

**Azerbaijan in Violation of International Law in the  
Context of Electricity Disruptions to Nagorno-Karabakh**

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Contact: Lori Yeni-Komshian, Esq., Marina Simonyan, Anahit Harutyunyan

[info@cftjustice.org](mailto:info@cftjustice.org)

2100 Montrose Ave #715, Montrose, CA 91020

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# Azerbaijan in Violation of International Law in the Context Electrical Utility Disruptions to Nagorno-Karabakh

## 1. Introduction

For over six months the 120,000 residents of the Republic of Nagorno-Karabakh have been subjected to a brutal blockade by Azerbaijan. The Lachin Corridor which connects Armenia and Nagorno-Karabakh has been blocked, thus cutting off the entire region from the outside world. The population has been deprived of basic necessities such as food, medicine, gas, and electricity. The following report will focus specifically on the disruption of electrical utilities and the impact this human rights violation has on the people of Nagorno-Karabakh.

The testimonial evidence cited below is collected by the Center for Truth and Justice. The Center for Truth and Justice (CFTJ) is a 501(c)(3) U.S. 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 fact-finding infrastructure in the region and has been collecting first-hand testimonies from 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 composed of attorneys and law students in the U.S., Armenia, and Nagorno-Karabakh, as well as human rights advocates and other professionals.

## 2. Background

After the 2020 Nagorno-Karabakh war the town of Lachin (Berdzor) came under Russian peacekeeping supervision until August 26, 2022 when the town was ceded to Azerbaijan under the ceasefire agreement. At that time the remaining Armenian population was forced to evacuate the town. “In September 2022, the Lachin Corridor’s new route was opened, just north of the city of Lachin (Berdzor). The electricity cables and gas pipelines remained adjacent to the old road, entirely under Azerbaijani control.”<sup>1</sup> Then in January 2023, about a month into the blockade, the electrical cable was damaged.<sup>2</sup> According to ArtsakhEnergо’s director, if Azerbaijan allowed repairs to the electrical cable under their control, specifically at the site of the 30<sup>th</sup> km of the Berdzor-Aghavno line, the repairs to the damage would be completed within hours.<sup>3</sup> But Azerbaijan has prevented Armenian repair crews from accessing the area and making repairs for approximately two months now.

‘It is difficult to say unequivocally whether the accident is technical or the result of a side intervention. Taking into account that the Azerbaijanis have not given us the opportunity

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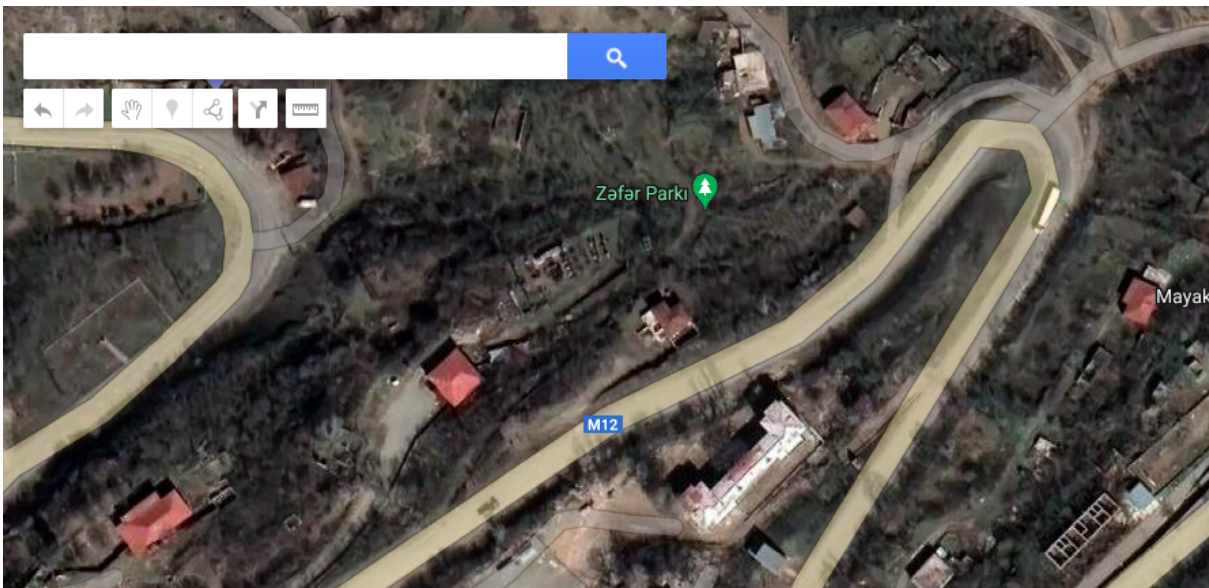
<sup>1</sup> Avetisyan, Ani. “Weaponizing Energy: Nagorno-Karabakh’s Energy Supplies Under Siege.” *Evn Report*, <https://evnreport.com/spotlight-karabakh/weaponizing-energy-nagorno-karabakhs-energy-supplies-under-siege/>. Accessed 14 Mar. 2023.

<sup>2</sup> “Արցախը Հայաստանից Սնուցող Միակ Բարձրավոլտ Գիծը Վթարվել է. «Արցախի էներգո».” *Azatutyun.am*, <https://www.azatutyun.am/a/32216963.html> . Accessed 14 Mar. 2023.

<sup>3</sup> “Karabakh Energy Company Director: Azerbaijan Does Not Allow Repairing Power Line for a Month Now.” *News.am*, <https://news.am/eng/news/742387.html> . Accessed 14 Mar. 2023.

to carry out accident repair works for almost a month, this gives reason to suspect that there was an artificial intervention. Moreover, the accident did not have serious consequences, and it can be restored within hours,' Andranik Khachatryan, director of ArtsakhEnergocompany, told Armenian News-NEWS.am.<sup>4</sup>

Whether Azerbaijan purposefully damaged the electrical cable or not, there is no question that their active role in preventing any repairs has disrupted access to electricity in Nagorno-Karabakh. Since the damage to the electrical cable, Nagorno-Karabakh has relied on limited local electricity production.<sup>5</sup> Namely, the region is currently relying on the Sarsang hydropower plant but its capacity is limited.<sup>6</sup> For this reason ArtsakhEnergocompany started to implement, and continues, scheduled power outages, which have increased initially from two-hour, to now six-hour daily power outages.<sup>7</sup> But the demand for electricity is also heightened due to the fact that Azerbaijan regularly stops the natural gas supply to Nagorno-Karabakh.<sup>8</sup> And reliance on the Sarsang hydropower plant cannot be maintained long-term. The Sarsang hydropower plant “decreases its water by a significant amount daily. It means that very soon Artsakh [Nagorno-Karabakh] will enter total darkness.”<sup>9</sup>



<sup>4</sup> “Karabakh Energy Company Director: Azerbaijan Does Not Allow Repairing Power Line for a Month Now.” *News.am*, <https://news.am/eng/news/742387.html> . Accessed 14 Mar. 2023.

<sup>5</sup> Avetisyan, Ani. “Weaponizing Energy: Nagorno-Karabakh’s Energy Supplies Under Siege.” *Evn Report*, <https://evnreport.com/spotlight-karabakh/weaponizing-energy-nagorno-karabakhs-energy-supplies-under-siege/>. Accessed 14 Mar. 2023.

<sup>6</sup> “Karabakh Energy Company Director: Azerbaijan Does Not Allow Repairing Power Line for a Month Now.” *News.am*, <https://news.am/eng/news/742387.html> . Accessed 14 Mar. 2023.

<sup>7</sup> “Karabakh Energy Company Director: Azerbaijan Does Not Allow Repairing Power Line for a Month Now.” *News.am*, <https://news.am/eng/news/742387.html> . Accessed 14 Mar. 2023.

<sup>8</sup> “Karabakh Energy Company Director: Azerbaijan Does Not Allow Repairing Power Line for a Month Now.” *News.am*, <https://news.am/eng/news/742387.html> . Accessed 14 Mar. 2023.

<sup>9</sup> Babajanyan, Mane. “The Crisis of the Lachin Corridor: On the Verge of Another Humanitarian Catastrophe.” *The Armenian Weekly*, <https://armenianweekly.com/2023/02/15/the-crisis-of-the-lachin-corridor-on-the-verge-of-another-humanitarian-catastrophe/>. Accessed 14 Mar. 2023.



Meanwhile, satellite imagery shows some changes to the electrical power houses in Lachin (Berdzor). In comparing Google Maps imagery seen here:

And private satellite imagery taken on July 29, 2022, January 23, 2023 and March 25, 2023 respectively:





It appears that in comparing the images, some of the electric panels appear to have been removed during this time period.

As discussed below, Azerbaijan’s disruption of electrical utilities to Nagorno-Karabakh is a clear violation in international law and has already had a significant humanitarian impact on those living in Nagorno-Karabakh.

### **3. International Law**

The United Nations and Council of Europe have various treaties which have been ratified by Azerbaijan which provide a framework for fundamental basic human rights, and which Azerbaijan is bound by. These include but are not limited to:

- a. The United Nations Universal Declaration of Human Rights (UNDHR) (1948) (As a General Assembly Resolution is not binding, however has had an important impact on the drafting of other binding treaties and has gained status as customary international law.)
- b. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1984), ratified by Azerbaijan on August 16, 1996.
- c. The International Covenant on Economic, Social and Cultural Rights (CESCR) (1976), ratified by Azerbaijan on August 13, 1992.
- d. The International Covenant on Civil and Political Rights (CCPR) (1976), ratified by Azerbaijan on August 13, 1992.

- e. The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)(1950), ratified by Azerbaijan on April 15, 2002.
- f. The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No.126)(1987) ratified by Azerbaijan on April 15, 2002.

The fact that these treaties have been ratified and entered into force, there should be no question that they are binding on Azerbaijan. Yet Azerbaijan has made reservations or declarations regarding the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 005) and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126) stating “[t]he Republic of Azerbaijan declares that it is unable to guarantee the application of the provisions of the Convention in the territories occupied by the Republic of Armenia until these territories are liberated from that occupation...”<sup>10</sup> In fact nearly every treaty with the Council of Europe contains this same precondition or caveat. However in the Case of *Sargsyan v. Azerbaijan* No. 40167/06 (ECtHR June 06 2015) in its decision on admissibility the Court held that the reservation was “not capable of restricting the territorial application of the Convention to certain parts of the internationally recognised territory of Azerbaijan (citation omitted) nor did it fulfill the requirements of a valid reservation (citation omitted).”

Thus the reservation does not give Azerbaijan free reign to perpetrate human rights violations against the people in these territories. If Azerbaijan’s assertion is that the territory of Nagorno-Karabakh is not under their control and thus they cannot guarantee its application of the treaties in the region, that does not prevent Azerbaijan from guaranteeing that its own government uphold the treaty even in relation to the territory of Nagorno-Karabakh. In other words, if there is a state policy in Azerbaijan that purposefully departs from the provisions of the convention and commits human rights violations against the people in the territory of Nagorno-Karabakh, this is still a violation regardless of any reservation. Azerbaijan is still bound by the treaties. Azerbaijan cannot consider Nagorno-Karabakh to be unworthy of basic human rights.

Regarding the United Nations treaties, Azerbaijan has not made any similar reservations. In fact regarding the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment it affirmed the convention: “...the Government of the Republic of Azerbaijan declares that it recognizes the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.”<sup>11</sup> Regarding the International Covenant on Civil and Political Rights, both Armenia and Azerbaijan notified the Secretary-General of the declaration of martial law during the war in 2020, but Azerbaijan noted the end of martial law on December 12, 2020.

For the reasons above Azerbaijan is bound by the treaties mentioned above.

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<sup>10</sup> <https://www.coe.int/en/web/conventions/full-list?module=declarations-by-treaty&numSte=126&codeNature=0> and <https://www.coe.int/en/web/conventions/concerning-a-given-state-or-the-european-union->

<sup>11</sup> [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-9&chapter=4&clang=en#EndDec](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-9&chapter=4&clang=en#EndDec)



#### **4. Rights Violated Under International Law**

##### **a. Right to Life**

Azerbaijan is at a minimum actively preventing any repairs to electrical cables. This in and of itself is a violation of the right to life guaranteed under international law. Under the United Nations Declaration of Human Rights Article 3: Everyone has the right to life, liberty and security of person. This is echoed in the International Covenant on Civil and Political Rights, Part 3, Article 6 “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life...” Similarly this is seen in the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2, “Everyone’s right to life shall be protected by law.”

First, without electricity, people are not getting the proper nutrition. According to witness 23LC-NK0030 they try adjusting to the situation by heating heat food when electricity is available.

Without electricity, hospitals cannot run properly and people cannot get adequate medical care. For example, Witness 23LC-0003 called the International Committee of the Red Cross that informed her they were transporting the sickest patients from the hospital [to Yerevan] because without electricity and gas they could not perform operations. Witness 23LC-NK0028 also confirmed that Nagorno-Karabakh doesn’t have hospitals capable of performing surgery and with the help of the Red Cross patients were being moved to Armenia.

Importantly, the deprivation of electricity in addition to other crises in Nagorno-Karabakh, has a detrimental effect on mental health on residents as well as physical health, which has a direct effect on the right to life. The effect on people’s health in turn affects their right to life. Specifically, the International Covenant on Economic, Social and Cultural Rights, Part 3, Article 12 The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Witness 22LC-NK0011 gives the example that without gas and electricity there is no hot water in many houses, which in and of itself has had a huge impact on people’s mental health.

Also without repairing the electrical cables, Artsakh is relying on the Sarsang reservoir (discussed further below). This has caused an environmental disaster in Artsakh, as the low levels of the reservoir impede absorption and water reaching other underground water sources.<sup>12</sup> The ecological and environmental impact has an impact on the right to life.

In conclusion, the disruption of electrical utilities is a direct violation of the right to life.

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<sup>12</sup> “The emptying of the Sarsang reservoir will lead to an environmental disaster.” Aliq Media. <https://www.aliqmedia.am/2023/05/12/108744/> Accessed 22 June 2023.



## **b. Right to Economic Freedom**

Azerbaijan's actions in preventing any repairs to electrical cables, is a violation of the right to economic freedom under international law. Under the International Covenant on Economic, Social and Cultural Rights, Part 1, Article 1:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

Without electricity, businesses have closed or otherwise been impacted. Witness 23LC-NK0030 is in the hospitality business and described that the safety and quality of his business has deteriorated due to the blockade. Witness 22LC-NK0011, who is also in the hospitality business, had zero income from his hotel during the blockade, and projected that he would be forced to close the hotel by February 2023. Many individuals cannot work and support their families. According to witness 23LC-NK0030 4,700 people lost their jobs during the blockade.

Witness 23LC-NK0030 highlights that the lack of electricity not only affects light and heat but people's ability to work as well and it is not clear with Nagorno-Karabakh's internal capabilities how long they can last.

The people of Nagorno-Karabakh have not only been denied their right to self-determination, but they have also been deprived of their own means of subsistence, in direct violation of the provision above. Thus, the disruption of electrical utilities is a direct violation of the right to economic freedom.

## **c. Right to Liberty and Security**

Azerbaijan's actions in preventing any repairs to electrical cables, is a violation to the right to liberty and security under international law. The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 5 states "[e]veryone has the right to liberty and security of person." Without electricity, people do not have access to the internet or telephone. Internet and telephone access are imperative in emergency situations, and generally to have access and knowledge from the outside world. Witness 22LC-NK0011 noted that the internet is a part of daily life and a way to get news. Without the internet, they are not informed, which he considers a basic right. Even when there is internet the speed is impacted. Sometimes the phone line is disrupted and they cannot make calls to Yerevan or even within Nagorno Karabakh. Lack of internet and phone access can prove dire in the event of an emergency.

The disruption of electrical utilities is a direct violation of the right to liberty and security.

#### **d. Right Against Torture**

Azerbaijan's actions in preventing any repairs to electrical cables, is a violation to the right against torture under international law. Under the United Nations Universal Declaration of Human Rights, Article 5, as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 3, "[n]o one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The International Covenant on Civil and Political Rights, Part 3, Article 7, states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Part 1, Article 1 defines torture as follows:

For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

The disruption of electrical utilities has made life torturous in that it has led to lack of proper food, heating, internet, work, and education. For example, witness 23LC-0007 indicates that during the winter with -10°C weather, the house would be around 3-5°C. Once the heat would come back and the house would warm to 15°C, the power would go out again and the house would cool down. He says the strongest impact of the blockade is the psychological effect. For example not being able to heat the house, heat their food normally, or the amount of extra hours it now takes them to take care of themselves.

23LC-NK0028 says that the underlying intent is for the people in Nagorno-Karabakh to lose hope. They have limited electricity and bare necessities for living, but because they have children, elderly, and people who are sick, there are many issues. These issues have led to both physical and mental suffering as depicted above. This is done to intimidate or coerce the indigenous Armenian population to leave through ethnic cleansing, or to obtain an agreement through the political leaders of Nagorno-Karabakh and Armenia which would cede Nagorno-Karabakh to Azerbaijan, resulting in the indigenous Armenian population being displaced.

Thus the disruption of electrical utilities is a direct violation of the right against torture.

#### **e. Right to Standard of Living**

Azerbaijan's actions in preventing any repairs to electrical cables, is a violation to the right to a standard of living. Under the United Nations Universal Declaration of Human Rights, Article 25:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Similarly under the International Covenant on Economic, Social and Cultural Rights, Part 3, Article 11, “[t]he States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”

Witness 23LC-NK0003 recounts that due to the lack of gas and electricity, there was no heat, and the elevators did not work in their buildings. There were families with newborns and young kids that needed to wash their kid’s clothes, clean, and prepare food. The disruption of electricity, according to witness 23LC-NK0003, is done to put emotional pressure on people and deprive them of their human rights.

As mentioned above, the inadequate food and inadequate medical care due to the disruption of electricity, is a direct violation of the right to a standard of living.

#### **f. Right to Education**

Azerbaijan’s actions in preventing any repairs to electrical cables, is a violation to the right to education. Under the United Nations Universal Declaration of Human Rights, Article 26, “[e]veryone has the right to education...” Under the International Covenant on Economic, Social and Cultural Rights, Article 13 “The States Parties to the present Covenant recognize the right of everyone to education.” And on that same note under the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 (Protocol), “No person shall be denied the right to education.”

Due to the lack of food and heating caused by the blockade, schools have been forced to shut down.<sup>13</sup> As of January 19, 2023, all schools in Nagorno-Karabakh were shut down indefinitely because of the natural gas supply shortage and rolling electricity blackouts.<sup>14</sup> In February a total of 117 schools were closed and 20,000 children were deprived of the opportunity to receive an education.<sup>15</sup>

Previously, on January 7, 2023 dozens of educational centers had been closed temporarily due to food shortages.<sup>16</sup> According to Nagorno-Karabakh’s Human Rights Defender, Gegham

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<sup>13</sup>“Education Under Blockade,” Gayane Ghazaryan:  
<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>14</sup>“Education Under Blockade,” Gayane Ghazaryan:  
<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>15</sup>“Artsakh schools stop functioning due to lack of heating”: <https://mediamax.am/en/news/karabakh/50057/>

<sup>16</sup>“Education Under Blockade,” Gayane Ghazaryan:  
<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

Stepanyan, “41 kindergartens, 56 pre-school groups and 20 full-time educational institutions had suspended operations indefinitely, leaving 6828 children without access to daycare and education.”<sup>17</sup>

Even during the beginning of the blockade when schools were open, students had challenges with transportation and food. For example, some students did not have access to lunch since bakeries were closed, nearby stores were emptied out, and cafeterias had been closed since the 2020 war.<sup>18</sup> Electricity blackouts and inconsistent internet connectivity impacted teacher’s abilities to prepare lesson plans.<sup>19</sup> It follows that students also had difficulty keeping up with their studies due to the electricity blackouts and inconsistent internet connection as well.

Witness 23LC-0007 confirms schools, including his daughter’s school, closed due to the cold and that they could not continue their education online without consistent internet connection. Witness 22LC-NK0011 confirms that there has been an impact on our kid’s education without consistent internet access. He gives the example that even teachers use online chat forums to inform their students of their homework, which is interrupted with the internet and electricity disruptions.

From the start of the blockade, there are many cases where students have been separated from their families or their teachers.<sup>20</sup> The emotional impact of this has been apparent in the students’ progress and motivation.<sup>21</sup> “The health implications of conflict and instability on children are immeasurable. The fears of mothers have grown beyond just feeding their children. The focus is now also on preserving the mental stability of children and avoiding permanent damage to cognitive, emotional, and motor development.”<sup>22</sup>

But this is not the first time since the ceasefire that schools in Nagorno-Karabakh have shut down due to Azerbaijan’s actions. In March 2022, Nagorno-Karabakh’s Ministry of Education, Science, Culture and Sports made an announcement that all pre-schools, primary, and secondary schools were shut down due to lack of heat, which corresponded with Azerbaijan cutting off gas to Nagorno-Karabakh.<sup>23</sup> According to a report by Nagorno-Karabakh’s Human Rights Defender several days before the Ministry’s announcement, 65% of the schools in Nagorno Karabakh are heated with gas, which provides education for 60% of Nagorno-Karabakh’s students. Children’s attendance in kindergartens dropped to 22% and 12

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<sup>17</sup>“Education Under Blockade,” Gayane Ghazaryan:

<https://evnreport.com/spotlight-karabakh/education-under-blockade/>. See also, “Thousands of children deprived of right to education due to Azeri blockade – ombudsman”: <https://www.armenpress.am/eng/news/1101506.html>.

<sup>18</sup>“Education Under Blockade,” Gayane Ghazaryan:

<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>19</sup>“Education Under Blockade,” Gayane Ghazaryan:

<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>20</sup>“Education Under Blockade,” Gayane Ghazaryan:

<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>21</sup>“Education Under Blockade,” Gayane Ghazaryan:

<https://evnreport.com/spotlight-karabakh/education-under-blockade/>

<sup>22</sup> Listen to Mothers Besieged in Artsakh/Nagorno-Karabakh, Siranush Sargsyan and Lynn Zovigian:

<https://www.newsweek.com/listen-mothers-besieged-artsakh-nagorno-karabakh-opinion-1774812>

<sup>23</sup>“Classes in Artsakh are Stopped”: <https://artsakh.news/am/news/235370>



kindergartens stopped their activities altogether. 90% of secondary professional educational institutions, art schools, medical and music colleges, creative centers for children and youth are also heated with gas, which also completely stopped their activities.

As outlined by General Comment No. 13 of the United Nations Committee on Economic, Social and Cultural Rights, “Education is both a human right in itself and an indispensable means of realizing other human rights.”<sup>24</sup>

According to Article 13(2), “education in all its forms and at all levels shall exhibit the following interrelated and essential features:” availability, accessibility, acceptability, and adaptability.<sup>25</sup> Education must be available, meaning “functioning educational institutions and programmes have to be available in sufficient quantity within the jurisdiction of the State party. What they require to function depends upon numerous factors, including the developmental context within which they operate; for example, all institutions and programmes are likely to require buildings or other protection from the elements...”<sup>26</sup>

In Nagorno-Karabakh, even the most basic requisite of having education available is not met. Educational institution’s function has been disrupted because: (1) the institutions cannot protect the children from the elements in freezing temperatures without gas; (2) children cannot focus when they are starving without food; and, (3) the children cannot benefit from resources provided by electricity and internet access. This is a direct and unequivocal result of Azerbaijan’s blockade which has created an unprecedented humanitarian crisis and numerous human rights abuses. The right to education is clear about the right of all persons to access quality education. Azerbaijan’s actions have prevented tens of thousands of children from receiving any form of education. The disruption of electricity is a direct violation of the right to education.

## **5. ArtsakhEnergo**

Witness 23LC-NK0006 employee of ArtsakhEnergo gave the following information regarding the lack of electrical utilities in Nagorno-Karabakh. Since the 44-day war in 2020, only half of ArtsakhEnergo’s administration building remains. On October 4, 2020, around 11:30 am, there were many people in the administrative building when it was bombed resulting in two civilian casualties as well as other injuries. There were approximately 5-10 hours that Stepanakert was entirely without electricity, however ArtsakhEnergo was able to restore electricity. The witness indicated they continued working during the war to secure and provide electricity for hospitals, bakeries, and other necessities for life to go on.

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<sup>24</sup> COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS Twenty-first session 15 November-3 December 1999, General Comment No. 13, Paragraph 1,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G99/462/16/PDF/G9946216.pdf?OpenElement>. See also <https://www.ohchr.org/en/special-procedures/sr-education/about-right-education-and-human-rights>.

<sup>25</sup> COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS Twenty-first session 15 November-3 December 1999, General Comment No. 13, Paragraph 6,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G99/462/16/PDF/G9946216.pdf?OpenElement>. See also <https://www.ohchr.org/en/special-procedures/sr-education/about-right-education-and-human-rights>.

<sup>26</sup> COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS Twenty-first session 15 November-3 December 1999, General Comment No. 13, Paragraph 6(a),

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G99/462/16/PDF/G9946216.pdf?OpenElement>.

A report by various human rights organizations indicates that the attacks on ArtsakhEnergO also fell on and damaged a civilian home.<sup>27</sup> According to Human Rights Watch, on the night of October 2-3, 2020 the area around ArtsakhEnergO was shelled with cluster munitions. Then on October 3, 2020 at 11:45 pm the ArtsakhEnergO administrative building was shelled resulting in loss of electricity. Then on October 4 around noon the administrative building and power plant were attacked. The first strike hit the main building knocking out the control center and killing the two civilian employees as mentioned by witness 23LC-NK0006 above, then a second attack around 1 pm damaged the power plant. The image below which shows the damage to the ArtsakhEnergO administrative building, was taken by the fact finding mission and included in the cited report. One civilian, an employee of ArtsakhEnergO, was killed while performing electrical restoration work in Martakert.



Witness 23LC-NK0006 recounted that on January 9, 2023, an electrical power line incident was recorded by a number of devices within the territory of Berdzor. The power line was the only overhead line powered from Armenia. ArtsakhEnergO has not been able to approach the site for several months to determine if the damage is from natural causes or intentional, however it is suspected that the damage to the electrical line was intentional otherwise they would have been allowed to repair the line over the last six months. Even after approaching international organizations they have not been given permission to approach the site to make repairs. Since then ArtsakhEnergO has been forced to rely on hydropower plants. There are currently five hydropower plants which are not sufficient and thus ArtsakhEnergO has implemented scheduled power outages. ArtsakhEnergO primarily relies on the Sarsang Reservoir which is already

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<sup>27</sup> "Human Rights Violations in Artsakh During the 44-Day War: Fact-Finding Report," 2022, page 290-293, [https://www.osf.am/wp-content/uploads/2022/08/Fact-Finding-Report\\_Final\\_ARM\\_WEB.pdf](https://www.osf.am/wp-content/uploads/2022/08/Fact-Finding-Report_Final_ARM_WEB.pdf)

critically low and if there is no solution after some time the people in Nagorno-Karabakh will have either no electricity or extremely limited electricity. Without electricity Nagorno-Karabakh will face issues dealing with medical care, food, and income. Witness 23LC-NK0006 emphasized there needs to be minimum living standards in place especially for the children living in Nagorno-Karabakh. Additionally the witness mentioned the economic impact of the power outages placing many companies out of business.

Until the 44-day war in 2020, Nagorno-Karabakh was receiving electricity from Armenia through Vardenis and Goris. The Vardenis line was cut due to occupation by Azerbaijan within the Qarvachar (Kelbajar) region. The only line which remained, which went through the Lachin corridor, was damaged in the January 9, 2023 incident. Before 2020 there were 36 electrical hydropower plants within Nagorno-Karabakh, but since the war only 6 hydropower plants remain under Armenian control. The equipment necessary to repair the power lines was previously brought from Armenia, however as a result of the current blockade/road closure, it has not been possible to obtain these resources.

The imagery below is of the Sarsang reservoir provided by ArtsakhEnergio on May 10, 2023, depicting the critical situation.







## 6. Conclusion

In conclusion, the disruption of electrical utilities and Azerbaijan's prevention of necessary repairs has led to numerous human rights violations in Nagorno-Karabakh, including the rights to life, economic freedom, liberty and security, against torture, standard of living, and education to name a few. Additionally the drying up of the Sarsang reservoir will cause serious environmental consequences for the entire ecosystem of the region. The population of Artsakh, as well as some regions of Azerbaijan, will be deprived of water resources necessary for normal life.

As the humanitarian crisis worsens in Nagorno-Karabakh, and the reserves of the Sarsang hydropower plant decrease, it becomes more imperative by the minute that Azerbaijan allows repairs to the electrical power line to prevent further suffering. It is Azerbaijan's moral and legal responsibility to do so.