

Tom Lantos Human Rights Commission
Human Rights in Azerbaijan Since the Fall of Nagorno-Karabakh
Testimony by Gegham Stepanyan
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Chairman Smith, Chairman McGovern, honorable members, thank you for the opportunity to testify.

In the course of my report, I will present what I recorded both as a resident of Nagorno-Karabakh and as an Ombudsman, who, due to his mission, was a witness and documenter of the genocidal actions carried out by Azerbaijan against the people of Nagorno-Karabakh.

The military aggression by Azerbaijan against Artsakh (Nagorno Karabakh) in September 2020 and the subsequent systematic criminal policy of the Azerbaijani state pursued the goal of expelling Armenians from Artsakh, erasing the Armenian trace from a territory where indigenous Armenians have lived for millennia. The war crimes and crimes against humanity committed by Azerbaijan in 2020 were duly documented both by the Office of the Human Rights Defender of Artsakh and by many international human rights organizations.

After the cease-fire established on November 9, 2020 and the deployment of Russian peacekeepers in Artsakh, the population of Artsakh returned to their homes, hoping to have the opportunity to live under their own roofs without fear and in peace. Which did not happen.

After the establishment of the ceasefire until the September attack of 2023, the people of Artsakh went through hell, facing daily Azeri attacks, psychological terrorism, which was a coordinated state policy to drive Armenians out of their homes.

As the Ombudsman, I assumed my position in March 2021, and during the entire period of my office, I have witnessed how Azerbaijani positions open fire in the direction of peaceful Armenian communities, how people are kidnapped and beaten, how civilians are intimidated by the use of loudspeakers, deliberately disrupting the work of vital infrastructures, putting people under siege. These are the facts recorded in my reports¹

¹ Ombudsman's Reports: https://drive.google.com/drive/folders/1ZN1PQI-iaZBq9JV-LMyvj6_cMuyXfTLm?usp=sharing

Blockade

In December 2022, Azerbaijan deliberately blocked the Lachin Corridor. The Lachin Corridor was the only road connecting Nagorno-Karabakh with Armenia and the outside world. According to the Tripartite declaration of 2020, that corridor should be under the control of Russian peacekeeping troops. However, Azerbaijan, violating the provisions of the Tripartite Declaration, blocked the corridor with false ecological claims and subjected the people of Nagorno-Karabakh to a 9-month blockade. The Russian peacekeepers, who were supposed to ensure the safe movement of people and goods through the corridor, could not take any practical steps to lift the blockade.

During the 9-month siege, we witnessed the worst crimes. The entire population of Nagorno-Karabakh, including 30,000 children and 20,000 elderly people, fought daily for bread. Local supplies were running out and new supplies were not being made. Thousands of people lined up every day hoping to find a piece of bread, but many returned home empty-handed.

If until June 2023, through the International Committee of the Red Cross and Russian peacekeepers, it was possible to import at least a small amount of medicine and other essential goods to Artsakh, then after June 15, we were deprived of even that opportunity. Nagorno-Karabakh was under total siege.

Parallel to this, Azerbaijan deliberately stopped the operation of the only gas pipeline to Artsakh, which caused additional humanitarian problems for the civilian population. The electricity coming from Armenia to Artsakh was also deliberately stopped by Azerbaijan. Only locally produced electricity was used, which was not sufficient for the local population.

Although calls were made by various international organizations and individual states to Azerbaijan to stop the blockade and to restore the work of humanitarian infrastructures, Azerbaijan continued the blockade of Nagorno-Karabakh for 9 months. There was also the decision of the UN International Court of Justice, which demanded Azerbaijan to end the blockade, but Azerbaijan also ignored the decision of the highest international court.

The Ombudsman's office regularly interviewed the medical institutions about the state of health of the population. For example, we were informed that 9% of pregnant women suffered from anemia. Cases of miscarriages among pregnant women were being reported. I received information from a medical examiner from Artsakh that every person who died in that period suffered from

malnutrition. Specifically, in case of pregnant women, it was reported that malnutrition increased the likelihood of miscarriage and increased the frequency of fainting among children.

Large-scale violations of human rights as a result of the blockade were also recorded in detail in the reports prepared by the Office of the Human Rights Defender of Artsakh².

The Azerbaijani aggression of 2023

On September 19, 2023, after a 9-month blockade, Azerbaijan, violating the ceasefire approved by the 2020 trilateral declaration, again attacked the civilian population of Nagorno Karabakh. Azerbaijan's renewed attack on Artsakh began on September 19, 2023, at about 12:30 pm. Most of the pupils were still in school, and the students were at universities. Since it was such an hour when some of the children were still at school, while some were on their way home from school, parents went out to the streets and looked for their children. People assumed that after hearing the air alert on their way back home, some children would have entered the shelters in the nearby schools. Parents went from building to building in search of their children. From the first hours of the attack, mobile communications and the Internet were completely paralyzed. The Azerbaijani armed forces launched the first strikes on the communication towers, after which there was no proper communication available in Artsakh, and it was hardly possible to get in touch with loved ones. From the first minute of the renewed Azerbaijani aggression, the sounds of missile and artillery strikes did not stop for a minute. The entire population was under bombardments for 24 hours in a row, including thousands of children.

Azerbaijan also attacked the civilian objects. The Ombudsman's office received regular information about their attacks on various communities. In general, in such situations, the main task of the Ombudsman's office is to collect facts and inform the international community about the war crimes and the widespread human rights violations. Unlike the 2020 war, this time it was very difficult for us to carry out this task. From the very beginning of the Azerbaijani aggression, communication with the communities was cut off, we could not contact them to get information about the situation.

From time to time, the Ombudsman's office received information about residential buildings in Stepanakert being targeted. After receiving yet another news, we went out and recorded that one

² Ombudsman's Reports: https://drive.google.com/drive/folders/1ZN1PQI-iaZBq9JV-LMyvj6_cMuyXfTLm?usp=sharing

of the residential buildings located on Mkhitar Gosh Street in Stepanakert was damaged . Luckily, there were no people in the building, and no one was injured as a result of this strike. We received another information that, as a result of the Azerbaijani shelling of Sarnakhbyur community in Askeran region, there were wounded and victims, including children. Our team could not visit this community, as it came under the control of Azerbaijan, however, I personally met with the head of the Sarnakhbyur community in Stepanakert and got informed firsthand about the details of that incident. According to his testimony, Azerbaijanis shelled the residential part of the village, as a result of which 5 civilians were killed, including the son of the head of the village and 2 children of another resident of the same community. 15 people among the villagers got injured. According to the testimony of the head of the village, the villagers managed to escape and reach Askeran with great difficulty, from where they were transferred to Stepanakert.

As a result of the military actions, the Azerbaijani side moved forward and took control over all important roads, including those connecting the capital Stepanakert with the regional centers - Martuni and Martakert . As a result of this, the civilian population of different communities found themselves in a blockade. Because of the blockade, panic spread among the civilian population. People were cut off from all kinds of supplies. Even the wounded as a result of the military actions could not be transported to the Stepanakert hospital.

Several members of our staff regularly visited the morgue and hospitals of Stepanakert, trying to clarify the names of the dead and injured so that we could provide some information to their relatives. Although we launched a hotline, people mostly came to the government's building for some news. I personally went to the hospital, and wounded people, including civilians, were brought in every minute. There were cases where people died before being taken to the hospital.

The ceasefire was established in the afternoon of September 20 at about 13:00. Azerbaijanis already reached the outskirts of the city of Stepanakert, although the armed forces of Artsakh resisted with all their might to prevent the invasion of Stepanakert by the Azerbaijani armed forces. Their invasion could lead to a large number of civilian casualties. Under the threat of physical destruction looming over the civilian population, the government of Artsakh was forced to accept Azerbaijan's demands, the most important of which for Azerbaijan was the dissolution of the Artsakh (Nagorno-Karabakh) Republic and its army.

After the authorities of Nagorno-Karabakh accepted these demands and a ceasefire was established, the panic in Artsakh increased. People were constantly asking when the Lachin

corridor would open so that they could leave Artsakh with their families. No one imagined their life under the rule of Azerbaijan and did not want to live in humiliation. For the people who went through several wars and blockades, it was clear that it is impossible to live under Azerbaijani subjugation, which poisons its own society with Armenophobia every day. The atmosphere of fear, which was formed as a result of Azerbaijani crimes in Artsakh, forced people to leave everything and leave Artsakh as soon as possible.

Since September 21, people from different communities were constantly coming to Stepanakert, expecting that the Lachin corridor would open so that they could leave. After the ceasefire, a meeting of the Artsakh delegation and the Azerbaijani delegation took place. Although it seemed that certain agreements were reached, especially that Azerbaijanis should leave the vicinity of the peaceful settlements, life should be restored, this never happened. Azerbaijanis were not planning to leave any road. Moreover, they lit red lights in different surrounding areas of Stepanakert, signaling their presence. Thus, they tried to further intimidate the civilian population.

The entire Stepanakert was filled with people displaced from the communities. They were coming with nothing with them. They were coming and staying in the corridors of schools and public buildings. The residents of Stepanakert were trying to accommodate the displaced people in their homes. Many were left on the streets without food and warm clothes. There was not even food that could be distributed to people in Artsakh, which had been under blockade for 9 months. People tried to share whatever they had left with each other. It was a completely paralyzed situation, when everyone was worried about the safety of their families and was just waiting in panic when the Lachin corridor would open so that they could get out of hell.

This situation continued until September 24, when the first families began to pass through the Lachin corridor. The first to cross the Hakari Bridge were the residents of the villages of Yeghtsahogh, Hin Shen and Mets Shen of Shushi region. These people hid in their settlements for some time after the beginning of the Azerbaijani aggression, and then were taken to a Russian base near the road.

Forced Displacement

When the Lachin corridor opened, a large flow of people from different communities of Artsakh to Stepanakert began, from where everyone rushed to the migration path. As of September 24, according to the information I received, there were more than 4000 displaced people at Stepanakert

airport, they were the first to start moving towards the Lachin corridor. Those people who gathered at the airport had their own cars, while there were also those who were taken to the airport by the Russian peacekeepers. Those who had a car and fuel immediately set off, while those who did not have a car waited for buses to take them out of Artsakh.

The first to leave were people who had been displaced during the fighting on September 19-20 and were not even able to return to their homes to pick up at least some of their belongings. These people were left completely empty-handed, even without replacement clothing. Although they found shelter at the base of the Russian peacekeepers, many of them simply spent the night under the open sky. There was no place at their base to provide thousands of people with beds. They weren't even fed properly. The very little available food was given to children. I often got calls from people at the airport who either asked for food or asked when the road would open.

When we learned that Azerbaijanis had agreed to open the road and allowed people to leave Artsakh without a general passport check, the forced deportation began on a large scale. The convoy of cars reached our office's doorstep – Knunyantsneri Street in Stepanakert. Our office was located in a central part of the city. For a more visual explanation, I can say that the column stretched for 4-5 tens of kilometers. In the atmosphere of unbearable living conditions and fear, everyone wanted to leave Artsakh as soon as possible.

Those who had a car were looking everywhere for gasoline and other fuel to leave by their cars, while others were waiting for buses. I should say that there were not enough buses in Artsakh, and in order to transport thousands of people, buses had to arrive from Yerevan. They arrived at the end of September. I know that the Azerbaijani side refused entry to buses several times, but eventually allowed it.

On September 25, a powerful explosion happened at the fuel depot near Stepanakert, claiming 240 civilians. They all went to the warehouse that belonged to the Defense Army to find fuel to cross the Lachin corridor.

When the explosion happened, I ran out of my office and headed to the Stepanakert Children's Hospital, where the wounded were already being brought. The number of wounded exceeded 400 people. Stepanakert hospitals did not have the necessary medicines and other supplies to provide proper medical care. There weren't even any painkillers. I remember when I got to the hospital,

everything was covered in blood, the wounded were constantly brought in, and relatives were crying at the doors of hospitals, desperately looking for their relatives among the wounded.

From the conversations of the doctors, I realized that if the wounded remained in Artsakh without proper medical care, most of them would also die, and they urgently needed to be transported to Yerevan. I immediately informed the representatives of the government of Artsakh of this news, but it was only the next morning that it became possible to deliver the wounded to Yerevan by helicopters. This was how many people's lives were saved.

Due to the explosion, the chaotic situation in Artsakh worsened . When the mass departure of people from Artsakh began, we constantly received messages that there were elderly people in the houses, people with disabilities who did not have any guardians, and they needed help. Firstly, they needed food, and secondly, they needed assistance to leave Artsakh in case they wanted to. We have launched a hotline in our office, through which neighbors and relatives could inform us about the whereabouts of these people. We went from home to home, collected these people at the Stepanakert hospital and sent them by bus from there. Those feelings were simply unbearable. As there wasn't much room on the buses, we had to throw out people's bags. I remember the way people looked at me every time I had to take away their belongings from them and throw them off the bus to make room for another person on the bus. We carried out these works until noon of September 28, when I left Artsakh with my family and two colleagues from my office. After that, the Stepanakert office of the International Committee of the Red Cross took the responsibility of supporting the vulnerable groups of the population.

We drove about 50 km from Stepanakert to the Hakari bridge for more than 40 hours. There were cars lined up one after the other, which were moving very slowly. During the night, Azerbaijanis blocked the bridge and did not let the cars through. They said their working hours were up and they would only allow traffic in the morning. We saw a variety of cars: trucks with people sitting in the back, and when it started raining at night, everyone was soaked to the skin. There were cars on the road in both directions. Even in the opposite direction, there were cars, and if someone in this case needed medical care urgently, it was almost impossible to get to the place on time and help him. This was one of the reasons why about 70 people died on the deportation road, mostly the elderly and people with disabilities.

Only a few bedding items could be seen on top of the cars. mattresses, pillows, and clothes. It was the only thing people could take with them. During longer stops, people got out of cars, lit bonfires on the roadsides, baked bread so that they could at least eat a little to continue their journey.

The realization that you are leaving your home for good is an inexplicable feeling. When you realize that you need to leave behind everything that makes up your identity and head towards the unknown, where no one is even waiting for you and you don't know what will happen next - this is the greatest human tragedy. People left their homes, graves, and the Homeland, where they had a happy life, just to save their physical existence.

It was even more cruel for me and my family to go through that road, because there was a danger that, as the Ombudsman of Artsakh, I would also end up on the blacklist of Azerbaijanis. Especially given that throughout the entire period of my tenure I constantly received threats from Azerbaijanis. When the migration of people already started, everywhere I went in Stepanakert on the last days, I was asked the same question. "Did you check if you are on that list, too?" That was a list that, according to rumors, was compiled by Azerbaijanis and which included people who were supposed to be arrested by Azerbaijanis on the Hakari bridge.

I cannot explain with words the feelings of my parents, who were thinking all the time about what could have happened to me if I fell under the control of Azerbaijan. Everyone was thinking about it on the way out.

I also thought that there was a high probability that Azerbaijanis would take me right off the bridge. Azerbaijani journalists were stationed on the bridge, who approached people without permission and interviewed them in an atmosphere of fear. In fact, they were serving the state propaganda, trying to get the opinion of intimidated people. that people left of their own free will, that everything was fine with Azerbaijanis, that they did not cause any harm. I was afraid that these journalists would come to me. I thought that I definitely would not be able to give them the answers they would like to hear, and this could also be the reason for my arrest and abduction.

When we arrived at the Hakari bridge, mentally prepared myself to be taken away from the car by Azerbaijanis. However, the flow of the cars had increased so much that the Azerbaijani military, who were standing on the bridge, did not have time to inspect all the cars and so they let us go faster. Perhaps this was the reason that our car did not stay on the bridge for too long. After a few seconds, we crossed the bridge and already entered the territory of Armenia.

During 5 days, 120 thousand residents of Artsakh left Artsakh under the real threat of physical destruction. People whose ancestors lived in Artsakh for thousands of years left their houses, graves, historical and cultural heritage and left Artsakh. There are only 14 Armenians left in Artsakh today. I would like to emphasize that before the attack of September 27, 2020, the population of Artsakh was 145-150 thousand people.

All the facts are more than enough to confirm that what happened to the people of Nagorno Karabakh is a crime against humanity. In its report, Freedom House noted that the illegal blockade of Nagorno-Karabakh and the forced displacement of the people of Nagorno-Karabakh correspond to the definition of ethnic cleansing. The International Association of Genocide Scholars clearly states in its resolution that these events correspond to the characteristics of Genocide defined by the Convention on the Prevention of Genocide.

Despite this, it is sad to see that these events are not properly evaluated by the international community and Azerbaijan is not held accountable for the crimes committed.

Current issues

After the forced displacement, the people of Nagorno-Karabakh found refuge in the Republic of Armenia. However, the Artsakh people continue to live in unspeakable suffering, facing violations of their rights every day.

International support and integration issues. Although steps have been taken by the Republic of Armenia and international organizations to provide social and humanitarian support to forcibly displaced people, many issues remain unresolved, including the issues of proper housing and decent employment. Thousands of refugees live in extreme poverty because the support provided to them does not meet their needs. In this matter, the people of Nagorno-Karabakh need tangible international support, because the provided support is not enough to solve the problems of the displaced and ensure a dignified life.

Azerbaijan's destruction of historical, cultural and spiritual heritage in Nagorno-Karabakh. Azerbaijan, taking advantage of the atmosphere of impunity, continues to eliminate our historical and cultural values proving the Armenian presence in Nagorno-Karabakh, one of its vivid examples is the complete destruction of the Kanach Khach Church in Shushi, the destruction of the Karin Taq community and many such examples, which are documented on a daily basis by

human rights organizations. Azerbaijan is not held accountable for these crimes, which gives a green light for further crimes.

Destruction of property of Armenians in Nagorno Karabakh. Azerbaijan destroys and appropriates houses and other property belonging to Armenians in Artsakh on a daily basis. Destroys entire settlements, destroys everything that belongs to the residents of Nagorno Karabakh. Videos are being spread on Azerbaijani telegram channels, in which it is seen how property belonging to Armenians is being thrown out of the windows and their property is being appropriated.

The issue of Armenian prisoners of war and hostages held illegally in Baku. Azerbaijan continues to keep Armenian prisoners of war and hostages in Baku prisons. 23 persons confirmed by Azerbaijan are illegally detained in Azerbaijani prisons, 8 of them are representatives of the military-political leadership of Artsakh. In the past, it has been repeatedly documented that Armenian prisoners are tortured in Azerbaijani prisons, they are treated inhumanely, and Azerbaijan does not even allow international human rights organizations to get real information about the health conditions of these people. This issue is used by Azerbaijan as a topic for political bargaining, which grossly violates the principles of international humanitarian law.

The problem of the missing and the forcibly disappeared. As a result of the Azerbaijani attack in 2023, 14 people are considered missing from Artsakh. As a result of the explosion that took place in Artsakh on September 25, the fate of 22 more people is unknown. All attempts to get any information about their fate from the Azerbaijani side have not yielded any results.

Right of return. For thousands of people forcibly displaced from Nagorno Karabakh, the question of returning to their homeland remains the most important issue. The right of return, which was also recorded by the interim measures adopted by the International Court of Justice of the United Nations, continues to be ignored by the international community. Although various structures and individual states sometimes make statements about the right of return of the people of Artsakh, there are no substantive discussions about it. There is not even a platform where it would be possible to address this most important issue for us. The issue of return is not discussed in the Armenia-Azerbaijan negotiations. The issue of initiating international discussions to ensure the collective, innocent and dignified return of the people of Nagorno-Karabakh remains a serious imperative.