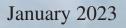


**To All State Parties of the Genocide Convention** 

Azerbaijan's Policy of Irredentism: Illegitimate Territorial Claims on the Republic of Armenia

Primary Source of Evidence: Azerbaijan



Contact: Maria Gevorgyan, Esq. info@cftjustice.org 2100 Montrose Ave #715, Montrose, CA 91020 The Center for Truth and Justice, Inc. is a 501(c)(3) corporation. US Federal Tax ID # 87-1681664.



# **Table of Contents**

1.0 Introduction	3
2.0 Genocide Warnings Were Made      3.0 Azerbaijan's War of Aggression on Nagorno-Karabakh	
5.0 Azerbaijan's Illegitimate Territorial Claims: "Western Azerbaijan"	12
6.0 Conclusion and Recommendations.	21

#### 1.0 Introduction

This report presents facts and evidence published by the State of Azerbaijan that clearly display its state-sponsored policy of irredentism, that is to make illegal territorial claims against Armenia to justify its plan to destroy in part, or in whole, the Republic of Armenia. Maps published by the government of Azerbaijan, their creation of so-called "Western Azerbaijan" and public statements made by President Ilham Aliyev are the primary sources that show their intent of aggression to expand beyond Nagorno-Karabakh and into Armenia.

The Armenians of Nagorno-Karabakh were forced to flee to escape arrests, torture, and death. Azerbaijan successfully cleansed the lands of Nagorno-Karabakh of all Armenians. For the first time in history these historically Armenian lands where the indigenous population had lived for thousands of years, stand barren of any Armenians. However, Azerbaijan is not satisfied with its victories in Nagorno-Karabakh and it does not hide its plans to militarily attack and invade the Republic of Armenia, while falsely claiming that the territory of the Republic of Armenia historically belongs to Azerbaijan.

The purpose of this report is to inform governments and institutions to understand and counter Azerbaijan's ambitions that far exceed the borders of Azerbaijan proper and aim to wage continuing military aggression against Armenia. Azerbaijan is actively engaging in false propaganda that Armenia is not an ancient country and that the Armenians are not the indigenous people of those lands. This rhetoric needs to be countered and debunked while the Aliyev regime is held accountable for these unacceptable threats.

This report is meant to alert and put on notice all state parties of the Genocide Convention and the international community that Azerbaijan's policy to claim Armenia as its own, as far-fetched and preposterous as it seems, is a primary goal that the Aliyev regime is pursuing through another invasion of Armenia.

#### 1.1 The Center for Truth and Justice

The Center for Truth and Justice (CFTJ) is a US-based 501(c)(3) nonprofit organization. CFTJ has been documenting human rights violations and war crimes against Armenians since Azerbaijan and Turkey launched the 2020 war in Nagorno-Karabakh. CFTJ set up a fact-finding infrastructure in the region and has been collecting first-hand testimonies from victims of war crimes. The evidence-gathering methodology CFTJ uses is available on the website: Methodology. CFTJ preserves evidence and makes it available for educational purposes, advocacy, and potential legal actions. The CFTJ team comprises attorneys and law students in the U.S., Canada, and Armenia, 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, comporting 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. As a permanent home for victim testimonies, CFTJ strives to foster education, empathy, justice, and change.

## 2.0 Genocide Warnings Were Made

#### 2.1 The Nine-Month Blockade

December 12, 2022, Azerbaijan began a nine-month-long blockade of the Lachin Corridor. The Aliyev regime deployed both civilians and soldiers in civilian attire, posing as "eco-activists," to effectively blockade the Lachin Corridor which was the only road connecting Armenia to Nagorno-Karabakh. The result of Azerbaijani government surrogates masquerading as environmental protest was catastrophic. It brought all transportation of goods and medicines from Armenia to Nagorno-Karabakh to a halt. It stopped the free movement of people and goods between Armenia and Nagorno-Karabakh. As a result over 105,000 people in Nagorno-Karabakh were subjected to starvation and became prisoners on their lands.

#### 2.2 The International Court of Justice

The International Court of Justice (ICJ) ruled that "shortages of food, medicines, and other life-saving medical supplies" effectively deprived ethnic Armenians in the area of crucial care. The ICJ ordered Azerbaijan to unblock the Armenians' only land route to Nagorno-Karabakh and ruled that Baku must "take all measures at its disposal to ensure the unimpeded movement of persons, vehicles, and cargo along the Lachin Corridor in both directions." The delivery of essential supplies such as food and medication was impeded, leading to critical shortages. Furthermore, Azerbaijan imposed stringent rationing measures on water, electricity, and internet services, exacerbating the humanitarian crisis for Armenians in Nagorno-Karabakh.

Azerbaijan defied the ICJ's order. It continued to maintain the blockade replacing the so-called protesters with government security forces. As an added measure to further control the land route between Nagorno-Karabakh and Armenia, in April of 2023, the Aliyev regime installed an illegal checkpoint with concrete barriers and passport checks controlled by Azerbaijani authorities under the permission of Russian security forces. Throughout this period, Azerbaijan blocked the transit of people and also consistently obstructed the humanitarian efforts of the International Committee of the Red Cross (ICRC). Medical facilities and hospitals in Nagorno-Karabakh could no longer service patients due to shortages of medicine and electricity. The critically ill needed to be transported to Armenia. The ICRC remained the only option to save peoples' lives. However, even the ICRC was stopped and not allowed to transport most patients needing medical attention. On a few rare occasions, ICRC transported critically ill patients across the Lachin Corridor, crossing

\_

<sup>&</sup>lt;sup>1</sup> Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan) (Provisional Measures) February 22, 2023, para 39 [Armenia v. Azerbaijan Order of February 22, 2023].

through the illegal Hakari checkpoint, where Armenians were questioned and searched. In one situation a sixty-eight-year-old Armenian man who was traveling with his daughter to Armenia to seek desperately needed medical care was pulled out of the ICRC unit. He was immediately arrested and taken to Baku. Under false allegations, he was held in prison, tried, and sentenced to double digits. The sham trial based on fabricated charges was meant to send a clear message to the Armenians in Nagorno-Karabakh: that they were all subject to unlawful detentions, arrests, and imprisonmentat the mercy of the Aliyev regime.

As the blockade continued for more than nine months, starvation impacted the entire Armenian population. On February 22, 2023, the ICJ issued a court order in provisional measures, explicitly mandating and reiterating that Azerbaijan must "ensure unimpeded movement of persons, vehicles, and cargo along the Lachin Corridor." The Court order highlighted the alarming reality of a "real and imminent risk" to the "health and life" of the Armenians residing in the region. However, the Aliyev regime ignored the ICJ order and instead tightened its grip around Nagorno-Karabakh by disrupting electricity, water, and internet access for the Armenians in the region. Famine had started to take the lives of the Armenians.

## 2.3 US Congressional Hearings on the Genocide of Armenians in Nagorno-Karabakh

On August 7, 2023, the Chief Prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo, published a legal <u>expert opinion</u>, that Azerbaijan's continued refusal to lift the blockade, in violation of provisional orders from the International Court of Justice (ICJ), amounts to genocide. This conclusion was based on the ICJ ruling that the blockade was a "real and imminent risk to the health and life" of the people of Nagorno-Karabakh. Ocampo's report relies on Article II (c) of the Genocide Convention which describes genocide as a crime committed with "the intent to destroy a national, ethnic, racial, or religious group, in whole or in part". <sup>3</sup>

On September 6, 2023, Luis Moreno Ocampo together with David Phillips, Adjunct Professor at Georgetown University, and Director of Columbia University's Artsakh Atrocities Project testified at the Tom Lantos Human Rights Commission co-chaired by Representatives Chris Smith (R-NJ) and Jim McGovern (D-MA)<sup>4</sup>. The United States government was put on actual notice regarding genocide taking place in Nagoro-Karabakh. However, steps were not taken to prevent it, or stop it, and the result was the complete ethnic cleansing of Armenians from Nagorno-Karabakh.

<sup>&</sup>lt;sup>2</sup> Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan) (Provisional Measures) February 22, 2023, para 39 [Armenia v. Azerbaijan Order of February 22, 2023].

<sup>&</sup>lt;sup>3</sup> Convention on the Prevention and Punishment of the Crime of Genocide.

<sup>&</sup>lt;sup>4</sup> https://humanrightscommission.house.gov/events/hearings/nagorno-karabakh-update

#### 2.4 The Lemkin Institute Alerts

The Lemkin Institute for Genocide Prevention issued a sequence of 5 Red Flag Alerts for Genocide to bring attention to Azerbaijan's criminal acts leading to the impending genocide of the Armenians in Nagorno-Karabakh and the Republic of Armenia. Multiple updates to these alerts have been provided since the blockade's implementation. These Red Flag Alerts were issued to apprise the international community and Azerbaijan that the actions undertaken by Aliyev regime towards Armenians in Nagorno-Karabakh and Armenia proper, notably through the implementation of the blockade, were deemed criminal acts that would lead to genocide.

## 2.5 Former Special Advisor to the Secretary-General on the Prevention of Genocide

Juan Ernesto Mendez, the Former Special Advisor to the Secretary-General on the Prevention of Genocide, in his Preliminary Opinion<sup>5</sup>, stated that the population of Nagorno-Karabakh is at risk of serious bodily or mental harm, citing Article 2, paragraph (b) of the Convention on the Prevention and Punishment of Genocide. He emphasized that state parties of the Genocide Convention, as signatories to the Convention, are obligated to prevent the crime of genocide, and the international community should fulfill its responsibilities to protect that population. Drawing an analogy with the jurisprudential precedent in Bosnia v. Serbia, he highlighted the obligation of all states to prevent genocide.

#### 2.6 Genocide Alarms Were Declared

Genocide Watch declared<sup>6</sup> a "genocide emergency" in Nagorno-Karabakh and designated the crisis to be at Stage 8: Persecution, Stage 9: Extermination, and Stage 10: Denial.

The Executive and Advisory Boards of the International Association of Genocide Scholars noted significant genocide risk factors in Nagorno-Karabakh and urged<sup>7</sup> Azerbaijan to comply with the ICJ orders<sup>8</sup> issued on December 7, 2021.

Over 50 prominent genocide scholars, in their open letter<sup>9</sup> to the UN Secretary-General, the UN High Commissioner for Human Rights, the Special Adviser of the UN Secretary-General on the Prevention of Genocide, and Member States of the UN Security Council issued warnings concerning the potential for genocide in Nagorno-Karabakh.

<sup>&</sup>lt;sup>5</sup> Juan Ernesto Mendez, *Preliminary Opinion on the situation in Nagorno-Karabakh and on the need for the international community to adopt measures to prevent atrocity crimes* (Aug. 23, 2023), available at >https://un.mfa.am/file\_manager/un\_mission/Preliminary%20Opinion%20-%2023.08.2023.pdf< (Last visited Dec. 23, 2023).

<sup>&</sup>lt;sup>6</sup> Genocide Emergency: Azerbaijan's Blockade of Artsakh: Genocide is underway in Nagorno-Karabakh

<sup>7</sup> The International Association of Genocide Scholars Executive and Advisory Boards Statement (Feb. 1, 2023)

<sup>8</sup> supra note 1.

<sup>&</sup>lt;sup>9</sup> Open Letter to the UN Secretary-General regarding the potential for genocide Nagorno-Karabakh (Aug. 09, 2023)

## 3.0 Azerbaijan's War of Aggression on Nagorno-Karabakh

Despite the ICJ warnings and declarations from international law experts that Azerbaijan's blockade constituted Genocide, Azerbaijan escalated it state-sponsored campaign to destroy the Armenians of Nagorno-Karabakh. On September 19, 2023, Azerbaijan launched a military assault on the civilian population of Nagorno-Karabakh. This unprovoked attack took place immediately after the Lemkin Institute had issued a cautionary report regarding a potential military assault on Nagorno-Karabakh. The U.S. Government, the European and other world leaders were aware of this imminent military threat and warned Aliyev not to attack Nagorno-Karabakh. Instead, Azerbaijan launched a large-scale military offensive, targeting civilians and civilian infrastructure. Simultaneously, Azerbaijani social media sites circulated heinous videos of Armenians being maimed, tortured, and slaughtered to further terrorize the Armenian population and flout their crimes.

During the military offensive, Azerbaijani armed forces shelled and advanced into almost every civilian-populated town and village in Nagorno-Karabakh. Foreign press, international non-governmental organizations (NGOs), groups representing civil society, and UN delegations were denied access to Nagorno-Karabakh. As a result of this complete blackout of information, atrocities took place under the veil of darkness, including unverified information indicating rapes, beheadings, and executions of children and men across social media networks.

The Armenians in Nagorno-Karabakh, having been starved, terrorized, bombed, shelled, and murdered were given the following <u>choice</u> by the President of Azerbaijan:

"Armenians living in Karabakh must either take up Azerbaijani citizenship or seek another place of residence", said Ilham Aliyev when speaking with the AzTV media channel.

Simultaneously, Azerbaijan released a list of their "300 most wanted Armenians." Azerbaijani authorities illegally arrested and imprisoned members of the Armenian leadership as well as civilians. One such civilian was a seriously ill man who was being transported to Armenia by ICRC. He was kidnapped from the ICRC vehicle and taken to Baku to stand trial on false and fabricated allegations.

To date, eight members of the Armenian leadership from Nagorno-Karabakh as well as dozens of Armenian civilians are held as <u>prisoners of war<sup>10</sup></u>, <u>political prisoners</u>, and <u>hostages</u> in Baku. Their only crime was their pursuit of freedom and democracy.

## 3.1 Nagorno-Karabakh Dissolved

On September 28, 2023, the President of Nagorno-Karabakh, Smavel Shahramanyan, signed a decree due to "the difficult and complicated military-political situation, based on the

7

<sup>10</sup> https://www.cftjustice.org/?s=prisoners+of+war

priority of securing the physical security and vital interests of the people of Artsakh," declared the dissolution of the Republic of Nagorno-Karabakh, effective January 1, 2024. The decision to dissolve the Republic was made under duress and threat of death and annihilation, and it came within days of the September 19 offensive, when the Armenians had to surrender and talks on so-called <u>reintegration</u> with Azerbaijan began. Reintegration meant Armenians could apply for Azerbaijani passports<sup>11</sup> and live under fear and tyranny, or leave. Baku has created a website to provide Armenians interested in taking up Azerbaijani citizenship.

# 3.2 Azerbaijan Arrests Armenian Leaders of Nagorno-Karabakh

Amidst the forced deportation of the Armenians, Azerbaijan issued a list of 200, "most wanted" Armenians subject to arrest by the Aliyev regime. Soon after this declaration, Azerbaijani military forces arrested eight political leaders of Nagorno-Karabakh which include:

- 1. Former State Minister, Ruben Vardanyan
- 2. Former Foreign Minister, David Babayan
- 3. Former President, Arayik Harutyunyan
- 4. Former President, Bako Sahakyan
- 5. Former President, Arkady Ghukasyan
- 6. Former Defense Minister, Levon Mnatsakanyan
- 7. Former Speaker of Parliament, Davit Ishkhanyan
- 8. Former Deputy Commander of Security, Davit Manukyan

These arrests took place despite President Aliyev's promise for amnesty. In May 2023, President Ilham Aliyev delivered a speech in Lachin in which he stated:

"The Nagorno Karabakh parliament should be dissolved, the president should surrender, and all ministers, deputies and others should give up their positions. Only in that case can a concession be made to them. Only in that case can we talk of an **amnesty**... My word is final, and everyone knows that both in Azerbaijan and the rest of the world, including Armenia. We do what we say. Not a single word of ours remained as empty, and it never will be in the future either. If I say that amnesty can be an option, they should not miss this opportunity."

In a May 30, 2023, press release, the US Department of State publicly welcomed Azerbaijan's talk of amnesty and Armenia's commitment to peace. However, despite the surrender of these leaders and their compliance with Aliyev's conditions to disband and surrender the parliament of Nagorno-Karabakh, it is clear Azerbaijan never intended to offer any kind of amnesty from unlawful detentions and arrests.

Today, these eight leaders of Nagorno-Karabakh who stand for the establishment of a free and democratic state, continue to be held in prison in Baku on fabricated allegations. On

-

<sup>&</sup>lt;sup>11</sup> https://reintegration.gov.az/

January 25, 2023, Baku declared that the pre-trial detention of these eight men would be extended by four months. The Azerbaijjani prosecutor-general said that these men must stand trial for their "crimes against the Azerbaijani people."

# 3.3 Mass Deportations from Nagorno-Karabakh

On September 25, 2023, after ten (10) months of the blockade, and days of shelling and bombing the civilian population, over 100,000 Armenians of Nagorno-Karabakh were forcibly deported from their homes and ancestral lands. This was the only option in order a to avoid persecution and death at the hands of Azerbaijani security forces. The terrorized people of Nagorno-Karabakh, within minutes of the opening of the Lachin Corridor, frantically grabbed the bare minimum of belongings, such as passports, legal documents and a few items of clothing, and using cars, trucks, carriages, and tractors drove towards Armenia. A trip that would normally last no more than 2 hours, took over thirty-eight (38) hours as Armenians jammed the only route out, through the Lachin Corridor. The forced deportations lasted eight (8) days, during which over 105,000 Armenians fled to Armenia, leaving behind their homes, personal belongings, churches, centuries-old cemeteries, museums, schools, and all that defined them as the indigenous Armenians of Nagorno-Karabakh with roots tracing back to the 4th century.

## 4.0 The Renaming of Streets after Armenian Genocide Perpetrators

Within two weeks of the fall<sup>12</sup> of the Republic of Nagorno-Karabakh, Azerbaijan published an updated map of Nagorno-Karabakh on GoMap, an online website and a platform sponsored by the government of Azerbaijan and promoted by government-owned enterprises. The map renamed streets in Nagorno-Karabakh, thus eliminating all Armenian historical names and references. The streets were cleansed of all traces of their Armenian names in a primitive and brazen attempt to erase references to the indigenous lands on which Armenians lived for centuries.

Most notably, Tevosyan Street in Stepanakert was renamed "Envar Pasha" street. Envar Pasha was one of the main perpetrators of the Armenian genocide of 1915. In 1908, Enver Pasha joined the Committee of Union and Progress (CUP), the predominant organization within the Young Turk movement, where he, alongside Talaat Pasha (Interior Minister) and Jemal Pasha (Minister of the Navy), formed a dictatorial triumvirate. Alongside Talaat Pasha and Jemal Pasha, Envar Pasha is one of the principal perpetrators of the Late Ottoman Genocides that forced deportations and massacres of Armenians where 1.5 million Armenians were murdered.

<sup>&</sup>lt;sup>12</sup> Nagorno-Karabakh: MEPs demand review of EU relations with Azerbaijan | News | European Parliament

<sup>&</sup>lt;sup>13</sup> H. Travis, "Native Christians Massacred": The Ottoman Genocide of the Assyrians during World War I" (Vol. 1, No. 3, 2006), P. 331.

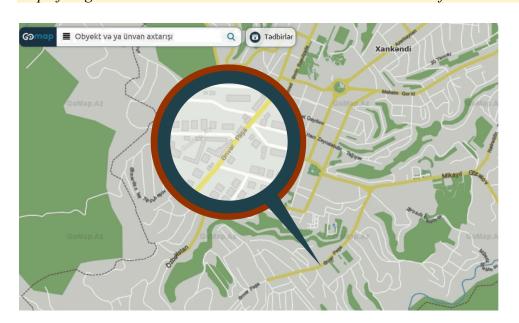
<sup>&</sup>lt;sup>14</sup> R. Henham; P. Behrens, eds. (2009), "The Criminal Law of Genocide: International, Comparative and Contextual Aspects."

<sup>&</sup>lt;sup>15</sup> G. Palmer-Fernandez, Encyclopedia of Religion and War, Published 2003, Taylor & Francis. P. 139.

İsmail Enver, better known as Enver Pasha, was an Ottoman military officer, revolutionary, and convicted war criminal who formed one-third of the dictatorial triumvirate known as the "Three Pashas" in the Ottoman Empire.

Envar Pasha ordered Armenian recruits in the Ottoman army to be disarmed, reassigned them to labor battalions and then ordered them to be summarily executed. Envar Pasha unleashed the use of the secret paramilitary Special Organization to systematically massacre deported Armenians. Notably, Enver's half-brother, Nuri, advanced towards the territory of today's Azerbaijan and occupied Baku where he organized the massacre of the local Armenian population.

In October of 1918, Enver was dismissed from his ministerial position and fled into exile. He was tried in absentia by a postwar court-martial for crimes that included plunging the country into war without legitimate reason, the forced deportations of Armenians, and escaping the country without permission. In July of 1919<sup>17</sup>, he was condemned to death.



Map of Nagorno-Karabakh that shows its main avenue renamed after Envar Pasha. 18

**4.1** In another map officially reissued by Azerbaijan, <sup>19</sup> that has been <u>posted</u> on the official account of Stepanakert (Khankendi in Azerbaijani) shows another street renamed from Nelson Stepanyan Street (its original Armenian street name) to Nuri (Killigil) Pasha.

<sup>&</sup>lt;sup>16</sup> Hans-Lukas Kieser, *Talaat Pasha: Father of Modern Turkey, Architect of Genocide*, Published 2018, Princeton University Press, P. 12.

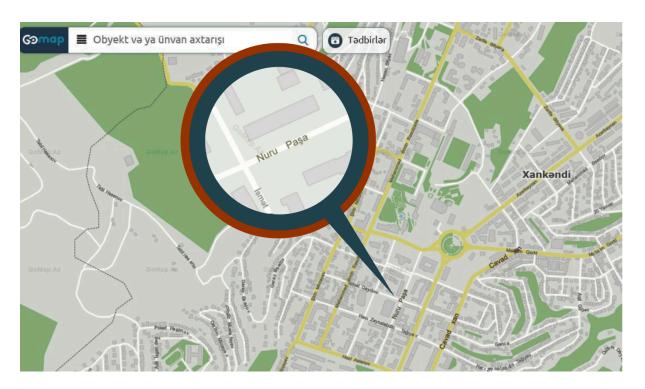
<sup>&</sup>lt;sup>17</sup> Fatma Müge Göçek, "Denial of violence: Ottoman past, Turkish present and collective violence against the Armenians, 1789–2009" (2015). Oxford University Press. P. 1; D. Forsythe, "Encyclopedia of human rights" (2009). Oxford University Press. P. 98; F. Chalk, K. Jonassohn, "The history and sociology of genocide: analyses and case studies" (1990). Institut montréalais des études sur le génocide. Yale University Press.P. 270.

<sup>18</sup> See <a href="https://archive.ph/F7YbO">https://archive.ph/F7YbO</a> Original link:

https://gomap.az/maps/az/@/map:lt=39.80662315999788:ln=46.75221582174612:z=18.98312410068512

<sup>&</sup>lt;sup>19</sup> The renaming occurred on the GoMap application/website, recognized as the most detailed map of Azerbaijan and extensively utilized by Azerbaijanis for diverse purposes, including guidance for public transportation.

Nuri Pasha was an Ottoman military officer and politician during the early 20th century. He was sent by the Minister of War of the Ottoman Empire, Envar Pasha to the Caucasus, to what is today's Azerbaijan, during the closing months of World War I. In Baku, Nuri Pasha took control of the city in 1918 amid the power vacuum created by the Russian Revolution. During this time, Nuri Pasha played a significant role in violence and atrocities impacting various ethnic and religious groups, most specifically, the massacre of 30,000 Armenian civilians in Baku.<sup>20</sup>



Map of Nagorno-Karabakh that shows a street renamed after Nuri Pasha.<sup>21</sup>

**4.2** The website and the map application that shows the renamed streets are financed by Azerbaijan's Ministries of Culture and Tourism, Central Election Commission, and government-owned enterprises.

<sup>&</sup>lt;sup>20</sup> E. Erickson, "Order to Die: A History of the Ottoman Army in the First World War" (2001). Greenwood Press. P. 189.

 $<sup>{}^{21}~</sup>See~\underline{https://archive.ph/GAWwT}~Original~link:\\ \underline{https://gomap.az/maps/az/@/map;}\\ \underline{lt=39.816561468763325;}\\ \underline{ln=46.75176403788811;}\\ \underline{z=18.508689017991188}$ 



GoMap is funded and managed by the Ministry of Culture and Tourism of Azerbaijan<sup>22</sup>

- **4.3** The re-issuance of this map coincided with a period during which President Aliyev intensified efforts to persuade the international community of Azerbaijan's commitment to respecting the rights of Nagorno-Karabakh Armenians, whether they choose to remain or return to the region. President Ilham Aliyev pledged a commitment to "peaceful reintegration," emphasizing equal rights and freedoms for all, irrespective of ethnicity, religion, or language. However, this commitment contrasts starkly with the reality of a nine-month blockade marked by starvation, the creation of unbearable living conditions constituting genocide, barbaric killings, physical violence against Armenian soldiers, women, children, and the elderly during relentless attacks, with no accountability for such crimes. Aliyev's racsist rhetoric, referring to Armenians as "dogs" and a "tumor of Europe" and the renaming of streets after the architects of the Armenian Genocide, serves as additional evidence of Azerbaijan's intent to eliminate allArmenians from Nagorno-Karabakh.
- 4.4 The component of "intent to destroy" is a distinct intention rooted in the aim of partially or completely eradicating the targeted group<sup>23</sup>, which in this case are Armenians. In the context of Azerbaijan's actions, there is a clear intention to eliminate not only the Armenian population of Nagorno-Karabakh but also the Armenian population as a whole. Renaming the street after the recognized perpetrators of the Armenian genocide aligns with a broader pattern of threats, persecution, and expulsion of Armenians, supported by evidence from the UN special rapporteur's report, which concludes that Azerbaijan allegedly plans to eliminate all physical indications of the presence of Armenians once the region is cleansed of ethnic Armenians.

## 5.0 Azerbaijan's Illegitimate Territorial Claims: "Western Azerbaijan"

Azerbaijan created a false narrative regarding the history of Armenia and Azerbaijan in order to validate its irredentist policies. Capitalizing on the world's inaction to the atrocities or hold

<sup>&</sup>lt;sup>22</sup> See https://archive.ph/70Q9s Original link: https://katalog.gomap.az/az/partners

\_

<sup>&</sup>lt;sup>23</sup> K. Ambos, K. "¿Qué significa la «intención de destruir» en el delito de genocidio?" (2010). Revista Penal. Available at >https://dialnet.unirioja.es/servlet/articulo?codigo=4969738< (Last visited Jan. 10, 2024).

the Aliyev regime accountable, tAzerbaijan continues to target Armenians with violence, whether in Nagorno-Karabakh or Armenia, Aliyev has been emboldened to assert hostile claims on the Republic of Armenia. For example, the Azerbaijani President threatens Armenia by referring to it as "Western Azerbaijan". The concept of "Western Azerbaijan" represents a false and threatening narrative that Aliyev will continue using force to further occupy additional territory in the Republic of Armenia.

5.1 It is an irredentist political concept that is used by Azerbaijan to justify Azerbaijani official claims that the territory of modern Armenia were lands that once belonged to Azerbaijan. Since 2010, Ilham Aliyev has referenced Yerevan, the capital of the Republic of Armenia as "Irevan", and Lake Sevan, one of the jewels of Armenia as "Göyçə", and Syunik, which is the southern region of Armenia that borders Iran as "Zangezur", falsely claiming that these were once Azerbaijani lands, and that they will again, in the future, become Azerbaijani lands through military force

On August 17, 2021, President Ilham Aliyev broadcasted:

"[A]ll other ancient Azerbaijani settlements located in the territory of president-day Armenia should be called by their real names... Therefore, I request that both journalists and the general public use real names of these places... This is our land. The opinions expressed in Armenia are completely unfounded. We are on our land. Lake Garagol and other places are ours. We are here now."<sup>24</sup>

It is imperative to note that Lake Sevan, which Aliyev claims needs to be called Lake Garagol, is in the heart of the Republic of Armenia and considered the blue jewel of the country.

**5.2** Azerbaijan's irredentism has no limits. Ilham Aliyev, in a speech on May 27, 2022 claimed the capital of the Republic of Armenia, Yerevan<sup>25</sup>, as its own:

"[I]t is already known not only in Azerbaijan, but also in the whole world that a day after the declaration of our state independence, the Azerbaijan Democratic Republic handed over our ancient city of Iravan to Armenia, and this was an unforgivable crime. Thus, our ancient land fell apart from us."

In December of 2022, Aliyev at a meeting with a "group of intellectuals from Western Azerbaijan" <u>declared</u> that present-day Armenia is Azerbaijani land:

"[W]estern Azerbaijan is our historical land, which is established by a number of historical documents, historical maps and our history itself. Unfortunately, as they

<sup>&</sup>lt;sup>24</sup>https://apa.az/en/xeber/official-news/president-ilham-aliyev-and-first-lady-mehriban-aliyeva-visited-kalbajar-a nd-lachin-districts-updated-355909

<sup>&</sup>lt;sup>25</sup>https://azertag.az/en/xeber/President\_Ilham\_Aliyev\_and\_First\_Lady\_Mehriban\_Aliyeva\_attended\_opening\_ce remony\_of\_first\_stage\_of\_Smart\_Village\_project\_in\_Zangilan\_district\_VIDEO-2153168

did in Karabakh, the Armenians razed all our historical and religious monuments in Western Azerbaijan to the ground...The newly established Azerbaijan Democratic Republic practically presented our historical city, Iravan, to Armenia in 1918."

The reference to "Iravan" is to the capital of the Republic of Armenia, namely the city of Yerevan, which is 2,800 years old. It was founded in 782 BC by Armenian king Argishti I and was originally called Erebuni.

5.3 The rewriting of history, the renaming of streets, villages, towns and cities in Nagorno-Karabakh, and publishing them through state sponsored websites has also permeated schoolbooks and educational curricula in Azerbaijan. The false narrative asserting that Armenians arrived in the Caucasus only in the 19th century and onto purported "Azerbaijani lands" has become a part of the official speeches of Azerbaijani government spokespeople<sup>26</sup>. Harvard University professor Christina Maranci notes that Azerbaijan employs the propaganda of "Western Azerbaijan" as a geopolitical vision that absorbs the entire modern Armenian territoriality, portraying Armenians as usurping interlopers lacking an indigenous state or culture.<sup>27</sup> From the mid-2000s, this concept gained renewed interest, with Colonel Ramiz Melikov of the Azerbaijani Defense Ministry making extreme comments in 2004:

"[I]n the next 25–30 years there will be no Armenian state in the South Caucasus. This nation has been a nuisance for its neighbors and has no right to live in this region."<sup>28</sup>

5.4 Since the end of the 2020 Nagorno-Karabakh War, Azerbaijan has increasingly promoted false narratives and claims to Armenian territory, endorsed officially and articulated by President Ilham Aliyev.<sup>29</sup> Historical revisionism is a common tool used by state institutions in order to further their genocidal intent of eliminating a people and a country-namely, Armenias and the Republic of Armenia. Aliyev's dangerous rhetoric cannot be dismissed as simply autocratic bluster by world leaders and the international legal community. His military actions in Nagorno-Karabakh, current occupation of more than 150 square meters of Armenia, defiance of the ICJ and rejection of world leaders' call for diplomatic solutions make him the most dangerous and destabilizing threat in the South Caucasus.

<sup>&</sup>lt;sup>26</sup> L. Broers, "Is Azerbaijan planning a long-term presence in Armenia?" (2022), Chatham House. Available at > <a href="https://www.chathamhouse.org/2022/09/azerbaijan-planning-long-term-presence-armenia">https://www.chathamhouse.org/2022/09/azerbaijan-planning-long-term-presence-armenia</a> (Last visited Dec. 15, 2023).

<sup>&</sup>lt;sup>27</sup> R. Topalian, "*The Slow Death: Azerbaijan's Armenian Genocide*" (2023). Available at > <a href="https://trinitynews.ie/2023/08/120000-people-trapped-and-starving-since-december-azerbaijans-illegal-blockad-e-of-nagorno-karabakh/">https://trinitynews.ie/2023/08/120000-people-trapped-and-starving-since-december-azerbaijans-illegal-blockad-e-of-nagorno-karabakh/</a> (Last visited Dec. 15, 2023).

<sup>&</sup>lt;sup>28</sup> G. Suny, "*The pawn of great powers: The East–West competition for Caucasia*" (2010). Journal of Eurasian Studies. P. 10–25. Available at >https://www.sciencedirect.com/science/article/pii/S1879366509000086< (Last visited Dec. 15, 2023).

<sup>&</sup>lt;sup>29</sup> L. Broers, "Armenia and Azerbaijan: Anatomy of a Rivalry" (2019). Edinburgh University Press. P. 117.

Following Azerbaijan's attack on Armenia in September 2022, pro-government media and specific Azerbaijani and Turkish officials endorsed the notion of the "Goycha-Zangazur Republic." This concept asserts territorial claims over all of southern Armenia with the goal of "reuniting the Turkish world." The concept of "reuniting the Turkish World" is one that aims for the return of the Ottoman Empire. It is Azerbaijan's plan to expand and eliminate Armenia which stands between Turkey and the union with its eastern Turkic states. The clear intent is to eliminate the Armenians. Aliyev's speeches are not simply romantic notions reminiscing about the glory days of the Ottoman Turkish empire, but one that has already resulted military aggression and war crimes.

**5.5** In December 2022, Aliyev at a meeting with a "group of intellectuals from Western Azerbaijan" declared that present-day Armenia is Azerbaijani land:

"[W]estern Azerbaijan is our historical land, which is established by a number of historical documents, historical maps and our history itself. Unfortunately, as they did in Karabakh, the Armenians razed all our historical and religious monuments in Western Azerbaijan to the ground...The newly established Azerbaijan Democratic Republic practically presented our historical city, Iravan, to Armenia in 1918."

It is of significance to note that Azerbaijan concurrently enforced the genocidal blockade during this period. In March 2023, Aliyev declared that Armenia lost its chance to become an independent state, repeatedly referring to Armenian territory as "Western Azerbaijan" during the summit of the Heads of State of the Organization of Turkic States. Aliyev also criticized the Soviet government's decision in 1920 to separate West Zangezur from Azerbaijan and hand it over to Armenia, emphasizing the geographical separation of the Turkic world.<sup>30</sup>

Moreover, in December 2023, the Parliament of Azerbaijan deliberated and approved a false statement regarding the return of Western Azerbaijanis to their historical homeland:

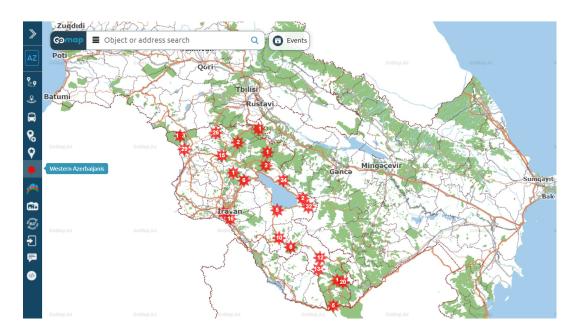
## "[A]zerbaijani have lived in the territory of present-day Armenia for centuries."

This action underscores the persistent nature of Azerbaijan's false and illegitimate territorial claims to date.

**5.6** The map published and promoted by Azerbaijan's government excludes Armenia within its internationally recognized borders. Instead, the entire expanse of the Republic of Armenia is designated as "Western Azerbaijan," asserting historical Azerbaijani ownership and with a guide that identifies the Armenians' towns with an Azerbaijani names.

15

<sup>&</sup>lt;sup>30</sup> "Aliyev's belligerent rhetoric is aimed at resorting to the use of large-scale force against both Armenia and Nagorno-Karabakh."



Map of "Western Azerbaijan" 31



Map of "Western Azerbaijan" with names of Armenian cities and villages in Azerbaijani<sup>32</sup>

The map provides a navigation system called the "catalog" section, which is in Azerbaijani. It provides a false narrative of the towns and cities and a narrative of "Western Azerbaijan's" history, complete with bogus territorial claims over **every** town and village of the Republic of Armenia. For instance, Yerevan, the capital and one of the world's oldest continuously inhabited cities<sup>33</sup> is asserted to be a "medieval Azerbaijani city (Iravan)," characterized as a culturally rich center of Azerbaijan, with the unfounded claim that "the leadership of Azerbaijan gave Yerevan to the Republic of Armenia." Furthermore, it alleges that "until

https://gomap.az/maps/az/@/map;lt=40.43984638527459;ln=47.1872807291839;z=7.460837532125108

32 See more at >https://archive.ph/blq7C<; Original link:

<sup>31</sup> See more at > https://archive.ph/mFEZb<; Original link:

https://gomap.az/maps/az/@/map;lt=40.29028649267937;ln=44.93553456247653;z=10.227860585172564

<sup>&</sup>lt;sup>33</sup> G. Bournoutian, "A Concise History of the Armenian People: From Ancient Times to the Present", (2003), Costa Mesa, California: Mazda Publishers.

1828, Azerbaijanis were the titular people in the territory of Modern Armenia."<sup>34</sup> This challenges internationally recognized facts upheld by academia, affirming that Yerevan's history extends to the 8th century BC. The city's establishment in 782 BC is credited to the construction of the Erebuni fortress by King Argishti I of Urartu, located at the western extremity of the Ararat Plain.<sup>35</sup> Azerbaijan claims that Yerevan is a "city inhabited only by Azerbaijani Turks since ancient times." Additionally, they dishonestly claim that the identification of Yerevan with the Erebuni fortress, founded by King Argishti I of Urartu, is a "clear example of falsification of history by Armenians." Azerbaijan's unfounded assertions that question these well-established historical facts are yet another dangerous and racist escalation that must be confronted byworld leaders and international organizations.

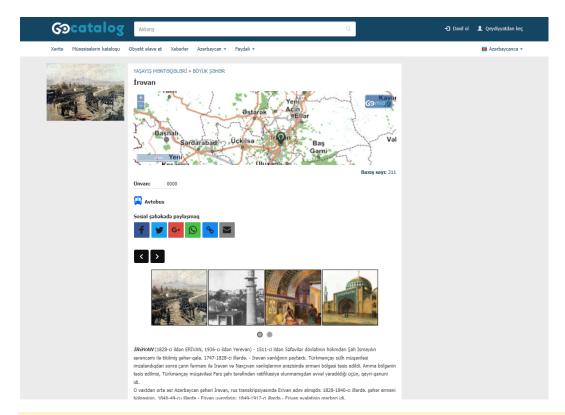


Map of "Western Azerbaijan" with false historical notes about Yerevan as an ancient Azerbaijani city.

-

<sup>&</sup>lt;sup>34</sup> See <a href="https://archive.ph/jG2Ei">https://archive.ph/jG2Ei</a> Original link: <a href="https://kataloq.gomap.az/az/all-poi/settlements/big-city/8202297d23c9484e8f5dc1f54cac1182">https://kataloq.gomap.az/az/all-poi/settlements/big-city/8202297d23c9484e8f5dc1f54cac1182</a>

<sup>&</sup>lt;sup>35</sup> A. Katsenelinboĭgen, "*The Soviet Union: Empire, Nation and Systems*", (1990), New Brunswick: Transaction Publishers. P. 143.



Catalog with falsificated historical facts about Yerevan as an ancient Azerbaijani city and cultural center.<sup>36</sup>

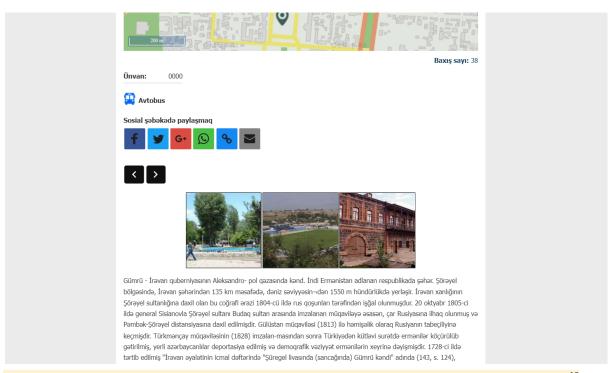
**5.7** The unsubstantiated assertions extend beyond the capital of Armenia to encompass various cities and villages, including Gyumri, the second-largest Armenian city. These claims purport that Gyumri is the ancestral land of Azerbaijanis, who were allegedly forcibly deported after Armenians began populating the city in 1918 following their transfers from Turkey. However, these claims neglect to acknowledge the fundamental cause of these population shifts—the Armenian genocide. This tragedy involved the survival of Armenians through harrowing experiences, including brutal death marches and mass exterminationperpetrated by the Ottoman Turkish Empire.

-

<sup>&</sup>lt;sup>36</sup> See more at >https://archive.ph/jG2Ei<; Original Link: https://kataloq.gomap.az/az/all-poi/settlements/big-city/8202297d23c9484e8f5dc1f54cac1182

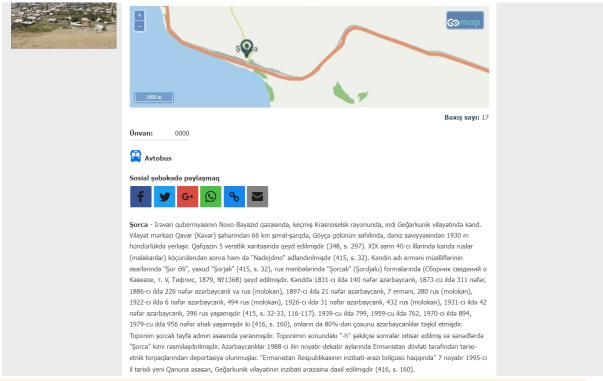


Map of "Western Azerbaijan" with false historical notes about Gyumri as an ancient Azerbaijani city.



Catalog with falsificated historical facts about Gyumri as an ancient Azerbaijani city. 37

<sup>37</sup> See more at >https://archive.ph/bxonN<; Original link: https://kataloq.gomap.az/az/all-poi/settlements/town/2431e8884b224c50a13d535f3d4ee04d 5.8 It is critical to underscore that Azerbaijan's extraterritorial claims transcend mere cartographic depictions or unsubstantiated declarations. Notably, the village of Shorzha in the Vardenis municipality is designated as an ancient ethnic Azerbaijani land in the catalog below. This area has faced repeated targeting by Azerbaijani armed forces in the aftermath of the 2020 war, subjecting the civilian population to a continuous state of fear. Water basins and natural water sources for Verin Shorzha, Nerkin Shorzha, and other villages have either come under Azerbaijani control or observation, leading to the deprivation of essential water facilities for the civilian population. The genocidal attacks by Azerbaijan have compelled almost the entire civilian population to abandon their homes, leaving those who remain vulnerable to direct enemy fire. Residents find themselves at risk even when venturing into open fields, as they become targets in the ongoing Azerbaijan's aggression.



Catalog with falsificated historical facts about Shorzha as an historical Azerbaijani land. 38

The Azerbaijani government has escalated this narrative by asserting comparable claims over every city and village within the sovereign territory of the Republic of Armenia. This expansive narrative extends to cities and villages spanning from Shirak province to Syunik, and Gegharkunik province to the Ararat region, all designated as historical Azerbaijani lands.

5.9 Various countries and international organizations, including resolutions from the European Parliament, have denounced Azerbaijan's territorial assertions. The European Parliament's resolutions underscore concerns about false territorial statements by Azerbaijani

<sup>&</sup>lt;sup>38</sup> See more at >https://archive.ph/18NFu<; Original link: https://katalog.gomap.az/az/all-poi/settlements/big-settlement/fd99b4c498884574a03a7c0dffac91df

authorities, characterizing Armenian territory as ancestral land.<sup>39</sup> Additionally, the Council of Europe issued a report categorizing Azerbaijan as a party inclined to employ hate rhetoric and even deny Armenia's territorial integrity.<sup>40</sup>

**5.10** However, without accountability, Azerbaijan continues its campaign to propagate its unfounded narrative globally, including within the United Nations (UN). Over the past months, Azerbaijan's Ambassador to the U.N., "upon instructions from the Government of the Republic of Azerbaijan,"41 disseminated two letters by the 'Western Azerbaijan Community' to all members of the UN General Assembly and Security Council. According to the letters, "[Alll Azerbaijanis expelled from the territory of nowadays Armenia and their descendants have the right to return to their homeland," and "in nowadays Armenia, Azerbaijani historical and cultural heritage, including mosques and graveyards, were massively destroyed, toponyms were changed."42

## 6.0 Conclusion and Recommendations

6.1 On October 4, 2023, U.S. Senator Ben Cardin (D-Md.), Chair of the U.S. Senate Foreign Relations Committee, sent a letter to U.S. Secretary of State Antony Blinken urging him to remain focused on holding the Aliyev regime accountable for ethnic cleansing in Nagorno-Karabakh and continue the United States' support for Armenians who were forced to flee the region. The letter stated:

"Following nearly a year of a horrific blockade, President Aliyev finally used military power to exert control over the region of Nagorno-Karabakh, effectively erasing its Armenian population and rich history. As the world continues to grapple with Azerbaijan's coordinated, intentional campaign of ethnic cleansing, we must both prioritize support for the Armenians who have been expelled as well as holding Azerbaijan accountable."

"As we look forward we must take steps to ensure that Azerbaijan does not advance militarily in pursuit for further territorial gains, including forcefully condemning inflammatory rhetoric. The United States should halt security assistance to Azerbaijan until it has stopped this brutal campaign. The United States and the international community must also reaffirm our commitment to documenting war crimes and atrocities, as well as continue to support efforts to repatriate prisoners of war, many of whom Azerbaijan continues to detain."

Letter dated 17 January 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General (A/77/706-S/2023/43).

<sup>&</sup>lt;sup>39</sup> "Joint Motion For a Resolution on prisoners of war in the aftermath of the most recent conflict between Armenia and Azerbaijan | RC-B9-0277/2021".

<sup>&</sup>lt;sup>40</sup> "Ensuring free and safe access through the Lachin Corridor".

<sup>&</sup>lt;sup>42</sup> Letter dated 22 February 2023 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General, https://digitallibrary.un.org/record/4007328.

"Finally, we must stand in solidarity with the Armenian people, particularly as Azerbaijan and Turkey eye the potential Zangezur corridor. We should increase humanitarian support for those ethnic Armenians who have left Nagorno-Karabakh. The U.S. should also continue to support democratic reforms that Armenia's leadership has taken in recent years, including efforts to promote transparency, good governance, and economic cooperation with the United States and Western Europe more broadly."

"I remain deeply concerned that Azerbaijan could take further military action to achieve additional political gains, particularly in regards to the so-called Zangezour<sup>43</sup> corridor. I strongly encourage you to continue to work with international partners and organizations to support accountability for the Aliyev regime's actions."

"It is critically important that the United States continues our commitment to prevent the commission of atrocities, protect vulnerable civilians, and hold those responsible for atrocities accountable for their actions," continued Cardin in his letter. "We must send a clear message to those who believe they can operate with impunity."

CEO of the National Endowment for Democracy, Damon Wilson, in support of Senator Cardin's letter stated:

"Not only are there still Azerbaijani troops on Armenian territory but Baku is, internally, cracking down on its critics. That's an important factor when we want to see Azerbaijan not overplay its hand and encroach on Armenian sovereignty and stand down. Those are things that Baku has to hear directly from Washington on."

The European Parliament, which has several times called for sanctions on Azeri officials over human rights abuses, has <u>urged</u> the EU to reconsider its relations with Azerbaijan. In October of 2023 it passed a non-binding resolution to sanction Azerbaijani officials. The EP's resolution titled "<u>On the situation in 'Nagorno-Karabakh' after Azerbaijan's attack and the continuing threats against Armenia</u>". The resolution states, in part,that the negotiations toward a Strategic Partnership Agreement with Azerbaijan should be suspended as long as Baku makes no progress on human rights. The resolution calls for an immediate end to the crackdown on civil society and human rights activists, and for the EU to step up support for Armenia. The EP also calls for the EU to review its relations with Azerbaijan and to suspend

<sup>&</sup>lt;sup>43</sup> The **Zangezur corridor** is a concept for a transport corridor which, if implemented, would give Azerbaijan unimpeded access to Nakhchivan Autonomous Republic without Armenian checkpoints via Armenia's southern province of Syunik and, in a broad sense, for the geopolitical corridor that would connect Turkey to the rest of the Turkic world thereby "uniting it".

 $<sup>\</sup>frac{44}{\text{https://www.politico.com/newsletters/national-security-daily/2023/11/30/the-last-days-of-hamas-office}{-\text{in-qatar-}00129313}$ 

<sup>45</sup> https://www.foreign.senate.gov/press/dem/release/chair-cardin-presses-administration-to-hold-azerbaijan-accountable-for-violations-in-nagorno-karabakh

all imports of oil and gas from Azerbaijan to the EU in the event of military aggression against Armenia.

Fossil fuel giant BP, the regime's <u>major extractive partner</u> and thereby key source of elite wealth, should also face questions about complicity in Azerbaijan's genocide.

**6.1** Azerbaijan has not been held accountable for multiple violations of human rights and war crimes. This underscores an alarming continuation of genocidal intent and illegitimate territorial claims, now extending to Armenia. President Aliyev's promotion of illegal territorial claims, coupled with impunity for the Nagorno-Karabakh genocide, fosters a dangerous environment for further aggression and land acquisition through violence, posing a severe threat to regional stability and the principles of international law. This concerning pattern of behavior is evident in 2020, and 2022, and continues unabated in 2024.

Among democratic states, the human rights and humanitarian crisis that Azerbaijan created should prompt international condemnation of the state's false propaganda efforts. Having long used the security situation in Nagorno-Karabakh as the pretext for repression, Azerbaijan should also now face fresh inquiry about its internal political repression and dismal human rights record.

Armenia's Prime Minister Nikol Pashinyan has recently <u>announced</u> a peace proposal based around improving regional integration. Now the status of Nagorno-Karabakh has, through conflict, been settled, it's to be hoped that's where the violence ends. But reconciliation can only come if the winning side is humble rather than triumphalist, and the signs on that aren't positive.

Above all, peace must mean justice: there must be accountability for human rights violations committed in the context of the 2020 conflict and the most recent combination of blockade, military offensive and forced deporations. Those left with no choice other than to flee need long-term resettlement support from international partners. And for an inclusive peace to be forged, it must be based on the principles of international human rights and humanitarian laws, accountability for crimes committed and non-violence to resolve differences.

## **6.2** CFTJ calls upon the international community, including the EU and the US, to:

- Ensure Azerbaijani officials are held accountable for it's action, including the imposition of sanctions to prevent further aggression, atrocities and another genocide against Armenians.
- Fulfill U.S. Secretary of State Blinken's directive to complete a full inquiry of Azerbaijan's action in Nagorno-Karabakh.
- Aid in efforts to substantiate and gather evidence related to potential war crimes and other atrocities committed by the Aliyev regime.

- Encourage relevant international justice tribunals to pursue accountability for Azerbaijani officials.
- Communicate to Azerbaijan that aggression against its neighbors, including the Republic of Armenia, is unacceptable and will result in unprecedented consequences for the Aliyev regime.