

REPORT

**on the Right to Development Regarding the Humanitarian Crisis
in Nagorno-Karabakh and Azerbaijan's Violation of the orders
of the International Court of Justice**

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1.0 Introduction

1.1 The Center for Truth and Justice (“CFTJ”) is a registered 501(c)(3) nonprofit organization based in Los Angeles, California. CFTJ has been documenting human rights violations and war crimes against Armenians since the 2020 war in Nagorno-Karabakh. CFTJ set up a fact-finding infrastructure in the region and has been collecting first-hand testimonies from the victims. The evidence-gathering methodology CFTJ uses can be found here: [Methodology](#). CFTJ preserves evidence and makes it available for educational purposes, advocacy, and potential legal actions. The CFTJ team is comprised of attorneys and law students in the U.S., Armenia, and Nagorno-Karabakh, as well as human rights advocates and other professionals. The work CFTJ does is dedicated to amplifying the voices of victims of human rights violations, including discrimination, ethnic cleansing, displacement, war crimes, mass atrocities, and genocide. CFTJ educates and trains teams in Armenia and Nagorno-Karabakh on evidence-based interview techniques, comports with international legal standards and rules of evidence. The mission of CFTJ is to serve as a living memorial to those who perished or suffered from human rights abuses and war crimes. A permanent home for victim testimonies, CFTJ strives to foster education, empathy, justice, and change.

1.2 The purpose of the present submission is to apprise the Office of the Special Rapporteur of the persistent humanitarian crisis in Nagorno-Karabakh despite the unequivocal and binding order of the International Court of Justice of February 22, 2023, directing Azerbaijan to end the blockade of the 120,000 Armenians living in the region. CFTJ has collected first-hand testimonies of multiple witnesses, all consistently reporting inability to travel in and out of Nagorno-Karabakh, even with the purpose of seeking life-saving medical care, food shortages, and lack of essential commodities, including medicine. The witnesses further describe the disruption of economic activities, education, and generally of their daily livelihood and welfare.

2.0 Background

2.1 On February 22, 2023, the International Court of Justice (“ICJ”) issued a binding order imposing provisional measures upon Azerbaijan to lift what is now a 3-month blockade¹ of Nagorno-Karabakh:

Azerbaijan shall, pending the final decision in the case and in accordance with its obligations under the [International Convention on the Elimination of Racial Discrimination], take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions.²

¹ Since December 12, 2022, the sole road connecting the 120,000 Armenians of Nagorno-Karabakh to the outside world has been blocked by several dozen Azerbaijanis. As a result, people of Nagorno-Karabakh have been enduring a humanitarian crisis, being deprived of the freedom of movement, access to food, medicine, and basic goods. See “Azerbaijan: Nagorno-Karabakh Lifeline Road Blocked” (*Human Rights Watch*, December 21, 2022), <https://www.hrw.org/news/2022/12/21/azerbaijan-nagorno-karabakh-lifeline-road-blocked>.

² *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)* (Provisional Measures) 2023, para 62, <https://www.icj-cij.org/public/files/case-related/188/188-20230222-PRE-01-00-EN.pdf>.

2.2 The first-hand testimonial evidence collected by CFTJ demonstrates that Azerbaijan, in sheer defiance of the binding ICJ order,³ continues the blockage of the Lachin Corridor, the sole road that connects 120,000 ethnic Armenians of Nagorno-Karabakh to Armenia and the outside world. Despite the unequivocal binding order of the ICJ, the Armenians of Nagorno-Karabakh continue to endure a protracted humanitarian crisis and experience severe hardship, trapped in the region without access to food, medicine, and basic goods.

3.0 Legal Framework

3.1 Azerbaijan must comply with the ICJ's order and fulfill its obligations under international human rights law and international humanitarian law by ending the blockade by regulating the assembly of the protestors who have closed the Lachin Corridor.

3.1.1 The fact that Azerbaijan does not seriously intend to implement the ICJ's order is evident from Azerbaijan's stated official position: that the Azerbaijani government has already done everything in its power to unblock the Lachin Road⁴ and that the Azerbaijani government cannot control the alleged protesters that continue barricading the lifeline road to the region.⁵

3.1.2 Azerbaijan's purported inability to control these protesters out of fear of infringing upon their freedom of speech and expression is a mere red herring. Azerbaijan's domestic law provides for lawful restrictions of freedom of assembly under Article 7 of the Law of the Republic of Azerbaijan on Freedom of Assembly (as amended in 2012).⁶ Specifically, such restrictions can be imposed "in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others."⁷ Additionally, the government is empowered to regulate the "time, venue and route of an assembly."⁸ The blockade could have been easily avoided had the government of Azerbaijan adjusted the time, place, and manner of the assembly in a way that would leave the Lachin Road open. By not properly regulating the protestors that have effectively held 120,000 individuals hostage, the government of Azerbaijan intentionally

³ The legally binding nature of the ICJ's provisional measures has been affirmed by the Court on a number of occasions. See, e.g., *LaGrand (Germany v. United States)* (Merits) [2001] ICJ Rep 466, para 109; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* (Provisional Measures) [2020] ICJ Rep 3, para 24.

⁴ On February 22, 2023, Deputy Foreign Minister of Azerbaijan Elnur Mammadov indicated on his Twitter account that "Azerbaijan has an [sic] undertakes to continue to take all steps within its power and at its disposal to guarantee safe movement along the Lachin Road." Elnur Mammadov (@ElnurIMammadov) (*Twitter*, February 22, 2023), <https://mobile.twitter.com/ElnurIMammadov/status/1628443342194323457>.

⁵ Deputy Foreign Minister Mammadov further tweeted: "Azerbaijan also welcomes the Court's rejection of Armenia's requested measures requiring Azerbaijan to cease its alleged 'orchestration and support' of the protests and 'immediately restore...the provision of natural gas and other public utilities' to Garbagh." Elnur Mammadov (@ElnurIMammadov) (*Twitter*, Feb. 22, 2023), <https://mobile.twitter.com/ElnurIMammadov/status/1628443342194323457>.

⁶ Law of the Republic of Azerbaijan on Freedom of Assembly (as amended November 2, 2012) art 7, [https://www.rightofassembly.info/assets/downloads/1998_Freedom_of_Assembly_Act_\(as_amended_through_2012\).pdf](https://www.rightofassembly.info/assets/downloads/1998_Freedom_of_Assembly_Act_(as_amended_through_2012).pdf).

⁷ *ibid*, art 7(I).

⁸ *ibid*, art 7(IV).

disregards its own law, the binding order of the ICJ, and its obligations under the international humanitarian law (“IHL”) and international human rights law (“IHRL”).

3.2 Azerbaijan must restore the freedoms and rights severely impeded by the blockade, including (1) the freedom of movement; (2) the right to life and health, including access to medications; (3) the right to an adequate standard of living, including access to food, essential commodities, and utilities; (4) the right to education; (5) the right to access to humanitarian aid; (6) women’s and children’s rights.

3.2.1 Under the International Covenant on Economic, Social and Cultural Rights (ICESCR),⁹ and customary IHRL as reflected in the Universal Declaration of Human Rights,¹⁰ Azerbaijan is obligated to respect the rights to health, education, an adequate standard of living, and water and sanitation.¹¹ These human rights obligations under the ICESCR are so fundamental that they continue to apply even in situations of armed conflict,¹² constituting a *minimum* standard of rights which must be respected even during armed conflict.¹³ Limitations on these rights would be contrary to the object and purpose of the ICESCR even during armed conflict and thus would constitute a violation of the Covenant.¹⁴ Azerbaijan is obliged to respect these rights both within¹⁴ and outside its territory whenever its acts or omissions bring about foreseeable effects on the

⁹ International Covenant on Economic, Social and Cultural Rights (adopted December 16, 1966) 993 UNTS 3 (ICESCR) arts 2(1), 11(1), 12.

¹⁰ Universal Declaration of Human Rights, UNGA Res 217(III) A (December 10, 1948) (UDHR) art 25(1). On the customary status of the UDHR, see *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)* (Advisory Opinion) [1971] ICJ Rep 16, 76 (separate opinion of Vice President Ammoun); *United States Diplomatic and Consular Staff in Tehran (United States v. Iran)* (Judgment) [1980] ICJ Rep 3, para 91; Andrés Aguilar (Special Representative of the UN Commission on Human Rights), “Preliminary Report on the Human Rights Situation in the Islamic Republic of Iran” (1985) UN Doc E/CN.4/1985/20, paras 14–15; Theodor Meron, *Human Rights and Humanitarian Norms as Customary Law* (Oxford University Press 1989) 95–96.

¹¹ UN Committee on Economic, Social, and Cultural Rights (UN CESCR), “General Comment No. 3: The nature of States parties’ obligations” (1990) UN Doc E/1991/23, para 10 (on the deprivation of essential foodstuffs, essential primary health care, basic shelter, housing, and the most basic forms of education as violations of Article 2(1) of the ICESCR); UN CESCR, “General Comment No. 15: The Right to Water” (2002) UN Doc E/2003/22, para 3 (on the right to water as an indispensable right under Article 11(1) of the ICESCR); UN CESCR, “General Comment No. 4: The Right to Adequate Housing” (1991) UN Doc E/1992/23, paras 8(b), (d), 11 (on the right to housing as an indispensable right under Article 11(1) of the ICESCR); UN CESCR, “General Comment No. 14: The Right to the Highest Attainable Standard of Health” (2000) UN Doc E/CN.12/2000/4, paras 4, 5, 11, 12(b), 34, 36, 51 (on the right to health under the ICESCR).

¹² *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136, para 106; *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* (Merits) [2005] ICJ Rep 168, para 216; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)* (Provisional Measures) [2008] ICJ Rep 353, para 112; William A Schabas, ‘*Lex Specialis? Belt and Suspenders? The Parallel Operation of Human Rights Law and the Law of Armed Conflict, and the Conundrum of Jus ad Bellum*’ (2007) 40 *Israel Law Review* 592, 598.

¹³ UN CESCR, “General Comment No. 3” (n 11) para 10; UN CESCR, “General Comment No. 14” (n 11) paras 43–44; Gilles Giacca, *Economic, Social, and Cultural Rights in Armed Conflict* (Oxford University Press 2014) 26, 81–82; Katherine H.A. Footer and Leonard S. Rubenstein, “A Human Rights Approach to Health Care in Conflict” (2013) 95 *International Review of the Red Cross* 167, 183; Philip Alston and Gerard Quinn, “The Nature and Scope of States Parties’ Obligations under the International Covenant on Economic, Social and Cultural Rights” (1987) 9 *Human Rights Quarterly* 156, 201.

¹⁴ UN CESCR, “General Comment No. 19, The Right to Social Security” (2008) UN Doc E/C.12/GC/19, para 65; UN CESCR, “General Comment No. 15” (n 11) para 40; UN CESCR, “General Comment No. 14” (n 11) para 47.

enjoyment of economic, social, and cultural rights.¹⁵

3.2.2 Customary IHL provides that “methods and means of warfare, which would preclude any distinction between civilian and military targets ... are prohibited.”¹⁶ Relatedly, Article 57(1) of Additional Protocol I to the Geneva Conventions obliges States to take “constant care ... to spare the civilian population, civilians and civilian objects.”¹⁷ The blockade has had severe humanitarian consequences for the civilian population of Nagorno-Karabakh and has accordingly failed to distinguish between civilian and military targets as required by IHL. Given that the blockade imposes humanitarian costs on the entire population of Nagorno-Karabakh, without discrimination as to the civilian or military nature of persons harmed as a result of the blockade. While some Azerbaijani officials have suggested that the Lachin road had, at one point, been used to transport military equipment, the prohibition against targeting civilians remains absolute under customary international law—military necessity can never be used as justification for targeting civilians during armed conflict.¹⁸

3.2.3 The Lachin corridor blockade can be alternatively constructed as an indiscriminate attack on the civilian population of Nagorno-Karabakh, rather than one directed at them. Article 51(4) of Additional Protocol I provides that an attack is indiscriminate if it is not directed at a specific military objective, employs a method or means of combat that cannot be directed at a specific military objective, or employ a method or means of combat the effects of which cannot be limited and consequently are of a nature to strike military objectives and civilians or civilian objects without distinction.¹⁹ Article 52(2) of Additional Protocol I defines ‘military objectives’ as “objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”²⁰ One could not reasonably make the argument that the entirety of Nagorno-Karabakh—the area subject to the effects of the Lachin corridor blockade—could qualify as a military objective *in toto*. Furthermore, a blockade of the only road into a landlocked enclave, otherwise totally surrounded by hostile territory, is emphatically ‘a method or means of combat which cannot be directed at a specific military objective.’ And finally, due once again to the nature of the blockade and the situation of Nagorno-Karabakh, its effects cannot be limited as demanded by Additional Protocol I and is consequently of a nature to affect military objectives and civilians or civilian objects without distinction, as prohibited under IHL.

3.2.4 In addition, Article 54(2) of Additional Protocol I prohibits acts rendering useless “objects indispensable to the survival of the civilian population ... for the specific purpose of denying them

¹⁵ ICESCR (n 9) art 2(1). On the territorial application of the Covenant, see UN CESCR, “General Comment No. 3” (n 11) paras 13–14; UN CESCR, “General Comment No. 21: The right of everyone to take part in cultural life” (2009) UN Doc E/C.12/GC/21, para 58; Giacca (n 13) 115–25; Matthew Craven, *The International Covenant on Economic, Social and Cultural Rights: A Perspective on its Development* (Oxford University Press 1995) 144.

¹⁶ *Legality of the Threat or Use of Nuclear Weapons* (n 12) para 95. See also *Prosecutor v. Galić* (Appeal Judgment) IT-98-29-A (November 30, 2006) para 190; *Prosecutor v. Milošević* (Appeal Judgment) IT-98-29/1-A (November 12, 2009) para 53; *Armed Activities on the Territory of the Congo* (n 12) para 208.

¹⁷ Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (adopted June 8, 1977) 1125 UNTS 3 (Additional Protocol I) art 57(1).

¹⁸ *Prosecutor v. Blaškić* (Appeal Judgment) IT-95-14-A (July 29, 2004) para 109; *Prosecutor v. Kordić* (Appeal Judgment) IT-95-14/2-A (January 26, 2005) para 52; *Milošević* Appeal Judgment (n 16) para 53.

¹⁹ Additional Protocol I (n 17) art 51(4).

²⁰ *ibid*, art 52(2).

for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive.”²¹ The Lachin corridor is undoubtedly “indispensable to the survival of the civilian population” of Nagorno-Karabakh, constituting the region’s sole connection to the outside world, supplying its population with much of its basic needs, including food and medicine. In addition, Article 4(2)(b) of the Additional Protocol I prohibits the imposition of collective punishment, which the UN Commission on Human Rights in South Sudan has suggested the mass deprivation of critical resources to an area may qualify as.²² The Appeals Chamber of the Special Court of Sierra Leone has explained that “a ‘punishment’ for the purposes of the crime of collective punishments is an indiscriminate punishment imposed collectively on persons for omissions or acts for which some or none of them may or may not have been responsible.”²³ Azerbaijani state rhetoric frequently refers to the Armenians as ‘terrorists,’ with the collective ascription of criminality to the region’s entire ethnic Armenian population occupying a prominent and often ubiquitous place in Azerbaijani political discourse.²⁴ The Lachin corridor blockade may likely constitute the imposition of collective punishment upon a civilian population in violation of IHL.

3.2.5 Article 23 of the Fourth Geneva Convention furthermore obliges Azerbaijan to “allow the free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended only for civilians,” even when such civilians belong to the enemy population.²⁵ Expanding upon this obligation, Article 54(1) of Additional Protocol I specifically prohibits the use of starvation as a method of warfare.²⁶ As the UN Commission on Human Rights in South Sudan noted:

The term “starvation” should be understood to encompass deprivation not just of food and water but also of other goods essential for survival in a particular context. The crime of starvation does not require that victims die from starvation, only that they should intentionally be deprived of objects indispensable to their survival. This may include depriving individuals of their ability to obtain food, degrading public health, and disrupting access to clean water, or deliberate denial of food and arbitrarily refusing to allow relief operations where the survival of the civilian population is threatened.²⁷

While Azerbaijan’s blockade of the Lachin corridor has undoubtedly deprived the Armenian population of Nagorno-Karabakh of food and water, it has also prevented the entry of a variety of other resources indispensable to the survival of the civilian population, most notably medicine. Article 8(2)(b)(xxv) of the Rome Statute of the International Criminal Court, as amended in

²¹ Additional Protocol I (n 17) art 54(2).

²² UN Commission on Human Rights in South Sudan, “‘There is nothing left for us’: starvation as a method of warfare in South Sudan” (October 5, 2020) UN Doc A/HRC/45/CRP.3, para 9.

²³ *Prosecutor v. Fofana* (Appeal Judgment) SCSL-04-14-A (May 28, 2008) para 223.

²⁴ See, e.g., UN Committee on the Elimination of Racial Discrimination, “Concluding observations on the combined tenth to twelfth periodic reports of Azerbaijan” (September 22, 2022) UN Doc CERD/C/AZE/CO/10-12, para 4(c); European Commission Against Racism and Intolerance, “ECRI Report on the Azerbaijan (fifth monitoring cycle)” (March 17, 2016) Council of Europe Doc CRI(2016)17, at 9–10, 16; Transparency International et al., *Anti Armenian Xenophobia and Racism in Azerbaijan 2021* (2022) 17–18.

²⁵ Geneva Convention relative to the protection of civilian persons in time of war (adopted August 12, 1949) 75 UNTS 287 (Geneva Convention IV) art 23(1).

²⁶ Additional Protocol I (n 17) art 54(1).

²⁷ UN Commission on Human Rights in South Sudan (n 20) para 36.

December 2019, designates the following as a war crime when committed during an international armed conflict: “Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions.”²⁸ While neither Armenia nor Azerbaijan is currently a State Party to the Rome Statute, Armenia has begun the process to do so and is expected to formally ratify the Statute in 2023.

4.0 Evidence Overview Revealing Azerbaijan’s Intentional Disregard of the February 22, 2023 Order of the International Court of Justice as well as its Obligations under the IHL and IHRL

4.1 This report is based upon nine (9) eye-witness testimonies of current residents of Nagorno-Karabakh demonstrating the dire humanitarian crisis they continue enduring since December 2022. Please see detailed summaries of their testimonies at the end of this report. CFTJ is willing to provide the videotaped testimonies of these witnesses upon request.

4.2 The witnesses consistently report that one of the most pressing issues in Nagorno-Karabakh is the severe shortage of food, which has led to the establishment of a rationing system. The witnesses state that grocery shops were often empty, except for drinks, making it challenging for people to find the food they needed. To address this issue, the government distributed vouchers from the state's reserve fund for specific goods, including 0.5 kg of rice, buckwheat, sugar, and 1 liter of oil per person. The rationing system has resulted in people waiting in long lines for hours and some residents being unable to acquire essential items at all. This issue is particularly concerning for children, as there is a lack of fruits and vegetables, which are necessary for healthy growth and development.

4.3 Another major issue is the disruption of essential services such as electricity and gas. Electricity is provided for only 6 hours a day, making it difficult for residents to carry out daily activities such as cooking, heating, and charging electronic devices. Furthermore, gas supply has been disrupted, preventing the use of heaters and hot water, which is particularly difficult during the winter months. This disruption has also led to schools being shut down, creating additional difficulties for families with children. One witness discussed how he attempted to organize online learning for his child, but the constant disruptions of electricity rendered this endeavor futile.

4.4 The blockade has also resulted in a lack of access to necessary medical care, with only the severely ill individual allowed to get transported to Armenia with the help of the Red Cross. Pregnant women and newborns, as well as special needs children, experience additional hardship. The shortage of essential items such as diapers and formulas has put newborns at risk, while the lack of access to medical care for pregnant women has left them vulnerable to complications during pregnancy and childbirth.

4.5 Another consequence of the blockade is the psychological oppression created by the sense of isolation and helplessness. Children and adolescents are particularly affected since many have witnessed the war of 2020, the COVID-19 pandemic, and now the blockade affecting their education, livelihood, and the health and safety of their families.

²⁸ Rome Statute of the International Criminal Court (adopted 17 July 1998) 2187 UNTS 3, art 8(2)(b)(xxv).

4.6 The inability to reunite with family members who are outside of Nagorno-Karabakh has added to the distress of residents. Particularly, Witness 23LC-NK0003 provided a first-hand account of the struggles of separated families. Prior to the blockade, the witness took a group of children to watch the children's Eurovision contest in Armenia on December 10, 2020. However, due to the subsequent closure of the Lachin Corridor, they were unable to return to Nagorno Karabakh until January 17, 2023, with the help of Russian peacekeepers. During their stay in Armenia, the witness took the children to school to ensure they didn't fall behind in their education. The witness spoke about the worries of the parents of the children who did not have enough clothes for the extended stay, but various organizations provided necessary supplies. The witness also discussed the concerns of the children who missed their parents and were worried about when they could return home. The witness also described an incident during their return to Nagorno Karabakh when Azerbaijani people tried to enter their car with cameras and frightened the children, causing one of the girls to faint. Russian peacekeepers intervened and prevented any harm to the children.

4.7 The blockade of Nagorno-Karabakh has had a significant impact on the region's economy. Many businesses have come to a halt due to the inability to obtain necessary goods and services from outside the region. One witness is a hotel owner who has seen a complete drop in business due to the lack of tourists. Small businesses, such as chocolate and taxi companies, have also been impacted by the blockade. The owner of a gasoline station reports that he is unable to sell gasoline due to the gas shortage and is considering closing his business once the gas reserves have been depleted. Additionally, one farmer reports that he is unable to carry out growing crops due to the lack of seeds, gas, and necessary equipment he would ordinarily obtain from Armenia. He stated there is a shortage of crops that were ordinarily grown in the region for the exact same reasons. He is unable to provide for his family the same way as before due to the economic difficulties brought about by the blockade.

5.0 Requests for Remedies

5.1 The complainants respectfully request that the Special Rapporteur on the right to development, consistent with his mandate:

- Examine the presented complaints, relying on the 1986 Declaration on the Right to Development and other relevant international law, including but not limited to the Universal Declaration of Human Rights, the ICESCR, and the Geneva Conventions, as well as their 1977 Additional Protocols;
- Send an allegation letter to the government of Azerbaijan, urging it to take the following specific measures:
 - Implement the binding ICJ order directing Azerbaijan to end the blockade;
 - Refer to its domestic law, specifically Article 7 of the Law of the Republic of Azerbaijan on Freedom of Assembly, providing for the regulation of the time, place, and manner of protests; implement its domestic law and regulate the assembly of the protestors who have been blocking the Lachin Corridor in a manner that would end the blockade;
 - Fully implement the international legal obligations contained in the Declaration on the Right to Development and other IHL and IHL instruments; and

- o End the punitive practice of withholding gas supply and electricity to Nagorno-Karabakh;
- Issue a public communication to the state of Azerbaijan regarding the presented evidence of violations of various fundamental rights of the 120,000 Armenians currently held trapped in Nagorno-Karabakh;
- Report to the UN General Assembly and Human Rights Council of the pattern of gross human rights violations by the state of Azerbaijan against Armenians of Nagorno-Karabakh resultant from the 3-month blockade of the Lachin Corridor;
- Consider a fact-finding country visit to Azerbaijan;
- Engage other mandate holders within the Special Procedures, as is deemed appropriate, to investigate the humanitarian crisis in Nagorno-Karabakh and Azerbaijan's refusal to implement the binding ICJ order to stop the blockade.

6.0 Summary of Testimonies

● Witness 23LC-NK0030

The witness, who was born in 1975, is from Sumgait, Azerbaijan, but his family was compelled to move to Nagorno Karabakh in 1988 due to the Sumgait massacres. He described how Azerbaijani ecologists blocked the road that connects Armenia, through which gas and energy supplies pass. He further stated that the power supply wires had been severed, yet the Azerbaijanis refused to allow the "Artsakhenergo" employees to fix them professionally. In addition, the Azerbaijanis frequently cut off the gas supply, and ordinary people are prohibited from free movement, with only severely ill patients allowed to travel to Armenia under the Red Cross's mediation and accompaniment. Due to the lack of medicine and medical supplies, one person died. The shops are empty except for drinks, and vouchers are distributed for specific goods from the state's reserve fund, such as 0.5 kg of rice, buckwheat, sugar, and 1 liter of oil per person. The power outages have severely impacted both the heating and work organization, but people are trying to adapt to the scheduled outages. As a result, people have installed wood stoves in their apartments for heating since the movement of vehicles has been severely restricted, and city transport operates according to a set schedule. The blockade has also adversely affected the construction industry, with the construction of 1,000 buildings halted and workers left unemployed. Additionally, the hotel business has been completely shut down, and there have been organizational issues in the state sector due to the lack of heating, which has forced work to be scheduled.

● Witness 23LC-NK0001

The witness, a woman born in 1996, is from the village of Garni in Armenia but moved to the Kashatagh region of Nagorno Karabakh with her family when she was just 4 years old. Pertaining to the blockade, she stated that "after the Lachin Corridor was handed over to the Azerbaijanis in August, the Azerbaijanis blocked the road for 2 days, but this time it lasted much longer. In the first days, we thought it would last 2 days, but we didn't take it seriously." She is married and has

two small children, one aged 2 years and the other just 7 months old.

The witness described the problems that the blockade of Nagorno Karabakh has caused in relation to caring for her children. "I used to dress both children in diapers, but since there are few of them, I have to use them sparingly only for the small child. If they are used sparingly, if the road is not opened, 15 days will be enough. Because of the blockade, it is almost impossible to find a formula for the baby. We feed in another way. Children of small age are in dire need of fruits and vegetables, which are not available. Solving household issues has also become more complicated. There is no gas, no hot water."

The witness heats her house with an electric stove, but due to regular power outages, the house is not heated otherwise. She mentioned that "putting in a gas stove is a problem; Azerbaijanis turn off the gas one day and turn it on the next. The house is on the 7th floor; it is impossible to install a wood stove." With regard to food and products, a coupon system has been introduced in Nagorno Karabakh for certain types of products. "In order to buy something, I have to be in stores all the time, in queues, but it's difficult with my children."

Before the blockade, the witness had started a small business producing educational chocolates. The chocolates were also ordered in Armenia. "I had many orders from Armenia, but now I am trying to sell it in Nagorno Karabakh. My raw materials are limited, I used to order printing from Armenia, but it is expensive here. The new batch printed in Armenia should have been sent from Armenia to Nagorno Karabakh. Since there are no sweets in the stores, they have run out, and they demand a larger batch from me, but with the basis I have, I will not be able to supply the stores with chocolate for a long time. Dairy products, cheese, and eggs are also limited in stores, and I have to stand in line for hours. Local production does not satisfy all of us. At first, the electricity was turned off for 2 hours, then for 4, and now for 6 hours a day."

● **Witness 22LC-NK0011**

The witness, who was born in Stepanakert in 1966, owns a hotel that was forced to shut down after December 12, 2022, due to the blockade preventing guests from visiting. He expressed how gas and electricity supply problems have made it difficult to provide heating at both the hotel and his residence, resulting in him having no income. To make matters worse, he must now use the money he had saved to pay for the hotel's maintenance and employee salaries. Furthermore, foreign guests who were staying in the hotel before the Azerbaijani blockade of Nagorno Karabakh has left with the assistance of the International Red Cross Organization, and all 33 rooms of the hotel remain unoccupied.

● **Witness 23LC-NK0028**

The witness, born in 1948 in the village of Verin Glizhbagh, Askeran region of Nagorno Karabakh, is experiencing significant difficulties due to the blockade. The witness reports that the state has implemented a coupon system for essential goods, but there is a severe shortage of medicines and long queues everywhere. The witness also mentions that hospitals cannot operate on patients due to the lack of necessary supplies. The witness expresses concern about families being separated and even children returning to Nagorno Karabakh from Armenia being terrorized by Azerbaijanis.

Specifically for the witness, the blockade has caused many negative consequences. Due to his age, every movement is challenging, and he must walk 1 km to reach his plot since there is no gas to drive his car. The witness supports his family through greenhouse farming, but now he does not have the necessary seeds, hybrids, and pesticides. He used to bring them from Armenia, but there was no possibility of transporting them. There is a shortage of potatoes and potato seeds, and the witness cannot sow them at the end of February as conditions in Nagorno Karabakh previously allowed. Additionally, there are no necessary accessories for installing a drip system in greenhouses, and the witness mentions that there are greenhouses with gas, but Azerbaijanis regularly cut off gas, causing many expenses for businessmen.

● **Witness 22LC-NK0013**

The witness, born in 1978 in Noragyugh village of Askeran region of Nagorno Karabakh, has suffered a significant loss of income due to the blockade. He owns a gas station, a banquet hall, and a small store and is also the sales director of the organization, "Flash +". In the current situation, their organization is the only one supplying gasoline in Nagorno Karabakh, and that too from reserve funds. He considers the disconnection of gas supply and regular power outages to be the biggest problems. The witness stated that vehicles have stopped working due to a lack of gas, and taxis only operate whenever there is gas available. The light is turned off for 6 hours a day, which creates difficulties for heating since boilers require both gas and electricity. Additionally, there is a shortage of eggs in the market, and people are queuing.

The witness's family consists of his wife, two daughters, and himself. One of his daughters is studying in Yerevan, but she could not return due to the blockade. His wife also went to Yerevan, and they were supposed to come to Nagorno Karabakh on vacation but were unable to do so.

His other daughter, who is with him in Nagorno Karabakh, is 16 years old and studying in the 11th grade. The witness stated that due to the gas supply, the school process is temporarily suspended, and they are trying to gain knowledge through private lessons. However, it is not possible to organize online training due to power outages occurring at different times in different parts of the city, making communication difficult. These are difficult times for graduating students, with the war, COVID-19, and now the blockade affecting their education. The witness emphasized that education is necessary for shaping their lives.

Both gas supply and energy supply in Nagorno Karabakh are carried out through the territories under the control of Azerbaijan. The witness believes that the Azerbaijanis are intentionally cutting off supplies to psychologically oppress the people, especially during the cold winter. There are also concerns about problems related to spring sowing and creating grain reserves.

The witness had ordered store furniture, shelves, and cameras for a new store from Armenia before the blockade, which arrived in Goris on December 12, but remained there due to the blockade. The witness believes that the main goal of Azerbaijanis is to depopulate Nagorno Karabakh.

● **Witness 23LC-NK0003**

The witness, who was born in 1970 in the Prjamal village of the Askeran region of Nagorno

Karabakh, provided a firsthand account of the situation in Nagorno Karabakh during the blockade. According to the witness, the situation was unprecedented, as people were unable to do the things they used to do before while also having to deal with new challenges that arose due to the blockade.

The witness had taken a group of children from Nagorno Karabakh to watch the children's Eurovision contest on December 10, but they were unable to return to Nagorno Karabakh on December 12 as the Azerbaijanis had blockaded the road. They stayed in Goris along with other groups who were also unable to return to Nagorno Karabakh due to various reasons. The witness and the 16 children who participated in the Eurovision were finally able to return to Nagorno Karabakh on January 17, accompanied by Russian peacekeepers. During their stay in Goris, the witness took the children to the 1st school in Goris so that they wouldn't fall behind in their education.

The witness spoke about the worries of the parents of the children, who knew that their children had only gone for a day and did not have enough clothes for the extended stay. However, the Red Cross, AGBU, United Nations office, Goris Municipality, Syunik Province Administration, and some individuals helped by providing necessary supplies.

The witness also talked about the concerns of the children who missed their parents and were constantly worried about when they could return home. The witness provided motherly care to the children and tried to ease their worries by hugging, kissing, and loving them. The witness stated that the children were only able to ease their worries through online connections.

The witness spoke about the artificial obstacles created by the Azerbaijani blockade, which affected the daily lives of people. Lack of gas and electricity affected household problems, and families with small children faced difficulties as they were unable to wash clothes, clean, or prepare food. The witness stated that this was a deliberate attempt to oppress people psychologically and violate their rights. The blockade also separated families, and many patients were left without operations and treatment. The witness mentioned that the International Red Cross Organization and Russian peacekeepers mediated the movement of patients and families to their relatives.

The witness also spoke about an incident during their return to Nagorno Karabakh when Azerbaijani people tried to enter their car with cameras and frightened the children, causing one of the girls to faint. Russian peacekeepers intervened and prevented any harm to the children.

● **Witness 23LC-NK0002**

Witness 23LC-NK0002, an Armenian refugee who fled from Barda, Azerbaijan, to Vank, Nagorno-Karabakh, after the Sumgait Massacre, has been severely affected by the blockade (see 1.2). She and her family have experienced great hardships due to the lack of basic necessities such as food, fuel, and medical care.

One of the witnesses' main concerns is the health of her family members. Her newborn granddaughter required special care, including milk powder and diapers, which were not readily available due to the blockade. Her father-in-law also had health issues that required regular medical attention, but they were unable to take him to the hospital due to the lack of fuel. Her pregnant daughter-in-law needed regular medical check-ups, but they were unable to take her to the hospital due to the same reason. Unfortunately, Witness 23LC-NK0002's daughter-in-law had a

miscarriage, and the doctors said that if she had been taken to the hospital, perhaps the miscarriage could have been prevented.

The witness' family was also responsible for three minor children whose parents had taken their other child to Armenia for treatment due to health problems. The road back to Nagorno-Karabakh was closed due to the blockade, and the children had to be reunited with their families, which was impossible in that situation.

Witness 23LC-NK0002 also talked about the gas and electricity supply disruptions that started in March 2022 and worsened during the blockade. Electricity was turned off several times a day for eight or more hours, leading to heating issues and affecting all other aspects of life. Children were unable to attend school, and houses were dark and cold, making it difficult to perform daily chores. The witness also talked about the shortages of basic food, which affected many residents of Nagorno-Karabakh. Despite the snow and cold, 120,000 Armenians stand in line every day for food, and grocery store shelves are often empty.

Overall, Witness 23LC-NK0002 and her family have been severely affected by the blockade, which has made it difficult for them to access basic necessities such as food, fuel, and medical care.

● **Witness 23 LC- NK0004**

Witness LC-NK0004 was born in Stepanakert in 1963 and has been working as a Deputy Director at the 10th school named after Avetik Isahakyan in Stepanakert since 1990. The witness personally participated in the first Nagorno Karabakh war, and his two children participated in the April war and the 44-day Nagorno Karabakh war. The witness has witnessed the difficulties that interrupted regular learning and the regular organization of the learning process due to wars and conflicts in the region.

During the first Nagorno Karabakh war, the witness mentioned that school work was organized intermittently, and the war disrupted the learning process. The witness also mentioned that the student dormitory of the Stepanakert Pedagogical Institute was targeted and damaged during the war. In April 2016, on the first day of the April war, the witness had to send the children home, and school was suspended for a week due to the risk that drones could hit the school.

The witness personally experienced the bombing of the 10th school of Stepanakert during the conflict. Two bombs weighing 500 kg exploded in the school territory, and the witness sent the school guard home before the explosion. The school was completely destroyed, and reconstruction works have started, but they are delayed due to the blockade, as many materials must be delivered from Yerevan. The witness mentioned that the school is in a dilapidated state, and despite the difficulties, they try to organize classes in two shifts.

Due to the blockade, the witness mentioned that they could not provide normal heating due to electricity and gas supply cuts, which disrupted the teaching process. Children cannot learn a normal lesson when they are hungry, and due to the lack of food, work with children of the preschool group is organized in half a day. The witness also mentioned that the gas supply disconnection started last year during the cold weather, and they had to fill the gaps at the expense of other days. They also installed wood stoves, which made it possible to provide only the 9th-

grade classes.

- **Witness 21LC-NK0033**

The witness, 21LC-NK0033, was born in 1992 in Yerevan and graduated from the mining metallurgy department of Yerevan Polytechnic University. From 2013-2015, he served in the Armenian Army in Askeran, Nagorno-Karabakh, and after his service, he returned to Yerevan and started working at the Tumo Creative Technologies Center. Following the 44-day war, he went to Nagorno Karabakh with his wife and child with the aim of spreading Tumo's activities throughout Nagorno Karabakh and providing all Nagorno Karabakh children with the opportunity to attend Tumo. In this testimony, he describes an incident that occurred on the way to achieving that goal.

He notes that on May 5, 2022, while traveling approximately 30 km from the Martakert-Drmbon road, their taxi collided with a truck belonging to Azerbaijani troops. The witness states that the curves on the road were sharp, and since the trucks were big, they traveled in a convoy of ten or more vehicles. The last truck in the convoy narrowly made the turn, and although their taxi was on the right side, the truck turned in their direction, causing a collision that pushed their car into a valley. Although the taxi driver tried to avoid the collision, the truck hit them and pushed the car toward the valley. Fortunately, the driver was able to control the car and prevent it from falling off the underground bridge, but the car hit a tree and stopped.

The witness believes that the truck driver committed traffic violations, but what happened after the collision made him suspect that the driver had intentionally hit them and continued driving. The witness notes that neither the truck nor any other vehicle in the convoy stopped to check on them, and two more cars passed them without stopping. The witness feels that the passengers in those vehicles had a responsibility to stop since it was related to human life. He was afraid for his fellow passengers and the taxi driver, and his only concern was to get them out of the car safely.

The witness was traveling to the Haterk village in the Martakert region to register children for Tumo's programs. The witness wanted to give children in remote regions an opportunity for education, so he went to Haterk village to clarify the registrations with parents and sign contracts. The director of the Haterk village school provided the village school hall for the activity. Although their car was severely damaged and unusable, the witness and his colleagues were determined to continue their work. They did not notice any injuries immediately, but after they arrived at Haterk, Anush, one of the passengers, began experiencing pain in her shoulder. The witness also experienced back pain and a headache. They went for a medical examination and were found to have bruises. Anush also suffered a concussion. The taxi driver's condition was good, and he had already returned to work.

The witness was happy that they were able to complete their work successfully despite the incident. When asked about parents' concerns regarding their children's safety during transportation, especially after this incident, the witness expressed his own concerns about the situation. However, he also feels that it is essential to continue their work to achieve justice and give children access to education. The witness believes that they are physically stronger and more experienced, and he fears that if children are transported to school by bus, they may be at risk if they encounter

Azerbaijani troops. The witness does not know how parents will respond, but he believes that everyone is worried about their children's safety.