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Adviser on the Prevention of Genocide**

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**UNIVERSITY
NETWORK
FOR HUMAN
RIGHTS**

Risk of Ethnic Cleansing and Possible Genocide in Nagorno-Karabakh

Results from Applying the Framework for Analysis of Atrocity Crimes

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Introduction

The ethnic Armenian population of Nagorno-Karabakh, known as Artsakh by Armenians, is under the very real threat of ethnic cleansing and potential genocide. The risk may extend to the southern portion of Armenia as well.

The University Network for Human Rights, in collaboration with lawyers, academics, and students from Harvard Law School Advocates for Human Rights, UCLA's Promise Institute for Human Rights, Wesleyan University, Oxford University and Yale's Lowenstein Project, has been investigating atrocities perpetrated by Azerbaijani forces against ethnic Armenians during the 44-Day Nagorno-Karabakh War in 2020, after the ceasefire, during the 2022 attacks in sovereign Armenia, as well as in periods of relative peace.

Our findings are based primarily on multiple fact-finding trips – two in Nagorno-Karabakh and four in Armenia – between March 2022 and July 2023. The University Network has conducted almost 100 firsthand interviews with forcibly displaced persons, families of missing or forcibly disappeared soldiers, families of victims of extrajudicial killings, returned prisoners of war (POWs), and current residents of Nagorno-Karabakh and border communities in Armenia. We have also carried out independent verification of claims presented by Armenian human rights organizations using open source intelligence. We conclude that the Azerbaijani government, at the highest levels, has condoned, encouraged, facilitated the commission of or directly perpetrated the most egregious forms of violence against Armenians. **Together, the abuses we documented suggest a well-organized, comprehensive campaign to empty Nagorno-Karabakh and parts of Armenia of Armenians.**

Herein we present evidence of the substantial presence of risk factors of atrocity crimes, including 11 indicators for Common Risk Factors 1, 2, 3, and 4, as well as 10 indicators for Specific Risk Factors 9, 10, 11, and 13. Indicators for other risk factors are present as well. However due to the urgency of the situation, we have elected to present this submission with the information immediately available to and verified by our organization. Some of the content presented here may be repetitive, as any individual situation, incident or pattern of behavior may be demonstrative of several indicators. To avoid unnecessary repetition, we hyperlink to the relevant content under related indicators whenever possible.

Common Risk Factors

Risk factor 1: Situation of armed conflict

Indicator 1.1 International or non-international armed conflict.

The existential threat to Nagorno-Karabakh Armenians and Armenians living along the Armenian-Azerbaijani border is enmeshed in both international and non-international armed conflict. War broke out in Nagorno-Karabakh on September 27, 2020. For 44 days, combat was contained to the area in and around Nagorno-Karabakh, in territory internationally recognized as Azerbaijan. A ceasefire agreement signed between Armenia and Azerbaijan in November 2022 not only failed to stop the

continued onslaught in Nagorno-Karabakh by Azerbaijan, but also spilled over into parts of Armenia, primarily affecting areas populated by unprotected civilian communities.

Indicator 1.3 Humanitarian crisis or emergency, including those caused by natural disasters or epidemics.

Since December 2022, Azerbaijani forces have facilitated and directly implemented actions and policies leading to the closure of the Lachin Corridor—the only road connecting Nagorno-Karabakh (via Armenia) to the rest of the world. As a result, a humanitarian crisis involving severe food shortages, depleted fuel reserves, irregular electricity supplies, empty pharmacies and extremely limited access to medical care has unfolded. The humanitarian crisis has been exacerbated by the periodic sealing off of the road even to medical convoys exiting to Armenia, and the near complete isolation of Nagorno-Karabakh from international observers, human rights defenders, journalists, and aid workers.

Azerbaijan's obstruction of freedom of movement along the Lachin Corridor (the Corridor) has gradually increased since the end of the 44-Day War. Initially, the Azerbaijani government supported—if not directly facilitated—protests by its citizens who blocked the corridor. The protests were eventually replaced by the creation of a formal border checkpoint, followed by the installation of a concrete barrier, until ultimately reaching a state of complete prohibition of all movement of people, goods, services and humanitarian aid, including International Committee of the Red Cross (ICRC) medical transport vehicles.

The economy of Nagorno-Karabakh has largely depended on commerce with and through Armenia since the collapse of the USSR. Since the blockade began, the inability of residents of Nagorno-Karabakh to leave or enter has suspended commerce for months, and hence eliminated sources of livelihood for a large portion of the population of Nagorno-Karabakh.

When the blockade of the Corridor began in the winter of 2022, shortages in foodstuffs, gas canisters, and wood for cooking and heating, as well as medicine, clothing, and other essential goods forced the governing authorities in Nagorno-Karabakh to implement a rationing system. In parallel, the ICRC, which has a longstanding presence in Nagorno-Karabakh, has played an important role in providing humanitarian aid during and after the war. A representative of the ICRC told the University Network, “We are trying to rebuild contingency stocks,” and “there are certain pressing needs that we are partially somehow able to mitigate, but we can not claim that we are covering them in full.” That was the situation in March, three months before Azerbaijan completely sealed off the Lachin Corridor to the passage of goods, services, humanitarian aid and, for a period, emergency medical transfers.

An International Court of Justice [ruling](#) on provisional measures from February 2023 instructed Azerbaijan to “take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions.” As described above, the impediments to freedom of movement not only continued, but worsened in the months following the ruling. On August 7, a group of United Nations Special Rapporteurs called the situation caused by Azerbaijan's blockade of the Lachin Corridor a [humanitarian emergency](#). That same day, Luis Moreno Ocampo, former International Criminal Court Prosecutor, published a [report](#) describing the blockade as “ongoing Genocide by starvation.”

Risk factor 2: Record of serious violations of international human rights and humanitarian law

Indicator 2.1 Past or present serious restrictions to or violations of international human rights and humanitarian law, particularly if assuming an early pattern of conduct and if targeting protected groups, populations or individuals.

Azerbaijan has performed dismally on human rights for decades. This has been widely documented by international human rights organizations, including Human Rights Watch, which recently concluded in its [World Report 2023](#), “Azerbaijan’s human rights record did not improve in 2022. In May, authorities released more than 20 individuals imprisoned on politically motivated and bogus charges,” “authorities continued to target its critics and other dissenting voices,” and “[o]ther persistent human rights problems included systemic torture and ill-treatment in custody.”

In Nagorno-Karabakh and on the Armenian-Azerbaijani border during the 44-Day War in 2020 and since the ceasefire, Azerbaijan has systematically committed serious violations of humanitarian and human rights law against the Armenian population through arbitrary detentions, acts of torture, extrajudicial killings, enforced disappearances, and the destruction of cultural heritage.

During the 2020 Nagorno-Karabakh War and since the ceasefire, Azerbaijan **arbitrarily detained individuals in violation of both international humanitarian and human rights law**. Many of these victims are still in custody or remain unaccounted for. Following the ceasefire, Azerbaijan has continued to carry out these same abuses against Armenians captured in their incursions into sovereign Armenian territory.

Capture of Armenian soldiers occurred in places with no ongoing hostilities, as soldiers retreated from combat zones in Nagorno-Karabakh, as well as in contested border locations. Since the ceasefire, Azerbaijan has seized Armenians outside the scope of regular military operations, including by detaining Armenian civilians who accidentally crossed unmarked borders in disputed territory; detaining villagers as they tended to their land and herded their livestock; and capturing Armenian soldiers in groups through entrapment. The latter has occurred after surprising or luring in Armenian soldiers by feigning good-faith negotiations.

Azerbaijani forces have also subjected Armenians to due process violations after detaining them, including spurious charges such as illegally crossing a border in the context of a territorial dispute; use of coerced self-incriminating testimony; and lack of access to interpreters, adequate legal representation, and trial by an independent and impartial tribunal.

Azerbaijan has committed **acts of torture and cruel, inhuman, or degrading treatment** against prisoners of war despite having ratified the Four Geneva Conventions, as well as the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, and other regional instruments. Forms of torture and mistreatment have included prolonged and repeated beatings with batons, skewers, brooms, and firearms; lacerating wrists with zip-ties; employment of electrical current and stress positions; sleep deprivation; confiscation of warm clothing during extreme cold; deprivation of food, water, and hygiene products; and infliction of mental suffering and humiliation. Torture has sometimes been accompanied by expressions of religious or

ethnic discrimination targeted specifically against Armenians. Additionally, Azerbaijani state forces have often shared videos of torture on social media and public television, which has humiliated the victims, instilled fear among Armenians, and perpetuated the forced displacement of those remaining in Nagorno-Karabakh.

Torture and cruel, inhuman, or degrading treatment have taken place throughout the detention of POWs. Differences in conditions and treatment tend to correlate with the location or stage of detention: initial capture, transfer, holding cell/military police custody, State Security Service (SSS) custody, and prison. The worst treatment has taken place in the military police stations, in SSS buildings, or during the transfer of captives between detention sites. The ICRC has had access to captives only when detainees are in prisons (the final stage of captivity), but not when they are in military police or SSS custody. Thus, the worst acts of torture have gone undocumented and unpunished.

Investigations by the University Network also strongly suggest that the Government of Azerbaijan has condoned, facilitated, and directly perpetrated **enforced disappearances** tied to arbitrary detentions and use of **secret detention**. We reach this conclusion on the basis of several findings: the existence of 80 cases of missing individuals who were last known to be alive while being held by Azerbaijani forces (these cases have been brought before the European Court of Human Rights by Armenian lawyers); firsthand interviews with two different returned POWs who were in Azerbaijani custody for months before their status changed from “missing” to “POW”; and testimony from one returned POW who reported being in detention in Azerbaijan alongside an Armenian who to this day is classified “Missing in Action” or “MIA.”

Azerbaijani forces have carried out **extrajudicial killings** of Armenian soldiers and civilians both during and following the 44-Day War for which no individual has been held to account. Post-war killings have ranged from summary execution of soldiers in the wake of combat who had been injured and/or disarmed prior to their execution to entering communities and killing the civilians who remain, all in violation of international humanitarian law. Among non-combatants who have been extrajudicially killed are the elderly and disabled who would not or physically could not escape before Azerbaijani forces overtook their towns.

In aggravation, these acts were filmed and posted to social media by the perpetrators themselves, and then widely circulated on TikTok and Telegram. Azerbaijani forces have also filmed the bodies of combatants killed in action, which they mutilated post-mortem. Practices include chopping off limbs, carving messages across torsos, exposing victims’ genitals and breasts, inserting digits or foreign objects into victims’ mouths and empty eye sockets, severing victims’ heads, and placing severed heads onto the bodies of animals, among other forms of horrific treatment. Azerbaijani forces have also summarily executed and mutilated civilians who remained in the towns that they captured and soldiers whom they took after an Azerbaijani victory in the battlefield. The widespread and numerous nature of these killings in conjunction with frequent expressions of praise from the Azerbaijani public and the absence of accountability suggests that this has been a systematic practice within the Azerbaijani military, rather than isolated cases.

These and other findings from our factfinding missions were published in a University Network [Briefing Paper](#) in August 2023. A comprehensive report is forthcoming in fall 2023.

Indicator 2.2 Past acts of genocide, crimes against humanity, war crimes and 2.7 Absence of reconciliation or transitional justice processes following conflict.

[Massacres against Armenians in Azerbaijan occurred in the lead-up to the first Nagorno-Karabakh War in the early 1990s](#). Armenians have also been accused of committing atrocity crimes against Azerbaijanis during the first Nagorno-Karabakh War. [Both sides committed grave violations of international human rights and humanitarian law during the first Nagorno-Karabakh War](#). In the three decades of “frozen conflict” that followed the end of the first war, the minimum conditions necessary to initiate truth and reconciliation or a transitional justice process have not been in place.

The most well-known act of genocide against Armenians was the killing and expulsion of 1.5 million Armenians from the eastern portion of the Ottoman Empire in 1915. Turkey and Azerbaijan, who identify as “[brothers and sisters in line with the understanding 'one nation, two states'](#)”, do not recognize those events as genocide.¹

Indicator 2.6 Justification, biased accounts or denial of serious violations of international human rights and humanitarian law or atrocity crimes.

Azerbaijan has denied responsibility for widespread abuses of human rights carried out by state forces during and following the 44-Day War. One of the most glaring examples of negation of human rights violations is Azerbaijan's denial of arbitrary detention and due process violations: Despite Azerbaijan’s continued arbitrary detention of Armenian soldiers, Azerbaijan publicly denied prisoner of war status to Armenian detainees. The Ministry of Foreign Affairs of Azerbaijan published the following [statement](#) justifying its decision:

The Government of Armenia has attempted to confuse the context in which arrests have been made. Following the end of the conflict, marked by the signing of the Trilateral Statement of 10 November 2020, anyone detained in Azerbaijan cannot be considered POWs. Those sent by Armenia to the territory of Azerbaijan with the aim of engaging in sabotage and terrorist activities in the period after the signing of the mentioned Trilateral Statement, are not and cannot be considered as POWs in accordance with international humanitarian law and are liable under the criminal law of the Republic of Azerbaijan. Detainees are being treated in accordance with international human rights law, and Azerbaijani law upholding their rights. To reiterate, Azerbaijan has returned all detainees classified as POWs.

Related to Azerbaijan's refusal to acknowledge arbitrary detention and due process violations is the pattern of forcibly disappearing captured Armenian troops by denying knowledge of their whereabouts or fate, despite strong evidence that the individuals in question had been in Azerbaijani custody. Enforced disappearances are discussed under [indicator 13.12: Refusal to acknowledge detentions or places of detention or to allow visits by delegates of the International Committee of the Red Cross](#).

¹ Today, Turkey is Azerbaijan's ally and actively participated in military operations during the 2020 Nagorno-Karabakh War, including in the provision of weapons, training, and the direct engagement of Turkish troops in combat, according to several testimonies from returned prisoners of war who reported seeing the Turkish flag on the uniforms of their captors in interviews with the University Network. Moreover, Turkey exerts influence over Nagorno-Karabakh and its Armenian population through its close political, economic and military ties with Azerbaijan, as well as through the Russian-Turkish monitoring center created as part of the November 2020 ceasefire agreement.

Risk factor 3: Weakness of State structures

Indicator 3.1 National legal framework that does not offer ample and effective protection, including through ratification and domestication of relevant international human rights and humanitarian law treaties.

The Azerbaijani State's failure to effectively protect human rights is made manifest in its **poor performance on rule of law, civil and political liberties, and freedom of the press indicators**. On the [Transparency International Corruption Perception Index](#), Azerbaijan has a score of 23 out of 100, earning it a ranking of 157 out of the 180 nations covered by the index, among the “[worst performers](#)” of Eastern Europe and Central Asia. Transparency International writes, “Corruption in Azerbaijan is widespread, and effective opposition to the government has been weakened by years of crackdowns on rival politicians and civil society.” Azerbaijan is classified as [Not Free](#) in the Freedom in the World index, scoring a 9 out of 100 points in 2022. Additionally, Azerbaijan ranks 151 out of 180 countries measured in the Reporters without Borders [Press freedom index](#).

Azerbaijan has not fully supported three crucial international human rights treaties. It has not ratified the Convention on Enforced Disappearance and is not party to the 1977 Additional Protocol to the Geneva Conventions, nor the Rome Statute.

Indicator 3.3 Lack of an independent and impartial judiciary.

The Council of Europe has expressed [concern](#) with the independence of Azerbaijan's judiciary, stating, “We call on the authorities to pursue the reforms of the judiciary and the prosecution service to strengthen their independence and restore confidence in the justice system. We welcome the readiness expressed by the Minister of Justice of Azerbaijan to closely cooperate with the Council of Europe with regard to the justice reform.” Although Azerbaijan attempted to make amendments to address these issues in 2019, the judiciary still remains dependent on the executive branch in accordance with Article 128 and Article 130 of the Azerbaijan Constitution.

According to Freedom House's [Freedom in the World 2022 Report](#), in Azerbaijan “constitutional guarantees of due process are not upheld. Arbitrary arrest and detention are common, and detainees are often held for long periods before trial.”

In interviews with returned Armenian POWs and their lawyers, University Network researchers detected a number of systematic due process violations including: spurious charges such as illegally crossing a border in the context of a territorial dispute; use of coerced self-incriminating testimony; and lack of access to interpreters, adequate legal representation, and trial by an independent and impartial tribunal.

Risk factor 4: Motives or incentives

Indicator 4.3: Strategic or military interests, including those based on protection or seizure of territory and resources.

The President of Azerbaijan Ilham Aliyev has expressed in no uncertain terms his government’s strategic and military interest in seizing Nagorno-Karabakh and Armenia.

The motive of territorial acquisition has been expressed in Azerbaijani officials' usage of the term "Western Azerbaijan" to refer to Armenia as historical Azerbaijani lands and explicit expressions of plans to seize those lands through military force.

In [remarks published on the official webpage of the President of Azerbaijan](#), Aliyev reflects on these territorial aspirations:

I am sure that there will come a time when our compatriots from Western Azerbaijan, their relatives, children and grandchildren will return to our historical land, to Western Azerbaijan. . . .

The messaging about Azerbaijan's historical right to present-day Armenia includes villainization of Armenians:

Western Azerbaijan is our historical land. . . . Unfortunately, as they did in Karabakh, the Armenians razed all our historical and religious monuments in Western Azerbaijan to the ground. They wanted to erase the historical heritage of the Azerbaijani people, but they failed. . . .

Aliyev openly depicts the gradual approach through successive military operations through which Azerbaijan will seize additional territories inhabited by Armenians.

But we did not break; we did not bend. We did not lose faith; we gathered strength and eventually achieved what we wanted. Two years ago, we fulfilled our historical mission with dignity, restored justice, expelled the enemy from our lands and restored the territorial integrity of Azerbaijan. . . .

Many important events have taken place during the year. We had to carry out a military operation on the Azerbaijan-Armenia border. **As a result of this military operation, the historically Azerbaijani cities are now visible to us. . . .**

Our military and political successes achieved this year have laid the groundwork for the future. (Emphasis added by University Network).

The motive to seize territory manifests not only in rhetoric, but policies and actions. In [a recent report explaining the crisis on the Lachin Corridor](#), International Crisis Group explained:

Baku appears to view the checkpoint as a way of asserting control of territory that legally belongs to Azerbaijan but remains out of its hands under the armistice terms, and which Baku now refers to as the 'former Nagorno-Karabakh Autonomous Oblast.' Indeed, **a mid-level Azerbaijani official characterised the move to Crisis Group as a 'reclamation of sovereignty.'** (Emphasis added by University Network). Another Azerbaijani official told Crisis Group that Baku **will use the new checkpoint to 'observe, control and influence' Nagorno-Karabakh.** (Emphasis added by University Network).

Azerbaijan's specific methods of "control and influence" have culminated in the humanitarian crisis described above under [Indicator 1.3: Humanitarian Crisis or Emergency Situation](#).

Seizure of territory has been incremental since the conclusion of the 2020 War. After the initial transfer of some areas to Azerbaijan in accordance with the terms of the 44-Day War ceasefire agreement, Azerbaijani forces advanced further into sovereign Armenian territory on several occasions throughout 2021. These operations culminated in the September 2022 attacks across four distinct civilian and

touristic areas in the southeast of Armenia. The September 2022 attacks brought with them another round of arbitrary detentions, torture of Armenian captives, and summary executions.

Indicator 4.8 Politicization of past grievances, tensions or impunity

In 2004, Azerbaijani Ramil Safarov murdered an Armenian, Gurgen Margaryan, at a NATO Partnership for Peace course in Hungary by bludgeoning him to death with an ax. Safarov received a life sentence in Hungary, but was subsequently extradited to Azerbaijan. Revenge was apparently a key motivating factor behind the murder, with Safarov's parents [reportedly detailing atrocities committed by Armenians against their relatives](#) to the Institute for War and Peace Reporting (IWPR) following the murder: “Two of his cousins died from the bullets of Armenian aggressors – Ildirim Khudiev and Jabbar Yusifov. . . . What kind of attitude do you have to that?”

The [actions](#) of President Ilham Aliyev after Safarov's extradition demonstrate **tolerance for violence against people of Armenian ethnicity and politicization of revenge at the highest level of government**. According to the facts laid out in the [decision](#) on a case brought to the European Court of Human Rights, “[u]pon his arrival in Azerbaijan, [Safarov] was informed that he had received a presidential pardon and was released. He was also promoted to the rank of major at a public ceremony, granted a flat and paid eight years of salary arrears.” [Amnesty International USA](#) noted that Azerbaijan's actions after Safarov's extradition suggest that “[Margaryan's] brutal murder based on his ethnicity was, retroactively, a state-sponsored hate crime.”

Indicator 4.9 Social trauma caused by past incidents of violence not adequately addressed and that produced feelings of loss, displacement, injustice and a possible desire for revenge.

Azerbaijanis frequently recall human rights abuses perpetrated by Armenians during the first Nagorno-Karabakh War, including the killings of civilians in Khojaly and forced displacement from Nagorno-Karabakh and Armenia, as well as Armenia's occupation of Azerbaijani territory outside the former Nagorno-Karabakh Autonomous Region by Armenian forces.

The desire for revenge is manifested as much in action as in words. Several witnesses and victims described to the University Network how prisoners of war captured during the 44-Day War in 2020 were treated notably worse if they were elderly due to their presumed participation in the first Nagorno-Karabakh War. The latter conclusion is consistent with Amnesty International's findings in its report [Last to Flee: Older People's Experience of War Crimes and Displacement in the Nagorno-Karabakh Conflict](#).

Returned Armenian POWs also described to University Network researchers how prison guards frequently brought up the Khojaly massacre from the first war. More recently, Azerbaijan has [charged a 68-year-old Armenian detained when crossing the Azerbaijani checkpoint](#) in an ICRC medical convoy last June with war crimes he allegedly committed in 1991 during the first Nagorno-Karabakh War in the Khojaly district.

Specific Risk Factors

Risk factor 9: Patterns of discrimination against protected groups

Indicator 9.2 Denial of the existence of protected groups or of recognition of elements of their identity.

Azerbaijan invokes the concepts of “Western Azerbaijan” and “Caucasian Albania” to deny the historical existence of autochthonous Armenians in Nagorno-Karabakh and present-day Armenia, as well as to overwrite evidence of the presence of Armenian culture and societies in Nagorno-Karabakh and Armenia. In the same speech referenced above under [Indicator 4.3: Strategic or Military Interests](#), the President of Azerbaijan stated, “Armenia was never present in this region before. Present-day Armenia is our land.”

As a matter of state policy, Azerbaijan erased Armenian writing and markings from Armenian cultural monuments and churches that have come under their control after the 44-Day War in 2020. In February of 2022, Azerbaijan's Minister of Culture had announced [plans to establish a working group](#) which would be responsible for removing “the so-called traces written by Armenians on Albanian religious temples”. In a [report](#) released in June 2023, Cornell University's Caucasus Heritage Watch project identified 38 cultural sites in Nagorno-Karabakh that have been threatened, destroyed or damaged since passing to Azerbaijani control.

During our first factfinding trip to Armenia, University Network researchers spoke with Vardan Asatryan, a historian of carpets and museum owner who fled Shushi (Shusha) before it was overtaken by Azerbaijani forces, but not before rescuing some items from his collection. After showing our researchers a video posted on YouTube of Azerbaijani troops capturing and ransacking what was left of his museum, Vardan said, “How could I leave my artifacts there – what would happen to them? They would pillage my museum like they did the second building. They would claim it as theirs. . . . If I had left them there, us as a culture, you would say goodbye to us. The history of our culture weaved into the carpets would disappear.”

The revisionism has extended to a successful campaign to rename and publish false historical data about Armenian churches on Google Maps, including sites known to and visited by our team.

In December 2021, the International Court of Justice [instructed](#) Azerbaijan to “take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, including but not limited to churches and other places of worship, monuments, landmarks, cemeteries and artifacts.” Azerbaijan did not comply with this decision: Two years and four months after the ICJ ruling, the European Parliament passed a [resolution](#) acknowledging that the “elimination of the traces of Armenian cultural heritage in the Nagorno-Karabakh region is being achieved not only by damaging and destroying it, but also through the falsification of history and attempts to present it as so-called Caucasian Albanian.” Further, the resolution strongly condemned “Azerbaijan’s continued policy of erasing and denying the Armenian cultural heritage in and around Nagorno-Karabakh” and recognized that the “erasure of the Armenian cultural heritage is part of a wider pattern of a systematic, state-level policy of

Armenophobia, historical revisionism and hatred towards Armenians promoted by the Azerbaijani authorities.”

Indicator 9.3 History of atrocity crimes committed with impunity against protected groups.

See above, [Indicator 2.2: Past acts of genocide.](#)

Indicator 9.4 Past or present serious tensions or conflicts between protected groups or with the State, with regards to expressions of group identity or to perceptions about the targeted group.

Regarding past conflicts between the protected group and the State: The Armenian majority of the Nagorno-Karabakh Autonomous Oblast declared independence from Azerbaijan in 1991 as an expression of national self-determination. This declaration came after massacres and forced displacement from Azerbaijan, and ultimately triggered the first Nagorno-Karabakh War. We have provided more information about circumstances surrounding the first Nagorno-Karabakh War under Indicators [1.1](#) and [2.2](#).

Regarding perceptions about the targeted group: Hateful rhetoric about Armenians has emanated from the highest levels of the Azerbaijani government. President Aliyev has referred to ethnic Armenians as “[barbarians and vandals](#),” who are infected with a “[virus](#)” for which they “[need to be treated](#).” Elnur Aslanov, head of the Political Analysis and Information Department of the Presidential Administration, referred to Armenia as a “[cancerous tumor](#).”

The University Network interviewed older people during our fact-finding trips, four of whom had lived in Baku and other parts of Azerbaijan outside Nagorno-Karabakh while Azerbaijan was a Soviet Republic. During the interviews, they recalled how pervasive hate speech and discrimination in Azerbaijan has been a major driver of violence against ethnic Armenians at least since the 1980s. Decades later, the Advisory Committee on the Framework Convention for the Protection of National Minorities of the Council of Europe echoed this perception, [warning](#), “an entire generation of Azerbaijanis has now been raised with a rhetoric of hate, hostility and victimhood, which may have an impact on prospects of future reconciliation.”

Risk factor 10: Signs of an intent to destroy in whole or in part a protected group

Indicator 10.2 Targeted physical elimination, rapid or gradual, of members of a protected group, including only selected parts of it, which could bring about the destruction of the group.

Azerbaijani forces have summarily executed and mutilated civilians who remained in the towns that they captured. Others they detained and transferred to Baku, charging them with crimes or releasing them to Armenia as part of prisoner exchanges. As a result, **there are no Armenians left in areas of Nagorno-Karabakh taken over by Azerbaijani forces during the 44-Day War in 2020.**

Killings of elderly civilians have been widely documented, including by Amnesty International in its report [Last to Flee](#) and in this [press release](#) calling for investigations of decapitations and war crimes. The Armenian town of [Hadrut](#) has been host to at least 23 civilian killings during the 44-Day War in

2020. That number does not include an additional 15 individuals who were still missing in August 2023, according to information provided to the University Network by a displaced community organizer from Hadrut. According to information Amnesty International obtained from the Office of the Human Rights Defender of Nagorno-Karabakh, more than half of the 48 documented civilians killed during the 44-Day War were elderly persons, at least 30 of whom were unable or unwilling to flee before Azerbaijani forces took their town. The relatives who survived them, [some of whom spoke to University Network researchers](#), think that their loved ones did not believe that they would be killed.

Indicator 10.3 Widespread or systematic discriminatory or targeted practices or violence against the lives, freedom or physical and moral integrity of a protected group, even if not yet reaching the level of elimination.

Azerbaijan has deployed a series of mutually reinforcing measures that have made life in Nagorno-Karabakh impossible for its 120,000 inhabitants. This situation will result in the mass exodus of ethnic Armenians from Nagorno-Karabakh (assuming Azerbaijan lifts the blockade of the Lachin Corridor and ceases to threaten those who leave with arbitrary detention),² the coerced surrender of the self-declared independent republic to subjugation under Azerbaijan, or the slaughter of the Armenians still living in Nagorno-Karabakh (see precedents in [Indicator 10.2](#) above).

Azerbaijan has employed three categories of practices against the lives, freedom, and physical and moral integrity of the population of Nagorno-Karabakh:

- 1) Attacks on border villages,
- 2) Siege of Nagorno-Karabakh through the blockade of the Lachin Corridor, and
- 3) Abusive control of vital infrastructure.

Attacks on border villages

According to dozens of people with whom University Network researchers spoke, one of the principal forms of violence that has driven many residents of border communities from their homes has been Azerbaijan forces' use of intense and persistent shelling. For instance, in Khramort, a village on the eastern border of Nagorno-Karabakh close to the frontline, residents claim that the shelling that occurred at the onset of the 44-Day War was still ongoing when our team interviewed them in March 2022, just one day after they fled to Stepanakert.

Susana, an epidemiologist who lived in the village with her daughter and grandchildren, had already fled earlier in the war from Hadrut, the location of some of the most brutal killings of civilians during the 2020 War. In Khramort in 2022, she explained how **relentless shelling had impeded simple day-to-day activities and caused many to flee**. "There is no way to continue living in Artsakh. They are violating human rights in every possible way from every possible side," she told us. These tactics were documented more widely by the Office of the Human Rights Defender of Nagorno-Karabakh and replicated in subsequent attacks on villages in sovereign Armenian territory (see indicator [Indicator 11.1: Patterns of violence against civilian populations](#)).

² There have been two cases of Azerbaijani officials detaining Armenians at the checkpoint on the way out of Nagorno-Karabakh. These individuals' names were on lists that had been pre-approved by Azerbaijani authorities for travel outside of Nagorno-Karabakh. One of the detainees was being transported in an ICRC medical convoy.

Siege of Nagorno-Karabakh through the blockade of the Lachin Corridor

Azerbaijan's isolation of Nagorno-Karabakh through the obstruction of freedom of movement along the Lachin Corridor has gradually increased since the end of the 44-Day War. It began with highly restrictive access to foreigners, including journalists and human rights defenders. A year later, Azerbaijan dramatically restricted freedom of movement even further, as the government supported—if not directly facilitated—protests by its citizens that blocked a section of the corridor. The protests were eventually replaced by the creation of two formal border checkpoints, followed by the installation of a concrete barrier, until ultimately reaching a state of complete prohibition of all movement of people, goods, services and humanitarian aid, including International Committee of the Red Cross (ICRC) medical transport vehicles.

Abusive control of vital infrastructure

In parallel, Azerbaijan has taken advantage of its appropriation of vital infrastructure to increasingly undermine Karabakh Armenians' access to basic services. In February 2022, residents of Nagorno-Karabakh started experiencing disruptions in the flow of gas through Shushi (Shusha), the city that had been taken by Azerbaijan in the last days of the 2020 War. In September 2022, after Azerbaijan acquired control of electricity cables traversing the Lachin Corridor, Nagorno-Karabakh drastically increased its reliance on scarce internal water resources to generate hydroelectric power. Those resources are rapidly depleting.

There has been no reliable buffer between vulnerable Armenian communities and grave threats to their security. Russian forces in Armenia, Lachin, and Nagorno-Karabakh have been insufficient to protect civilian Armenian populations from intimidation, physical attacks, and arbitrary detention. While the presence of the [EU Mission in Armenia](#), a civilian monitoring mission created by the European Union, has offered some oversight, at the time of writing, the threats facing the Armenian population of Nagorno-Karabakh fall outside their mandate.

To say that this situation is unsustainable for Armenians living in Nagorno-Karabakh is a gross understatement. Several days before the drafting of this submission, Azerbaijan has reportedly initiated the opening of the Lachin Corridor in one direction: out. In essence, Azerbaijan had sealed off the exit while knowingly driving the population of Nagorno-Karabakh to the brink of starvation, and subsequently re-opened the exit to allow Armenians to leave. Viewed alongside the discriminatory policies and hate speech emanating from the highest levels of the Azerbaijani government, as well as directly from perpetrators of abuses as they are committing them, there is only one way to read the situation: Azerbaijan is openly pursuing a policy of ethnic cleansing and is threatening Armenians who remain in Nagorno-Karabakh with genocide.

Indicator 10.5 Resort to methods or practices of violence that dehumanize a protected group, that reveal an intention to cause humiliation, fear or terror to fragment the group, or that reveal an intention to change its identity.

Azerbaijani forces filmed and/or photographed the bodies of civilians and combatants who had been extrajudicially killed or killed in action, including bodies that had been mutilated. Practices include chopping off limbs, carving messages across torsos, exposing victims' genitals and breasts, inserting

digits or foreign objects into victims' mouths and empty eye sockets, severing victims' heads, and placing severed heads onto the bodies of animals, among other forms of humiliation.

Families of prisoners of war have described receiving video messages of their loved ones being forced to dance naked while in captivity. Videos of detainees being forced to repeat "Karabakh is Azerbaijan" and insult Armenian President Nikol Pashinyan abound. Humiliation also takes the form of displaying victims in a state of helplessness. In one widely circulated video of the decapitation of an elderly man in Hadrut, he can be heard saying, "For the sake of Allah, I beg you," to the Azerbaijani soldier who is holding him down as he takes his life. In another video, an elderly and disabled man captured in Shushi (Shusha) is encircled by Azerbaijani soldiers, who restrain him while taunting and kicking him. Unfortunately there are many more such examples, along with independently verified audiovisual evidence and eyewitness accounts.

Subsequent to the killings, Azerbaijani authorities unjustifiably held onto the bodies of the victims for months before handing them over to Armenian authorities, prolonging and deepening the emotional suffering of victims' families. During that time, stickers, memes and emojis surfaced, displaying the victims in made-up degrading scenes. They were often sent by perpetrators to family members through their social media feeds and messages. The latter practice occurred in the case of soldiers killed in combat as well.

Screenshots as well as image and video files of the incidents described above can be made available to you from our internal archives as well as partner organizations' non-public reports and repositories.

Indicator 10.7 Expressions of public euphoria at having control over a protected group and its existence.

Azerbaijan opened a [Military Trophy Park](#) after its victory in the 2020 Nagorno-Karabakh War featuring grotesque and degrading statues of defeated Armenians. Though the park was subsequently downsized after Armenia applied to the International Court of Justice to issue a provisional measure closing the park, it remains open to the public. In another example, Azerbaijan began producing a [commemorative stamp](#) showing a split-screen image of an Azerbaijani soldier and a man in a chemical biohazard suit standing over a map of Azerbaijan and fumigating the area of Nagorno-Karabakh.

Indicator 10.8 Attacks against or destruction of homes, farms, businesses or other livelihoods of a protected group and/or of their cultural or religious symbols and property.

Since the end of the 44-Day War, Azerbaijan's attacks on sources of livelihood have been widespread and systematic. Farmland, grazing land, livestock, tractors, cowboys, and workers have been targeted. Azerbaijani forces have stolen cattle. Residents of border villages all along the Armenian-Azerbaijani border reported the same pattern of attacks resulting in their inability to continue to perform agricultural work. A year earlier, we had heard similar reports coming from border villages in Nagorno-Karabakh. The Office of the Human Rights Defender of Nagorno-Karabakh regularly publishes reports of attacks on agricultural workers. During the September 2022 attacks, a ski resort in the touristic city of Jermuk was targeted and tourism has consequently plummeted. As described above under [Indicator 1.3: Humanitarian Crisis](#), the siege of Nagorno-Karabakh has halted commerce, indefinitely

suspending residents' access to their own sources of livelihood and creating near complete reliance on humanitarian aid for survival. Attacks on livelihood will be one of the primary focuses of University Network's forthcoming report.

Risk factor 11: Signs of a widespread or systematic attack against any civilian population

Indicator 11.1 Signs of patterns of violence against civilian populations, or against members of an identifiable group, their property, livelihoods and cultural or religious symbols.

The Human Rights Ombudsman of the Republic of Artsakh (Nagorno-Karabakh) [documented the intimidation of the civilian population of Khamort and other border villages in a report](#) published in March 2022. The report presents detailed accounts of the use of high caliber weapons, including grenade launchers and firearms, on agricultural lands and equipment and near administrative and residential areas, prompting the evacuation of women and children as well as the cessation of all agricultural activity. Over a period of five days, shelling from Azerbaijan forced Armenian residents in seven different communities from two of the easternmost regions of Nagorno-Karabakh to cease agricultural work and thus sacrifice their only source of livelihood, and to abandon their homes. At the time that report was published, the Human Rights Defender stated that "Russian peacekeepers are unable to provide security guarantees for civilians engaged in agricultural work." **A year later**, when University Network researchers returned to Armenia to conduct additional fact finding, we found that **Azerbaijani forces had attacked sovereign Armenia as well**, particularly in border villages of the Vardenis and Syuniq regions, **using the same tactics**: shelling of administrative and civilian structures, firing on agricultural and grazing lands, and killing or theft of livestock.

Risk Factor 13: Serious threats to those protected under international humanitarian law

Indicator 13.12 Refusal to acknowledge detentions or places of detention or to allow visits by delegates of the International Committee of the Red Cross.

As described above under [Indicator 2.1: Record of serious violations of international human rights and humanitarian law](#), Azerbaijan has committed **acts of torture and cruel, inhuman, or degrading treatment** against prisoners of war. These acts of torture and cruel, inhuman, or degrading treatment have taken place throughout the detention of POWs. Differences in conditions and treatment tend to correlate with the location or stage of detention: initial capture, transfer, holding cell/military police custody, State Security Service (SSS) custody, and prison. The worst treatment has taken place in the military police stations, in SSS buildings, or during the transfer of captives between detention sites. The ICRC has had access to captives only when detainees are in prisons (the final stage of captivity), not when they are in military police or SSS custody, therefore the worst acts of torture violations have gone undocumented and unpunished.

University Network's investigations also strongly suggest that Azerbaijani officials have condoned, facilitated, and directly perpetrated **enforced disappearances** tied to arbitrary detentions and

the use of **secret detention**. We reach this conclusion on the basis of several findings: the existence of 80 cases of missing individuals who were last known to be alive while being held by Azerbaijani forces (these cases have been brought before the European Court of Human Rights by Armenian lawyers); firsthand interviews with two different returned POWs who were in Azerbaijani custody for months before their status changed from “missing” to “POW”; and testimony of one returned POW who reported being in detention in Azerbaijan alongside an Armenian who to this day is classified “Missing in Action” or “MIA.”

Conclusion

Significant work remains to deepen this risk assessment, incorporate indicators for other risk factors, and continue to monitor trends. However, our concern that a trigger could escalate the crisis at any moment has compelled us to present this submission to you sooner rather than later. It is our hope that your expertise can enrich and inform our risk analysis, identify opportunities to mitigate key risk factors, and help alert the international community to the gravity of the threat facing Nagorno-Karabakh Armenians.

University Network for Human Rights

The University Network for Human Rights trains the next generation of advocates by engaging undergraduate and graduate students in supervised human rights fact-finding, documentation, and advocacy. We defend human rights in their broadest sense and pursue movement-based advocacy that centers the voices of directly affected communities.

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