-Karabakh namely, Armenians.

Another method Azerbaijan uses to erase Armenian culture and history is to refer to all Armenian churches and Armenian carvings and writings as “Albanian.” As of February 3, 2022, Azerbaijan set up a working group, which includes representatives from government agencies, to remove Armenian writings from “Albanian” religious temples,³⁶ which are all well known Armenian churches and monasteries. On February 7, 2022, Azerbaijan’s Minister of Culture, Anar Kamirov, issued a statement: “after the inspection, we will take both local and international experts there and document the Armenian forgery and changes and present them to the international community.”³⁷ A day later, on February 8, 2022, an Azerbaijani Albanian-Udi Christian stated that Armenia has Gregorianized the Albanian churches in the Caucasus and now “there is a historic opportunity to restore the status of the Albanian Apostolic Church and eliminate the injustice we face.”³⁸ Similarly, in an article posted on March 12, 2022, the

³¹ Արթրեքսանը պոճել է Հաղորդքի եկեղեցին. հանվել է խաչը, ջնջվել հայկական արձանագրությունը, Artsakh Press (28 April 2022, 2:20 P.M.), <https://artsakhpress.am/arm/news/162652/>.

³² Արթրեքսանցիները պոճել են օկուպացված Տոլ գյուղի հայկական եկեղեցին՝ արևելով գմբեթի խաչը (Տեւանյութ), Artsakh Press (9 May 2022, 9:41 A.M.), <https://artsakhpress.am/arm/news/163121/>.

³³ Արթրեքսանը ոչնչացրել է Մեծ թաղեր գյուղի Մանկավարժների պուրակն ու արձանագրությունը, Monument Watch (14 May 2022, 2:00 P.M.), <https://monumentwatch.org/hy/alerts/%d5%a1%d5%a4%d6%80%d5%a2%d5%a5%d5%bb%d5%a1%d5%b6%d5%a8-%d5%b8%d5%b9%d5%b6%d5%b9%d5%a1%d6%81%d6%80%d5%a5%d5%ac-%d5%a7-%d5%b4%d5%a5%d5%ae-%d5%a9%d5%a1%d5%b2%d5%a5%d6%80-%d5%a3%d5%b5%d5%b8%d6%82%d5%b2/>.

³⁴ Aysor TV, *Ազերբայճանչի ւստրուիլի կաֆե ռա տերրիտորիլ շերկուլի Կանաչ յամ Վ Շուսի*, YouTube (17 Jan. 2022), https://www.youtube.com/watch?v=JELJIE2X_I.

³⁵ Amis Azerbaïdjan en France, Twitter (7 Jan 2022, 1:37 A.M.), <https://twitter.com/AmisAzerbaïdjan/status/1479386810853830658>.

³⁶ *Working group set up to restore Armenianized Albanian temples*, REPORT News Agency (3 Feb. 2022 3:54 P.M.), <https://report.az/en/cultFAl-policy/working-group-set-up-to-restore-armenianized-temples-of-ancient-albania/>.

³⁷ *Statement by the Ministry for Culture of the Republic of Azerbaijan*, Ministry for Culture of the Republic of Azerbaijan (7 Feb. 2022), <https://culture.gov.az/en/common-news/14102>.

³⁸ *Azərbaycan Alban-Udi xristian dini icması bəyanat yayıb*, APA (8 Feb. 2022, 4:13 P.M.), <https://apa.az/az/din/azerbaycan-alban-udi-xristian-dini-icmasi-beyanat-yayib-685549>.

Azerbaijani state media, using this false narrative, misrepresented the Armenian Church Mknatami Khach as “Caucasian Albanian.”³⁹ Azerbaijan, by removing all historical traces of Armenian writings and scriptures from the walls of Armenian churches and monasteries, is not just attempting to erase Armenian history from these historic lands, it is also aiming to falsely claim these structures as their own, namely, Azerbaijani.

There are no limits to Azerbaijan’s systematic desecration of all things Armenian. Documented in an article posted on April 2, 2022, Azerbaijani soldiers unearthed Armenian graves and falsely claimed that they were mass graves of Azerbaijanis from the hostilities of 1992.⁴⁰ Similarly, as documented through satellite imagery on April 21, 2022, Azerbaijan destroyed an Armenian cemetery in the village Sghnakh.⁴¹ The destruction of cemeteries is a method to stop Armenians from claiming these lands because if their loved ones have been unearthed, they will not go to visit them, which, according to Armenian tradition, is done several times a year and during two high holidays, Easter and Christmas. These acts are intentional and planned by the Azerbaijani government to once and for all remove all traces of Armenians from the structures and the lands that they have lived on for centuries.

The examples above demonstrate Azerbaijan’s systematic way of physical and digital vandalism. With the removal of crosses, Armenian inscriptions, and the physical destruction of churches and monuments, Azerbaijan is removing all cultural and historical traces of Armenians from the lands they have inhabited for centuries, thus destroying Armenian culture, a direct violation of the ICJ Order.

Intimidation and Terror: Azerbaijan’s Attempt to Force Displacement of Armenians

In addition to Azerbaijan’s violations of ICERD, there have been a series of incidents of aggression towards Armenians since the ICJ Order. CFTJ representatives conducted interviews with locals from villages in Nagorno-Karabakh who shared their experiences since the 44-day war. These interviews as well as open source information show that Azerbaijan has been taking additional measures of aggression, thereby further threatening the livelihood and human rights of Armenians in Nagorno-Karabakh. By doing so, Azerbaijan is aggravating the dispute and thus also violating Articles 2, 3, 4, 5, 6, and 7.

³⁹ “*Damirovlu Pir*” Temple, AZERTAC (12 March 2022, 7:35 P.M.), https://azertag.az/en/xeber/Damirovlu_Pir_Temple-2050853.

⁴⁰ Siranush Ghazanchyan, *Azerbaijan destroying the Armenian cultural heritage in Parukh and Karaglukh*, Public Radio of Armenia (2 April 2022, 12:40 P.M.), <https://en.armradio.am/2022/04/02/azerbaijan-destroying-the-armenian-cultural-heritage-in-parukh-and-karaglukh/>.

⁴¹ Mane Alexanian, Twitter (21 April 2022, 12:27 P.M.), <https://twitter.com/manealx/status/1517223600822136836>.

As early as January 10, Azerbaijani forces fired in the direction of a kindergarten in Nagorno-Karabakh's Karmir Shuka and consequently set a civilian's car ablaze.⁴² The firefighters that were sent to extinguish the fire came under Azerbaijani military fire.⁴³ Moreover, on February 11, Azerbaijani soldiers fired shots in the direction of residential houses in the vicinity of Karmir Shuka and Taghavard.⁴⁴

Since the 2020 44-day war ended, local witnesses told CFTJ representatives that Azerbaijan has been firing shots and bombing villages targeting the homes of civilians. In an effort to terrorize the Armenian population of Nagorno-Karabakh, Azerbaijan has placed trucks equipped with loudspeakers playing Azerbaijani music followed by recordings in Armenian demanding that all Armenians stop work and leave their homes and villages.

According to official reports, the press and witnesses CFTJ interviewed, the announcements via loudspeakers started on February 22, 2022. In Armenian, they blasted this announcement day and night: "You are in the territory of the Republic of Azerbaijan. Any activity here is regulated by Azerbaijani law. Everything you do without official permission is illegal. Do not prepare for war and do not try to establish borders in our territory! If you want to live here, follow Azerbaijani laws! In this case, strict measures will be taken against violators."⁴⁵ This is done just meters from the border of Armenian villages in Nagorno-Karabakh.^{46,47}

Witnesses from the Khramort village, which is still under Armenian control, told CFTJ that the recordings threatened to use physical force against them and their loved ones if they did not desert their village. The armed Azerbaijani soldiers would also physically approach the Armenian villagers working in the fields to make them leave their work. They shot tractors at a stone mine near the village and poured water to prevent villagers from working in the fields. A civilian villager named Suren Baghryan was wounded from the Azerbaijani grenade while doing agricultural work in his yard. In March 2022, women and children were evacuated from the village for a few days; however, the shooting only became more intense and an hour after returning, the village head told them to evacuate again. The witness and her children relocated to the village of Aygestan and have no idea when they can safely return home.

In the Parukh village, Azerbaijan's actions are very similar. In order to terrorize the villagers, Azerbaijan shoots at the villagers who are trying to rightfully access water on their land.

⁴² *Civilian car parked outside kindergarten in Artsakh set ablaze by Azeri gunfire*, ARMENPRESS (10 Jan. 2022, 3:30 P.M.), <https://armenpress.am/eng/news/1072582/>.

⁴³ *On-duty firefighters in Artsakh attacked by Azerbaijani military*, ARMENPRESS (10 Jan. 2022, 4:03 P.M.), <https://armenpress.am/eng/news/1072585.html>.

⁴⁴ Artsakh Ombudsman, Facebook (11 Feb. 2022), <https://www.facebook.com/100064499540326/posts/310086217818027/>.

⁴⁵ HƏRBİ XƏBƏRLƏR, Telegram (26 Feb. 2022, 1:24 A.M.), <https://t.me/herbixeber/13799>

⁴⁶ Caliber.Az,  30-летие со дня геноцида Ходжалы. Азан звучит в Пирлар и Ханабаде, Facebook (26 Feb. 2022),

https://www.facebook.com/watch/?extid=SMS-UNK-UNK-UNK-IOS_GK0T-GK1C&v=5129718323745410.

⁴⁷ Jora, Twitter (26 Feb. 2022, 3:36 A.M.), <https://twitter.com/thescarmin/status/1497535916616863745?s=21>.

Everytime a villager tries to reach the water source, the Azerbaijani military shoots at them. A 43 year old civilian, while tending to his animals, was shot and injured. Similar to other villages, they use loudspeakers to play Azerbaijani music and prayers to demand that the Armenians leave the area. Due to safety concerns, the women and children of Parukh were also evacuated in late March of 2022.

In the Sardarashen village, still under Armenian control, the Azerbaijanis started playing similar recordings on February 23, 2022. After a few days of the same recordings, they started shooting. The witnesses's children were evacuated on March 10; however, they returned about a week later as Russian peacekeepers intervened and the shooting stopped for a few days. The Azerbaijanis climbed to the top of the mountain in the village wearing Armenian uniforms. Due to safety concerns, the women and children were once again evacuated. According to a witness, on March 24, when the Russian peacekeepers once again attempted to intervene, the Azerbaijanis told them “Why are you getting in our way? These are our given lands. You mind your own business and we will mind our own.” The witness further told CFTJ that the Azerbaijanis shot at tractors and villagers trying to install a water pipe, preventing them from doing so.

Similar to how Azerbaijan has tried to cut off Armenians from water sources in effort to terrorize them and force them to leave their homes and villages, Azerbaijan also damaged the gas pipeline that provides fuel to heat homes in Nagorno Karabakh on March 8, 2022, when the temperature in Nagorno-Karabakh had dropped to below zero. When the Armenians tried to restore the gas and repair the pipeline, the Azerbaijanis shot at them. The villages and towns went without gas heat for a week.⁴⁸ According to the Nagorno-Karabakh Ombudsman report covering February to March, Azerbaijani Armed Forces were responsible for blowing up the gas pipeline.⁴⁹ A few weeks later, on March 21, Azerbaijan again shut off the gas supply to Nagorno-Karabakh.⁵⁰

Furthermore, the Azerbaijani Armed Forces fired on agricultural machinery located in the garden of the administrative territory of the Nakhichevanik community of the Askeran region. On March 9-10 Azerbaijan set up tents near the cemetery of Nerki Hand, and on March 14 they prevented

⁴⁸ *Statement by the Chair of the Delegation for relations with the South Caucasus, MEP Marina KALJURAND, on the worrying humanitarian situation in Nagorno-Karabakh*, European Parliament (16 March 2022), https://www.europarl.europa.eu/cmsdata/245939/20220316_Nagorno-Karabakh_humanitarian%20situation_statemnt.pdf.

⁴⁹ *Interim Report on Violations of the Rights of Artsakh People by Azerbaijan in February - March 2022*, Republic of Artsakh Human Rights Defender (18 March 2022), https://artsakhombuds.am/en/document/910?fbclid=IwAR1cxTQaeyl8WM1I0Zt9GiW2C3HmmpVC_fAmpzNFpP08FpO_KRSVFLMYEGc.

⁵⁰ Siranush Ghazanchyan, *Azerbaijan again cuts off gas supply to Artsakh*, Public Radio of Armenia (21 March 2022, 11:26 P.M.), <https://en.armradio.am/2022/03/21/gas-supply-cut-in-artsakh-once-again-cut-in-artsakh/>.

Armenians from visiting their relatives' graves.⁵¹⁵² On May 6, an Azeri military convoy also pushed and forced an Armenian taxi down a gorge.⁵³ In total, since March of 2022, three Armenian soldiers have died and 18 have been injured as a result of Azerbaijan's military attacks on Armenian villages.⁵⁴ These examples all demonstrate Azerbaijan's state planned attempts to terrorize the Armenians and force them to leave their lands.

Conclusion

Azerbaijan must be held accountable for its actions. CFTJ urges the committee of the ICERD to:

- i. Condemn Azerbaijan's blatant discrimination and racial hatred targeting persons of Armenian national or ethnic origin, as well as Azerbaijan's continual vandalism and falsification and erasure of Armenian cultural and religious heritage in Nagorno-Karabakh;
- ii. Urge the Government of Azerbaijan to stop violating the ICJ Order in *Armenia v. Azerbaijan*;
- iii. Issue an adopted decision or issue a statement, in addition to setting up a working group, condemning the Government of Azerbaijan for its ongoing violations;
- iv. Urge the Government of Azerbaijan to conduct investigations of acts of violence or incitement to such acts committed against Armenian POWs and take necessary measures to punish perpetrators of such acts of violence; and
- v. Use its diplomatic powers, with its 89 signatories and 182 parties, to apply additional pressure for Azerbaijan to end its violations of the ICJ measures and subsequently uphold its commitment to the CERD.

⁵¹ Արցախի Տեղեկատվական շտաբ / NKR InfoCenter / НКР ИнфоЦентр, Գնդակոծվել է Նախիջևեվանիկ համայնքի վարչական տարածքում գտնվող այգում կայանված գյուղատնտեսական տեխնիկան, Facebook (10 March 2022), https://www.facebook.com/watch/?extid=NS-UNK-UNK-UNK-IOUS_GK0T-GK1C&v=511746877133492.

⁵² Ադրբեջանցի զինվորականները 15 օր առաջ վրաններ են խփել մեր գյուղի գերեզմանոցի մոտ, չեն կարողանում այցելել Արցախյան պատերազմում զոհված որդու շիրիմին. Ներքին Հանդի բնակչուհին տհազանգում է, ARMDAILY (14 March 2022, 7:50 P.M.), <https://armdaily.am/?p=171995&l=am>.

⁵³ Արցախում ադրբեջանական ռազմական շարադյան մեհենան հրել ու ձորակն է գցել հայկական տաբսին (լուսանկարներ), Tert (6 May 2022, 9:31 A.M.), https://www.tert.am/am/news/2022/05/06/artsakh/3798183?fbclid=IwAR1Czeb2neMIvdu-HBeBKBLcy54AfkAEB9Mn13L6B2EZyn2pg_KqDsBOZ2M.

⁵⁴ ԱՀ ՊՆ-ն հայտնում է Bayraktar TB-2 ԱԹՍ-ի կիրառման հետևանքով 3 զոհի մասին, Lurer (25 March 2022, 9:23 P.M.), <https://lurer.com/?p=457222&l=am>.