



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY UPR SECRETARIAT JOINT REPORT

March 2023

Contact
person: Heghine Evinyan

The European Armenian Federation for Justice and Democracy (EAFJD) is a pan-European grassroots umbrella organization, standing up inter alia for the fundamental rights of the Armenian population of Nagorno Karabakh/Artsakh. Founded in 2002, the EAFJD which has its seat in Brussels, coordinates the activities of its chapters (committees of the defense of the Armenian Cause) and supporters across Europe. There are currently chapters in 14 countries – Austria, Belgium, Bulgaria, Cyprus, France, Germany, Greece, Italy, Netherlands, Poland, Romania, Sweden, the UK and Spain (**See Annex 1 for further information on submitting stakeholders**). Thus, the driving force of the organization are European citizens actively involved in the democratic processes and advocacy in their respective countries.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՅԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

Table of Contents

| | |
|--|---|
| FACTSHEET AND RECOMMENDATIONS FOR THE UPR ON AZERBAIJAN..... | 2 |
| A. THE RIGHT TO LIFE..... | 2 |
| 10. RECOMMENDATIONS:..... | 4 |
| B. PROHIBITION OF TORTURE AND INHUMAN TREATMENT..... | 5 |
| 13. RECOMMENDATIONS:..... | 5 |
| C. THE RIGHT TO EDUCATION..... | 6 |
| 16. RECOMMENDATIONS:..... | 6 |
| ANNEXES (8 IN TOTAL)..... | 8 |



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

Factsheet and recommendations for the UPR on Azerbaijan

2. On 27 September 2020, during the Coronavirus (COVID-19) global pandemic, the armed forces of Azerbaijan, with the direct participation of Turkey and the deployment of mercenaries, launched a large-scale attack against the native Armenian population of Nagorno Karabakh/ Artsakh, along the entire line of the contact line. The attack turned into a destructive, full-scale war with thousands of casualties, hundreds of prisoners of war (POW) and tens of thousands of displaced people. Since the ceasefire statement of 9 November 2020 Azerbaijan has also carried out incursions into the sovereign territory of the Republic of Armenia, causing significant displacement and disrupting the normalcy of the life of the population in the Armenian settlements close to the line of contact, notably in the regions of Syunik, Gegharkunik, Vayots Dzor.¹
3. Both during the war of 2020 and in its aftermath, Azerbaijan has gravely violated several fundamental rights of the Armenian population both of Nagorno Karabakh and in the Republic of Armenia. Below an elaboration into some of the violated rights as well as recommendations for the upcoming UPR report on Azerbaijan.

A. The Right to Life

4. As a result of the 2020 war, the people of Artsakh encountered numerous humanitarian issues and faced severe threats to their basic and fundamental right to life: thousands killed, many more injured, more than 90 thousand individuals were forced to leave their homes.² Thus Azerbaijan violated the fundamental right to life, as 81 Armenian civilians were killed and 163 injured. Many children were also killed or injured during the hostilities, while others suffered from the psychological impact of exposure to rocket and missile attacks. Several videos depicted extrajudicial summary executions (including beheadings) of soldiers and civilians alike.³ According to IPHR/Truth Hounds, at least 23 incidents can be qualified as indiscriminate and/or

¹ <https://evnreport.com/politics/azerbaijan-launches-large-scale-attack-against-armenia/>

² [Comments of the Republic of Armenia Regarding the Memorandum of the Council of Europe Commissioner For Human Rights](#), 05 November 2021.

³ Ibid.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

disproportionate attacks on civilians, including multiple bombings of Stepanakert.⁴ Amnesty International documented several strikes resulting in civilian casualties on civilian residential areas far from the frontlines, where often there did not seem to be any military targets.⁵ Azerbaijan committed a grave breach of the applicable International Humanitarian Law and Geneva Conventions by conducting systematic and deliberate indiscriminate attacks.

5. Azerbaijan also undertook an armed attack on the territory of Armenia with the use of heavy weaponry, including artillery and armored combat vehicles on 16 November 2021 even after conclusion of ceasefire agreement. The armed incursion of the Azerbaijani armed forces into the sovereign territory of Armenia resulted in several deaths and casualties.⁶ Azerbaijan's continued provocative military actions against Armenia, are not only posing a serious threat to the sovereignty and territorial integrity of Armenia, but also are violating the right to life and safety of its population.
6. The recent escalation of the situation at the State border of Armenia has occurred in the context of Azerbaijan repeatedly violating the principle of non-use of force or threat of force, violating the basic right to life of civilian living in the border villages, along with their claims to the territory of Armenia, including the Syunik region. Additionally, Azerbaijan has promoted racist ideologies that specifically target Armenians following the war. These aggressive actions and rhetoric by Azerbaijan violate the established norms and principles of international law.
7. Moreover, following the recent outbreak of hostilities, the region was left full of remnants of weapons used during the war, including air-dropped weapons and shot

⁴ IPHR/Truth Hounds, [When embers burst into flames. International Humanitarian Law and Human Rights Law violations during the 2020 Nagorno-Karabakh war](#), May 2021, p. 24.

⁵ Amnesty International, [In the line of fire, Civilian casualties from unlawful strikes in the Armenian -Azerbaijani conflict over Nagorno-Karabakh](#), 2021. See also [Azerbaijan: Unlawful Strikes in Nagorno-Karabakh](#), HRW, 11 December 2020.

⁶ [Letter dated 16 November 2021 from the Permanent Representative of Armenia to the United Nations addressed to the President of the Security Council](#), 16 Nov. 2021.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

down drones, unexploded cluster munitions and unexploded incendiary munitions.⁷

8. After the establishment of the ceasefire, the killings of civilians by Azerbaijani Armed Forces continued. Only due to the presence of peacekeepers and their effective activities it became possible to ensure the right to life and security of the people of Artsakh and normalise the activities of civil infrastructures.
9. Starting from December 12, 2022, the sole life road that connects Artsakh to Armenia has been obstructed. This blockage has created issues with accessing crucial goods and services for the ethnic Armenians residing in that area and has restricted residents from departing the region. This action has left over a thousand people stranded, including children who were unable to return home from a school trip to Yerevan. As a result of the road blockage, there have been humanitarian repercussions, and the lives of more than 120,000 civilians are at risk, as their fundamental right to life is being threatened.

10. Recommendations:

- ***Immediately lift the blockade of the Lachin Corridor and avoid similar acts in the future.***
- ***Conduct effective investigations into violations of International Humanitarian Law (IHL), including indiscriminate and/or disproportionate attacks, and hold those responsible accountable.***
- ***Comply with the ceasefire agreement and halt all military attacks on civilians, civilian objects, and infrastructures in Armenia and Artsakh.***
- ***Provide prompt and effective reparation to victims in accordance with the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of IHL.***
- ***Ratify the UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (CCW) and its relevant protocols.***
- ***Address the long-term humanitarian impact of destroyed infrastructure, particularly when it disrupts water and power supplies, which then impacts hospitals, medical care, and services for the wider civilian population.***

⁷ [Memorandum on the humanitarian and human rights consequences following the 2020 outbreak of hostilities between Armenia and Azerbaijan over Nagorno-Karabakh](#), Council of Europe, Commissioner for Human Rights, 08 November 2021.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

B. Prohibition of torture and inhuman treatment

11. International Customary Law prohibits all forms of torture, inhuman and degrading treatment or punishment, and require humane treatment of all those in custody.⁸ Azerbaijan had not fulfilled its legally binding obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which led to a climate of impunity for officials and creates a risk of recurrence of such crimes.

12. Azerbaijan has tortured, abused and mistreated Armenian POWs, hostages and other detained persons, either when they were captured, during their transfer, or while in custody at various detention facilities,⁹ as they were beaten and tortured during interrogations across various stages of captivity—from local camps to their time in Military Police and National Security confinement.¹⁰ HRW closely examined 14 such cases and spoke with the families of five detainees whose abuse was depicted. HRW also documented several cases in which Azerbaijani forces used violence to detain civilians and subjected them to torture and inhuman and degrading conditions of detention.¹¹ There are serious doubts that several POWs were a victim of human trafficking.

13. Recommendations:

- ***Take all possible measures to eliminate torture, abuse and inhuman treatment of all detainees.***
- ***Investigate all allegations of ill-treatment and hold those responsible to account.***
- ***Provide effective and prompt reparation for the victims of torture Cruel, Inhuman or Degrading Treatment or Punishment.***

⁸ See Article 7 & 10 of ICCPR and Article 3 the European Convention on Human Rights.

⁹ See "[Azerbaijan: Armenian POWs Abused in Custody](#)", HRW, 08 November 2020.

¹⁰ See "Ad Hoc Public Report Responsibility of Azerbaijan for Torture And Inhuman Treatment of Armenian Captives: Evidence-Based Analysis (The 2020 Nagorno Karabakh War)", The Human Rights Defender of the Republic of Armenia, Yerevan, September 2021.

¹¹ See "[2020 Country Reports on Human Rights Practices: Azerbaijan](#)" US Department of State, 30 March 2021.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

C. The Right to Education

14. Starting from the very beginning of the offensive launched by Azerbaijan towards the Republic of Artsakh thousands of students fled the country. The hostilities jeopardized their studies and for more than two months, they were deprived of the right to education. Schools and kindergartens have been shelled by Azerbaijani forces. According to official data, at least 71 schools on the Armenian side, including two in the Republic of Armenia, were damaged or destroyed, as well as dozens of kindergartens, arts schools, sports schools, and vocational schools.¹² Even after the end of hostilities most of the schools have not been possible to use for a significant period due to the damage they had sustained. For example, Azerbaijan destroyed Armenian schools during Azerbaijan's September 13/14, 2022 ceasefire violation, leaving 30,000 children unable to attend school.¹³

15. In addition, as a result of the Lachin Corridor blockade by Azerbaijan, about 300 children from Artsakh were in the Republic of Armenia and could not return to their families and schools. Around 22,000 children in Artsakh were deprived of their right to education due to the lack of heating. These are clear violations of children's fundamental rights, including the right to education.¹⁴

16. Recommendations:

- Investigate all instances where the Azerbaijani forces positioned military targets near schools.

¹² Bil Van Esveld, "[Lessons of War: Attacks on Schools During the Nagorno-Karabakh War.](#)" HRW, 08 September 2021.

¹³ [More than 30 thousand children in Armenia cannot go to schools and kindergartens because of Azerbaijani attacks](#), Arka News Agency, 19 September 2022

¹⁴ [Current situation in Artsakh is a violation of children's fundamental rights, including the right to education](#), Armenpress, 16 December 2022.



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

- *Pass confiscated school records or other property in the areas where it took control to the Armenian side.*
- *Endorse the Safe Schools Declaration.*
- *Properly investigate the battlefield failures that led to a devastating impact on education.*
- *Ensure the continuity of children's education in Artsakh.*



EUROPEAN ARMENIAN FEDERATION FOR JUSTICE & DEMOCRACY

ՀՅԴ ԵՒՐՈՊԱՅԻ ՀԱՅ ԴԱՏԻ ԳՐԱՍԵՆԵԱԿ

Annexes (8 in total)

1. Submitting stakeholders
2. European Parliament resolution of 15 March 2023 on EU-Armenia relations
3. European Parliament resolution of 15 March 2023 on EU-Azerbaijan relations
4. European Parliament resolution of 19 January 2023 on the humanitarian consequences of the blockade in Nagorno-Karabakh
5. European Parliament resolution of 10 March 2022 on the destruction of cultural heritage in Nagorno-Karabakh
6. European Parliament resolution of 20 May 2021 on prisoners of war in the aftermath of the most recent conflict between Armenia and Azerbaijan
7. European Parliament resolution of 18 January 2023 on the implementation of the common foreign and security policy – annual report 2022
8. European Parliament resolution of 18 January 2023 on the implementation of the common security and defense policy – annual report 2022