



**THE HUMAN RIGHTS DEFENDER OF
THE REPUBLIC OF ARMENIA**



**PRELIMINARY AD HOC REPORT
ON RESULTS OF
FACT-FINDING MISSIONS**

**conducted
from Sept 24 to Sept 30, 2023**

Yerevan - 2023



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conducted
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by the delegations of
the Human Rights Defender's Office
to the places where
the displaced people were received

Yerevan - 2023

Abbreviations

The ad hoc report - the Report

The Human Rights Defender of the Republic of Armenia – the Defender

The Human Rights Defender’s Office of the Republic of Armenia – the Office

The RA Constitutional Law on the Human Rights Defender – the Law

TABLE OF CONTENTS

Executive summary	4
The legal mandates of the Defender of the Republic of Armenia	4
The reason for the missions and chronology of events	6
A note on methodology and findings	10
The blockade led to military aggression	13
Civilian objects and infrastructure under attack	16
The situation in the basements	22
Schools and kindergartens targeted during daytime	24
Healthcare system and medical facilities under attack	26
Casualties among civilians	27
The atmosphere of fear and panic among civilians during military aggressions and inhuman treatment during displacement	29
Children	37
Women	42
Alleged cases of torture/mutilation	44
Dead bodies	47
Missing persons	49
Displaced persons	50
Ethnic cleansing and genocidal policy	52
Recommendations	55

Executive summary

1. The current *ad hoc* public report illustrates the results of fact-finding missions conducted by the Human Rights Defender's Office of the Republic of Armenia to the places where the people displaced from Nagorno-Karabakh were received in the Republic of Armenia during the month of September 2023. The fact-finding activities were conducted from September 24, 2023 to September 30, 2023. The Report encompasses actions undertaken by the Office during the missions, key findings, and conclusions of the fact-finding activities. The present conclusions are based on complaints received, interviews among the witnesses of the events, information received from the authorities of the Republic of Armenia and Nagorno-Karabakh, medical professionals, and reports published in news media, social media, and by human rights NGOs.

The legal mandates of the Defender of the Republic of Armenia

2. The Defender is an independent official who observes the maintenance of human rights and freedoms on the part of state and local self-government bodies and officials, whereas in the cases prescribed by the Law - also on the part of organizations, as well as contributes to the restoration of violated rights and freedoms and improvement of the regulatory legal acts related to human rights and freedoms (Art. 191 of the RA Constitution, Art. 2 of the Law). Hence, the Defender has a broad mandate to protect and promote human rights and ensure the implementation of international human rights standards and mechanisms.

3. As a National Human Rights Institution, the Defender has the competence and responsibility to prepare reports on human rights situations in general and on more specific matters, according to the Principles relating to the Status of National Institutions (The Paris Principles).¹ These competences might be exercised through conducting fact-finding activities, observing, collecting and analyzing complaints, interviews, and other data that are of increasing importance from the perspective of human rights protection.

4. The Report is prepared based on Article 31 (3) of the Law authorizing the Defender to prepare *ad hoc* public reports regarding specific issues of public resonance or cases of gross violations of human rights. Its competences derive also from the fact that the Defender is vested with a mandate of monitoring the implementation of the UN Convention on the Rights of the Child, and carries out prevention of child's rights violations and protection thereof prescribed by the Article 2 (3) of the Law. Article 2 (4) of the Law stipulates the mandate of the Defender to conduct monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities, as well as protection of rights of persons with disabilities and prevention of violations. The Defender is entrusted with the mandate of the National Preventive Mechanism provided by the Optional Protocol — adopted on 18 December 2002 — to the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the Republic of Armenia.

¹ See § 3(a)(iii) of the Principles relating to the Status of National Institutions (The Paris Principles), adopted by General Assembly resolution 48/134 of December 1993 // <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfNationalInstitutions.aspx>

The reason for the missions and chronology of events

5. Beginning September 19, at 1:00 pm (GMT+4) the civilian population of Nagorno-Karabakh was under the military target of a large-scale offensive on Nagorno-Karabakh by Azerbaijan. According to the data registered at the Human Rights Defender's Office, the Azerbaijani armed forces employed artillery and unmanned aerial vehicles.

6. The Defender immediately formed delegations from the Office responsible for monitoring publicly available information in media and social media, analyzing complaints received from individuals, groups, or non-governmental organizations, and subsequently conducting on-site fact-finding visits to the places where the people displaced from Nagorno-Karabakh were received in the Republic of Armenia. The purpose of these fact-finding visits was to assess the needs and challenges faced by displaced persons at every stage of the displacement process, monitor the response by the public authorities, and elaborate recommendations for the purpose of facilitating their effective response.

7. The delegations were tasked with interviewing displaced people, representatives of state, regional, and local municipal administrations, and all others who could have relevant information about events that occurred and the needs of displaced people. Additionally, they were tasked with carrying out on-site examinations of the circumstances under which fundamental rights are allegedly being violated, to comprehensively and carefully analyze all available information that is considered relevant and credible, and to document the findings. Moreover, the objective of the on-site visits was to monitor the process of the registration of the forcibly displaced persons.

8. One of the main aims was to identify the vulnerable groups that became victims of different forms of ill-treatment, and provide relevant recommendations to the state authorities of the Republic of Armenia aimed at ensuring the rights of the mentioned people.

9. The fact-finding missions were carried out in accordance with internationally accepted standards at all times, guided by principles of confidentiality; accuracy and precision; objectivity, and impartiality: do no harm, and avoid double victimization.

10. Between September 24-30, 2023, members of the fact-finding groups conducted visits to humanitarian centers located in Kornidzor, Goris, and Vayk. During the visit, meetings and private conversations were held with people who left their homes and were forcibly displaced from Nagorno-Karabakh to Armenia as a result of Azerbaijani intervention. Overall, fact-finding groups held private interviews with about 350 forcibly displaced persons. As a follow-up activity to interviewing, the Defender requested the state competent authorities to provide detailed clarification and information with regard to the individual cases. The recorded problems revealed as a result of the fact-finding activities are summarized in the current report.

11. The results of fact-finding missions conducted by the Defender personally and the Office show that the actions of the Azerbaijani armed forces were accompanied by targeted and indiscriminate attacks on civilians and civilian objects, including infrastructure, in gross violation of international humanitarian law and the Geneva Conventions.

12. In response to the Azerbaijani military operation, multiple foreign state officials made declarations condemning the armed aggression of Azerbaijani forces against the population of the Nagorno-Karabakh. The French Ministry for Europe and Foreign Affairs released the following statement: “France utterly condemns Azerbaijan’s launch of a military operation in Nagorno-Karabakh, with the use of heavy weapons, including against residential areas. Such unilateral action, which threatens the thousands of civilians already affected by months of illegal blockade and runs counter to the international community’s efforts to reach a negotiated settlement, cannot be justified under any pretext.”² US Secretary of State Anthony Blinken released a statement on September

² Ministry for Europe and Foreign Affairs, “[Azerbaijani military operation in Nagorno-Karabakh](#)” 19.09.2023

19, stating that “The United States is deeply concerned by Azerbaijan's military actions in Nagorno-Karabakh and calls on Azerbaijan to cease these actions immediately. These actions are worsening an already dire humanitarian situation in Nagorno-Karabakh and undermine prospects for peace.”³

13. At the United Nations Security Council on the situation in Nagorno-Karabakh, the Foreign Minister of Germany Annalena Baerbock noted that “Azerbaijan has chosen to create facts on the ground by military force. We firmly condemn Baku’s military assault and call on it to permanently and completely cease its military actions.”⁴

14. France also condemned in the strongest terms the large-scale military operation of Azerbaijan on 19 September, which contravenes the principle of peaceful settlement of disputes enshrined in the UN Charter.

15. Numerous international media outlets, including the BBC, The Guardian, The New York Times, and CNN, referred to the human rights violations against the ethnic Armenian population living in Nagorno-Karabakh. In particular, international actors, including the President of the Council of Europe Parliamentary Assembly (PACE)⁵, the European Union⁶, and Freedom House⁷, strongly condemned the actions of the

³ US Department of State, “[Call for End of Hostilities in Nagorno Karabakh](#),” 19.09.2023

⁴ UN Meetings Coverage and Press Releases, ““Latest Clash between Armenia, Azerbaijan Undermines Prospects of Peace, Speakers Warn Security Council, Calling for Genuine Dialogue to Settle Outstanding Issues” 21.09.23// <https://press.un.org/en/2023/sc15418.doc.htm>

⁵ Statement of President of the Council of Europe Parliamentary Assembly (PACE), “Military operation in Nagorno-Karabakh: PACE President calls on Azerbaijan to cease fire immediately”, 19.09.23 // <https://www.coe.int/en/web/portal/-/military-operation-in-nagorno-karabakh-pace-president-calls-on-azerbaijan-to-cess-fire-immediately>

⁶ Statement by the High Representative on the military escalation, 19.09.23 // https://www.eeas.europa.eu/eeas/azerbaijan-statement-high-representative-military-escalation_en

⁷ Statement of Freedom House, 19.09.23 // <https://twitter.com/freedomhouse/status/1704148655790276954>

authorities of Azerbaijan and called for Azerbaijan to cease its military activities.

16. The UN Special Adviser on the Prevention of Genocide mentioned in the statement that “Military action can only contribute to escalating what is already a tense situation and to put the civilian population in the area at risk of violence, including the risk of genocide and related atrocity crimes. All efforts need to be made to prevent violence and sustain peace.”⁸

17. On September 28, 2023, the acting president of Nagorno-Karabakh signed a decree formally dissolving all state institutions of Nagorno-Karabakh, effective January 1, 2024. International media noted that as of the time of this decision upwards of 70,000 people, more than half of the civilian population of the Nagorno-Karabakh, had already fled to the territory of the Republic of Armenia, due to the ongoing “fear [of] persecution at the hands of Azerbaijan.”⁹

18. On October 4, the Armenian authorities declared the number of 100,632 people displaced due to the events that occurred in September 2023.¹⁰

19. The Defender and its Office have operated ever since in the emergency regime and with enhanced cooperation and coordination with respective humanitarian and human rights organizations for facilitating assistance to displaced people and for providing independent monitoring of the respect for human rights.

⁸ UN Press Release, Statement by Ms. Alice Wairimu Nderitu, UN Special Adviser on the Prevention of Genocide, on the situation in Armenia and Azerbaijan 22.09.23 // https://www.un.org/en/genocideprevention/documents/USG_Nderitu_Statement_Armenia_Azerbaijan_22092023.pdf

⁹ "Nagorno-Karabakh's breakaway government says it will dissolve itself," *The Guardian*, 28.09.2023. // <https://www.theguardian.com/world/2023/sep/28/nagorno-karabakh-separatist-government-says-dissolve-azerbaijan-armenia>

¹⁰ Azatutyun (RFE/RL Armenian) "Government: The number of those forcibly evacuated from Mountainous Karabakh remains at 100,625" 07.10.2023 // <https://www.azatutyun.am/a/32627223.html>

A note on methodology and findings

20. It is important to note that in contrast to the 44-day war in 2020 when coverage of events was widespread, the evidence collected is likely to present a highly incomplete picture of the extent of human rights violations caused by Azerbaijan's military offensive against the Nagorno-Karabakh. The reasons for this conclusion are as follows:

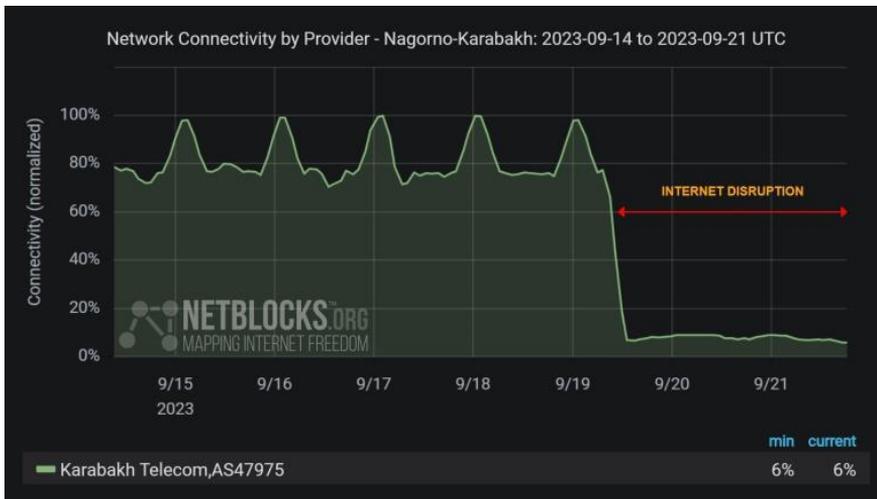
21. **Absence of foreign journalists and human rights observers due to the Azerbaijani blockade of the Lachin Corridor:**

These dire predictions were borne out two years later by Swedish journalist Rasmus Canback in an October 2023 report. “The lack of transparency in Nagorno-Karabakh means not only that relatives are kept in the dark about what is happening, but also *that Azerbaijan can control information flows. [...]* Human rights organizations like Amnesty International and Human Rights Watch were on the ground during the 2020 war to document some of the abuses. When I was on the ground, probably as the last foreign journalist to enter Nagorno-Karabakh in March 2021, *it quickly became apparent that the stories of alleged war crimes far exceeded the documentation by independent organizations...This time, there is no transparency at all*, and only a few videos are leaking into Azerbaijani social media.”¹¹

22. **Internet and telecommunications shutdown:**

¹¹ Canback, Rasmus, “Part 5: The Invisible War Crimes,” *Blankspot*, 04.10.2023 // https://blankspot.se/part-5-the-invisible-war-crimes/?fbclid=IwAR1JiupF_StmCen7UEYEiwJZ9wXkgGalC9wJBvrth93RJZx5M1VW2Q_X2yQ

The UK-based organization Netblocks, which monitors internet accessibility and shutdowns around the world, confirmed the existence of “a major ongoing disruption to internet connectivity in Nagorno-Karabakh as Azerbaijan seeks 'reintegration' of the disputed region, explaining a decline in first-hand reporting as events unfold.”¹² The internet shutdown began simultaneously with the Azerbaijani offensive on September 19, and continued unabated until at least the 22nd of the month.



In addition to eliminating connectivity between communities in the Nagorno-Karabakh and increasing the danger to civilians during a military operation, this internet disruption prevented information from being released in real-time.

23. Increased secrecy around Azeri military activities:

In recent years, a major source of evidence for war crimes and human rights violations, including execution and mutilation of civilians and prisoners of war, has been footage published on pro-

¹² <https://twitter.com/netblocks/status/1704941020964638887/photo/1>

regime Azerbaijani Telegram channels and other social media. According to some experts in 2023 such leaks have evidently been more strictly deterred.

Interviewed by the Swedish news site Blankspot, IT security and media verification expert Samvel Martirosyan argued that this reflects an intentional change in strategy on the Azerbaijani side.

“I am sure that the Azerbaijani army was instructed not to film and publish war crimes they committed. We see a change in strategy from previous years when Azerbaijan has published a large number of videos. The publication of videos from 2020 and 2022 was certainly sanctioned by specialists in psychological warfare. This modus operandi is inherited from the Turkish army. These videos of executions and mutilations that have often circulated are used by Azerbaijan as a psychological weapon’, Samvel Martirosyan [sic] argues. He continues to argue that Azerbaijan planned a rapid war this time, thus avoiding the documentation of war crimes.”

As the article’s author notes, this thesis is borne out by changing patterns of use on Azerbaijani social media channels.

“In the weeks leading up to the offensive, the Azerbaijani army prohibited films of its military buildup in the country – something they had not done before previous wars. Over one night, pro-regime Azerbaijani Telegram channels stopped publishing images and videos of troop movements within the country. Several Telegram channels, which had happily published hundreds of videos of previous misconduct, fell almost silent, and

so did the reports of military buildup. One example is the Telegram channel Khacherubka (“Cross Destroyer”), which was among the first to leak the war crimes committed in September 2022. After the channel published an image on September 5th stating that it is forbidden to publish videos of troop movements, its media content publications decreased significantly.”¹³

24. In sum, the absence of international observers, the shutdown of telecommunications, and the chaotic environment established within the Nagorno-Karabakh, established an environment in which war crimes and other human rights violations were both more likely to occur and less likely to be documented.

The blockade led to military aggression

25. On December 12, 2022, a group of individuals purporting to be Azerbaijani civilians identified themselves as environmental activists and unlawfully obstructed the Goris-Stepanakert highway, the sole route connecting Nagorno-Karabakh to Armenia and the wider world.

26. The Defender has reported that the “environmental protests” are orchestrated by the Azerbaijani authorities.¹⁴

27. On June 15, 2023 Azerbaijan blocked all humanitarian aid through the Lachin Corridor, creating a critical situation, especially bringing

¹³ Canback, “**The Invisible War Crimes.**”

¹⁴ Updated joint Ad hoc public report of the Human Rights Defender of the Republic of Armenia and the Human Rights Ombudsman of Nagorno-Karabakh, “The humanitarian consequences of blocking the only road connecting Artsakh with Armenia and the world”, 26.12.2022 // <https://www.ombuds.am/images/files/c01555c03620fb8494eaeef308fe9ca15.pdf>

forward the risk of starvation.¹⁵ With the Azerbaijani blockade of Nagorno-Karabakh limiting access to minimal material means for subsistence, the Armenian civilian population trapped in Nagorno-Karabakh slowly starved.

28. The Office has recorded the particularly adverse impact of the blockade on the rights of representatives of vulnerable groups. According to statistics released by the de facto authorities of the Nagorno-Karabakh these included 30,000 children, 60,000 women, 9,000 persons with disabilities, and 20,000 older persons.

29. 120,000 people, including 30,000 children, 2,000 pregnant women, and 20,000 older persons, who have faced severe hunger, malnutrition, and deprivation of all vital products and goods during the 9-month blockade, were consequently subjected to a physical threat due to the full-scale military assault by the Azerbaijani armed forces launched on September 19, 2023.¹⁶

30. The forgoing activities constituted a clear breach of Azerbaijan's obligations as outlined in the trilateral ceasefire statement of November 9, 2020.¹⁷

31. On July 12 the European Court of Human Rights (ECtHR), reaffirmed its decision of December 21, 2022, and obliged Azerbaijan to allow the passage through the Lachin corridor of seriously ill, as well as needy and homeless citizens.

¹⁵ Updated joint Ad hoc public report of the Human Rights Defender of the Republic of Armenia, "On the humanitarian consequence of blocking the Lachin corridor: a manifestation of the policy of Armenophobia by Azerbaijan", 13.16.2023 // <https://www.ombuds.am/images/files/798e81176d93081e6199ca90cfa31466.pdf>

¹⁶ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://x.com/ArtsakhOmbuds/status/1704226637632389208?s=20>

¹⁷ Namely, the Trilateral ceasefire statement of November 9, 2020, provides that "The Lachin corridor (5 km wide) which will ensure the communication between Nagorno-Karabakh and Armenia and at the same time will circumvent the city of Shushi, shall remain under the control of the peacekeeping contingent of the Russian Federation" // Statement by the Prime Minister of the Republic of Armenia, the President of the Republic of Azerbaijan and the President of the Russian Federation, 10.11.2020 // <https://www.primeminister.am/en/press-release/item/2020/11/10/Announcement/>

32. At the request of the de facto President of Nagorno-Karabakh, the first prosecutor of the International Criminal Court, Luis Moreno Ocampo, conducted an assessment of the situation and provided an independent advisory opinion titled "Genocide against Armenians in 2023," which was released on August 8, 2023.¹⁸

33. It was asserted that the blockade of the Lachin Corridor by the Azerbaijani security forces, which hindered access to vital resources such as food, medical supplies, and other essentials, should be deemed as meeting the criteria for genocide under Article II, (c) of the Genocide Convention, which pertains to "Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction."

34. Human Rights Watch reported that "... *it would be credible to conclude that it is deliberately trying to make ethnic Armenians' lives so miserable they will have no choice but to leave*".¹⁹

35. In its statements the Defender condemned the gross violations of the fundamental rights of ethnic Armenians living in Nagorno-Karabakh by Azerbaijan.²⁰ Notably, the Defender stated that the blockade of the Lachin corridor by Azerbaijan has resulted in the gross violation of the fundamental rights of the residents of Nagorno-Karabakh, including the rights to life, dignity, physical and mental health, and healthcare, freedom of movement, food and an adequate standard of living, housing, and other socioeconomic and cultural rights. The blockade had a particularly adverse impact on the rights of representatives of vulnerable groups, such as children, women, and persons with disabilities.²¹

¹⁸ Opinion of the expert Luis Moreno Ocampo, "Genocide against Armenians in 2023", 07.08.2023 // <https://www.cftjustice.org/wp-content/uploads/2023/08/Moreno-Ocampo-Expert-Opinion.pdf>

¹⁹ Statement of the Human Rights Watch, "Azerbaijan: Ensure Civilians' Rights in Nagorno-Karabakh", 23.09.23 // <https://www.hrw.org/news/2023/09/23/azerbaijan-ensure-civilians-rights-nagorno-karabakh>

²⁰ Statements of the Human Rights Defender on the humanitarian crisis and human rights violations in Nagorno-Karabakh //

²¹ Statement of the Human Rights Defender, "The humanitarian crisis is worsening daily in Nagorno-Karabakh: The Human Rights Defender strongly condemns the gross

Civilian objects and infrastructure under attack

36. International Humanitarian Law and Human Rights Law state that when conducting military operations, constant care must be taken to respect civilians and civilian objects. All feasible precautions must be undertaken to avoid or minimize incidental loss of civilian life, injury to civilians, and damage to civilian objects.

37. Monitoring of information available in media and social media, as well as the conducted interviews showed that civilian objects, including residential houses, administrative buildings, and vehicles, educational institutions, have been deliberately targeted by the Azerbaijani armed forces during the 2023 September aggressions.

38. Media publicly reported on houses and other civilian objects being shelled and gravely damaged. This information has been repeatedly confirmed during the interviews conducted with displaced people by the fact-finding groups. Witnesses interviewed during fact-finding activities attested that residential areas, cars, roads, houses, and other objects were shelled indiscriminately.

39. Persons forcibly displaced from other settlements of the Nagorno-Karabakh reported specific information about the targeting of civilian housing and infrastructure in Stepanakert, Martakert, Haterk, Chapar, Getavan, Sarushen, Martuni, Verin Horatagh, Nerkin Horatagh, Chankatagh, Aparadzor, Mets Shen, Sos. As a consequence of targeted fire by Azerbaijani military personnel, damage was inflicted on residential houses, gardens, and personal vehicles and a number of civilians were killed.

40. For example, according to the information provided by a group of forcibly displaced persons from Stepanakert, a 5-story residential building on Azatamartik Street in Stepanakert was half destroyed, the

violations of the fundamental rights of Armenians living in Nagorno-Karabakh by Azerbaijan”, 15.08.23 // https://ombuds.am/en_us/site/ViewNews/2652



cars, shops, and other infrastructures of the surrounding area were damaged by projectile fragments. It is noteworthy that the reports of indiscriminate targeting of civilian objects during numerous private interviews has been supported by video of damaged residences released by mass media publications²² as well as video footage taken by civilian eyewitnesses.²³

41. Some of the residents of Chapar village reported that Azerbaijani soldiers surrounded the village with intense shooting, and after the shelling, they noticed how one of the residential houses in the village was burning. Residents of Chapar also said that they fled their village immediately after the Azerbaijani attack, they observed from afar how the Azerbaijani soldiers entered the village and started looting the houses. One of the residents of the Chankatagh settlement reported that the window of the house was broken due to the shelling, and the children ran away from the house in a panic.

²² Video depicting the traces of shootings on civilians' objects available at: https://www.youtube.com/watch?v=cBglrou_ZqU

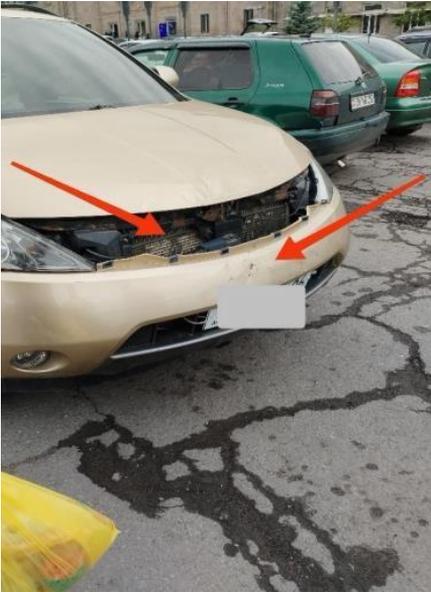
²³ Video showing store windows and car damaged by shelling: https://drive.google.com/file/d/1803NUh2C5rWH1uIDtIzFhsD8kFeo53Th/view?usp=drive_link

42. Residents of Martakert have also provided information to the Defender's fact-finding groups regarding the targeting of civilian settlements and infrastructure. For example, one person stated that a rocket landed and exploded 20 meters away from his house, causing damage to his house and breaking the windows. His neighbor's house was also severely damaged. The mentioned person also provided the exact address of his house.

43. In a private interview, a person informed a member of the fact-finding delegation that they were targeted by gunfire from Azerbaijani military personnel after the ceasefire of September 20, 2023. The interview subject described going with a friend to his/her home, located in Krkjan district of Stepanakert, in order to collect documents (passports, driving licenses, property certificates, child's birth certificates, etc.). Arriving, they discovered that Azerbaijani soldiers were present on all sides in the vicinity of the house, and that an Azerbaijani flag had been placed on the roof of a neighboring home. That person added that the two of them were able to enter the house unnoticed, collect the documents, and then enter the garage to take the car. There they noticed that the front part of the car had been broken by the Azerbaijani servicemen (see photos below). As they were exiting the garage in the car, the Azerbaijani soldiers noticed them and opened fire. Somehow, by driving fast with their heads down, they managed to escape and survive. The foregoing was also confirmed by the interviewee's friend during a separate private conversation.

44. The interviewed citizen and his/her friend arrived in Armenia with the car in question. The fact-finding group of the Office observed the car on the spot (in front of the humanitarian aid center of Goris) and recorded that the front part of the car was broken, and there were gunshot marks on the back glass, as well as on the back part of the car (see photos below).

Pictures of shelled civilian cars





45. The military actions of Azerbaijani armed forces directed against civilian vital **infrastructure** also severely disrupted vital energy sources and means of communication. In particular, the entire population was left without access to electricity, Internet, and mobile connections for 35 hours, starting from September 19, around 2:30 p.m. People confined to cold basements for extended periods of time due to safety concerns were not able to cook, heat, or charge their devices. These circumstances were described by a large proportion of interviewees.²⁴

46. A number of village and city communities were cut off from each other.

47. The Office has identified current and authentic video footage released on social media as of Sept. 20 of 2023, which depicts an

²⁴ Information and images on basement conditions available at:
<https://www.24news.am/news/304847>
<https://twitter.com/marutvanian/status/1704597305326796825>

Azerbaijani soldier firing his rifle at a civilian house in the village of Charektar.²⁵

48. Video footage shared on social media as of October 7 depicts a soldier in Azerbaijani military uniform firing his weapon into the air, surrounded by dead farm animals, indicating another likely instance of targeting civilian objects.²⁶

Pictures of stills of video footage:

The picture on the left depicts an Azerbaijani serviceman targeting a civilian house.

The picture on the right depicts an Azerbaijani serviceman firing his weapon into the air, surrounded by dead livestock.



25 Video available here:
<https://twitter.com/NeilPHauer/status/1704888223514702103?t=TFI8JJLm8RE2BUGhUDxWAg&s=08>

26 Video available here:
<https://twitter.com/aworldunited2/status/1710738460854673752?s=48>

The situation in the basements

49. People have been hiding in basements and other places to save themselves.

50. Most of the forcibly displaced persons (pregnant women, disabled people, elderly people, families with many children, etc.) told the fact-finding groups of the Defender that from September 19 to 20, they sheltered basements in order not to be the target of the Azerbaijani fire. Interviewees described suffering many deprivations during their stay in the basements. In all cases, they reported that they were deprived of basic necessities, such as food, medicine, sometimes drinking water, beds, warm clothes, and sanitation facilities. They had no contact with the outside world. They regularly heard the sounds of shelling and shooting, and children cried constantly from fear and suffered from health problems, such as fever. They stayed in the basements in that condition for more than a day. According to private conversations, many families had to stay in basements for 3-4 days or more.

Pictures: Forcibly displaced people in basements



51. One of the forcibly displaced people from Stepanakert (a woman) reported that she hid with her three-year-old child in the basement of the Holy Mother of God Cathedral in Stepanakert. She was there from the afternoon of September 19 until the evening of September 20. During that time neither she nor the child was fed. In the basement, there were a few pieces of leftover dry bread and water, with which the child somehow managed to survive. Because there was no toilet, they had to leave the basement under the sound of shelling.

52. During a private conversation, a pregnant woman stated that after the start of the shelling, she hid in the basement, she was malnourished and scared, she clearly heard the sounds of the shots, and was always in a tense situation.

53. It is noteworthy that while sheltering in the basement, one of the pregnant women gave birth, the other had to be carried to the operating room under the bombardment and gave birth there.²⁷

54. Several families hiding in the basement of one of Martakert's medical centers reported that after hiding in the basement with their children for a long time, a stench spread in the basement from corpses which had been moved there, and they had to come out with their children.

55. Numerous families reported that their children got sick in damp and cold basements, and had high fevers, but there was no medicine.

56. During private conversations, the forcibly displaced people gave details about the deprivations they suffered after the cessation of intense Azerbaijani shelling as of the afternoon of September 20. In particular, many people stated that after leaving the hiding places, they rushed to the Stepanakert Airport, where the Russian peacekeepers were headquartered. According to the people, Azerbaijani soldiers had approached their settlements, posing an acute threat to life and well-being. Many people

²⁷ Video report on births taking place in basements (Armenian, subtitles unavailable) https://drive.google.com/file/d/18TgggFtK-t6OWT7fpb2c0fqPxBUCA7X2/view?usp=drive_link

reported that they remained near the airport for several days, scared, waiting for the first opportunity to leave the Nagorno-Karabakh.

Schools and kindergartens targeted during daytime

57. The armed forces of Azerbaijan launched the attack at a time when the children of Nagorno-Karabakh were in schools and kindergartens. According to the information registered at the Human rights defenders office, schools and kindergartens were under the direct aim and targeting of the Azerbaijani armed forces.

58. As a result of monitoring of publicly available information it was recorded that the school was destroyed when the Yegtsahogh community of the Shushi region with a total of 150 residents has come under direct target of the Azerbaijan armed forces. No opportunity to evacuate the residents surrendered by the Azerbaijani armed forces was provided.²⁸

59. During the shootings, parents immediately rushed after their children. In an interview conducted by the Office a forcibly displaced woman from Stepanakert attested her child was at kindergarten when the shooting started. She tried to run on foot to find her child. At that time, the priest of the Holy Mother of God Cathedral in Stepanakert noticed her and directed her to quickly hide in the basement of the church, while he himself went by car after all the children left the kindergarten. While the priest was driving the car, shots were fired from behind him. Azerbaijani armed forces targeted his car, but the priest managed to reach the kindergarten, pick up the children, and bring them to the basement of the church.

60. The analysis of monitoring activities reveals that the Azerbaijani armed forces directed their attacks also against civilian objects and vital

²⁸ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 19.09.2023 // https://x.com/Gegham_Artsakh/status/1704148238830284858?s=20

Healthcare system and medical facilities under attack

63. According to information reported in official and social media, the delivery of healthcare services to Nagorno-Karabakh civilians was disrupted, including due to the absence of necessary medical equipment, medicines, and even first aid supplies.³⁰

64. According to the information reported early in the morning of September 20, the Azerbaijani armed forces opened fire on the ambulance of Stepanakert, which was on its way to Martakert province in order to transport the bodies of eight people who died as a result of the Azerbaijani attack.³¹

65. On September 20, the ambulance of the Stepanakert's morgue, which was sent to the Martakert region in order to transport 8 bodies to the capital, was fired at by the Azerbaijani armed forces. As a result, the driver of the ambulance was injured and was not able to evacuate the bodies to Stepanakert.³²

66. In a private interview one of the forcibly displaced persons from Haterk village stated that on September 19, during the Azerbaijani bombardment, he noticed two children with horses out in a field. He immediately instructed the two children to sit in the ambulance parked nearby, and sent them to the village. The ambulance was struck with targeting shelling from the Azerbaijani armed forces, and both children died on the spot.

67. Targeting medical transportation is prohibited both under Customary International Humanitarian Law and the Geneva Convention

³⁰ Statement of the Human Rights Defender of the Republic of Armenia, The results of the monitoring and analyzes conducted by the Office of the Human Rights Defender of the RA prove that the humanitarian disaster in Nagorno-Karabakh is deepening hour by hour, 21.09.2023 // https://www.ombuds.am/en_us/site/ViewNews/2702

³¹ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://x.com/ArtsakhOmbuds/status/1704314872203190305?s=20>

³² Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://x.com/ArtsakhOmbuds/status/1704314872203190305?s=20>

for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949 (Article 35(1)).

Casualties among civilians

68. Since September 19, 2023, several communities of Stepanakert have been subjected to intensive shelling by the Azerbaijani armed forces using various weapons, including artillery.

69. As of September 20, at least 200 deaths and more than 400 wounded persons, including civilians, were reported. The number of injured people among the civilian population exceeded 40 persons, including 13 children. There were 10 confirmed civilian deaths, including 5 children.³³ Further information about casualties were impossible to define objectively because Nagorno-Karabakh state and municipal administrations were paralyzed.

70. As a result of the Azerbaijani attack in the Sarnaghbyur community (population 76) of the Askeran region, 5 civilians were killed, 15 were wounded, 4 were captured.³⁴ Cases when several peaceful civilian victims from one family were killed are reported. In particular, two children (8 and 10 years old) were killed in Sarnaghbyur village.³⁵

71. A resident of the village of Inner Horatagh said that a rocket fell on his neighbor's house, as a result of which the two neighbors died. In another case, a person forcibly displaced from Martakert reported that his 54-year-old mother, Ms. R. B., received a fatal shrapnel wound to the head as a result of Azerbaijani shelling on September 19, 2023, in the area adjacent to the administrative building of the Martakert municipality. The Defender's representatives have also studied the

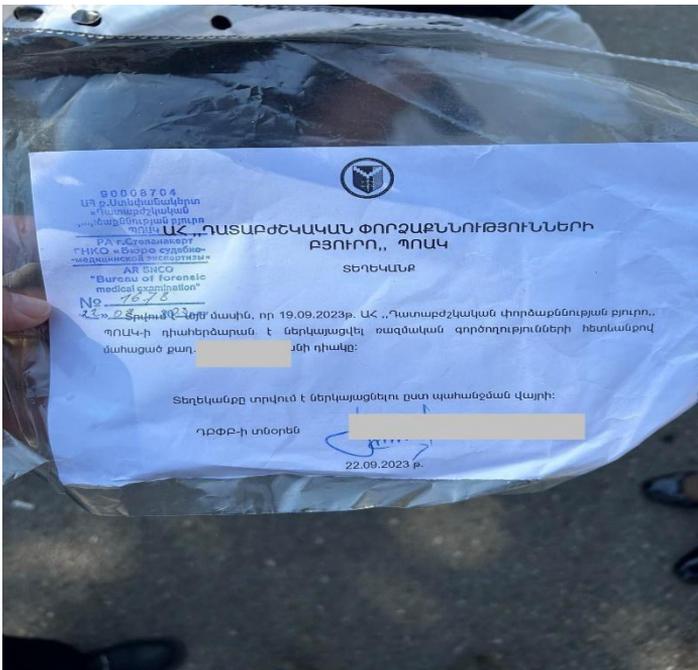
³³ Announcement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.09.2023 // <https://x.com/ArtsakhOmbuds/status/1704551860999242216?s=20>

³⁴ <https://x.com/ArtsakhOmbuds/status/1705930144215347450?s=20>

³⁵ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 24.10.2023 // <https://twitter.com/ArtsakhOmbuds/status/1705937767060959446>, <https://www.24news.am/news/304832>

certificate prepared, sealed and signed by the "Bureau of Forensic Medical Examinations" of the Nagorno-Karabakh on September 22, 2023, according to which the body of the civilian Ms. R. B., who died as a result of military operations, was presented to the morgue (see the certificate below).

Picture of Certificate of the Nagorno-Karabakh "Bureau of Forensic Medical Examinations"



72. On September 20, 197 wounded were transferred to "Republican" medical center of Nagorno-Karabakh. 12 deaths were registered among the wounded, with their injuries proving fatal. According to the data received from the Medical Center, 45% of the wounded were in a serious condition, 15% were in an extremely serious condition.

73. Another person who was forcibly displaced from Verin Horatagh reported that his neighbor's leg was severed due to Azerbaijani shelling. It was not possible to provide medical aid and the neighbor died from loss of blood.

74. On September 22 and 23, 26 wounded from Martakert were transported to Stepanakert within the intervention of ICRC to receive proper medical assistance.³⁶ At further stage they were evacuated from Stepanakert to Yerevan.

75. As of 25 September, the condition of 4 out of the 23 wounded who were transported from Nagorno-Karabakh for treatment in specialized medical centers in Yerevan was assessed as extremely serious. Doctors have assessed the health status of 16 wounded as severe, while 3 were considered to be of moderate severity.³⁷

76. International Humanitarian Law and Human Rights Law state that when conducting military operations, constant care must be taken to respect civilians and civilian objects. All feasible precautions must be undertaken to avoid or minimize incidental loss of civilian life, injury to civilians, and damage to civilian objects. Specifically, Article 51 (2) of the 1977 Protocol Additional to the Geneva Conventions of 12 August 1949 states that “The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.”

The atmosphere of fear and panic among civilians during military aggressions and inhuman treatment during displacement

³⁶ Aysor.am “Amatuni: The Red Cross will not be able to bring doctors into Artsakh” 22.09.2023 (Armenian)

<https://www.aysor.am/am/video/2023/09/22/%D4%BF%D5%A1%D6%80%D5%B4%D5%AB%D6%80-%D4%BD%D5%A1%D5%B9/80188> ;
<https://hraparak.am/post/c88d48e5a469b0a6f5031405cb4c8898>

³⁷ The announcement of the Ministry of Health of the Republic of Armenia, 25.09.2023 // <https://moh.am/#1/6955>

77. During the private interviews, almost all persons unanimously stated that a widespread panic started as a result of the Azerbaijani shelling, shootings, attacks and sounds of UAVs.

78. Based on the data obtained during the fact-finding activities of the Defender, it was recorded that the Azerbaijani armed forces disseminated fear and alarm among the civilian population from September 19 to 20, 2023, and after that by various means. During those days, they directed their attacks indiscriminately at civilian settlements, resulting in the deaths and injuries of many civilians, including children.³⁸

79. When questioned by the fact-finding groups of the Defender about their reasons for leaving the Nagorno-Karabakh, forcibly displaced individuals unanimously cited the untenable conditions under Azerbaijani control. Enduring months of blockade, they grappled with daily food shortages, incessant Azerbaijani military gunfire targeting their settlements, prohibitions on agricultural activities, vandalism against agricultural machinery, prolonged shortages of diesel fuel, recurrent disruptions in mobile communication and Internet services: electricity was regularly cut off and they could not live peacefully.

80. All forcibly displaced persons stated that in 2023 after the attacks of the Azerbaijani armed forces on September 19, when their soldiers came even close to their homes, it became impossible to live there. In those conditions, when there was a direct threat to their lives and health, they had to move to Armenia.

81. As a result of fact-finding operations undertaken in the city of Goris and the community of Korindzor in Syunik Province between September 28-29, 2023 it has been established that the reason for the evacuation of the residents of Martuni was the behavior of representatives of Azerbaijan's armed forces.

82. The villagers of Martuni abandoned their residences under bombardment between September 19 and 20, because the Azerbaijani

38

https://drive.google.com/file/d/18XvERm_GLuEL4MvatHBLqsTyAgxthzbO/view?usp=drive_link

armed forces had already entered nearby villages, for instance, the community of Chartar.

83. One of the civilians stated that her fundamental reason for leaving Nagorno-Karabakh was fear, arising from stories she had heard of sexual violence directed against women in the Martakert region.

84. During private conversations, forcibly displaced persons from different settlements of Nagorno-Karabakh stated that they came out of the basements when they were told to leave the settlement immediately. For example, in the case of Sarushen village, people were told a specific time to leave the settlement - until 17:00 of the given day. Afterward, Azerbaijani soldiers would enter the village.

85. During the course of the military operation, it was reported in international media that “footage purporting to show executions of Armenians in Nagorno-Karabakh and bounties to kill and capture Armenians are circulating on pro-Azeri social media.”³⁹ Footage of atrocities (possibly from the 2020 war), as well as pictures of missing Armenian women and families were disseminated. In addition to constituting a direct threat against the Armenian civilian population, this activity also suggests an effort to sow panic among the Armenian civilians of the Nagorno-Karabakh and cause them to flee. The causes of fear dated back years. Interviewees reported that after the 44-day combat operations of 2020, in the immediate vicinity of their settlements, the Azerbaijani military often announced through loudspeakers in the Armenian language: "Leave the settlement. It is not your territory. It is the territory of Azerbaijan. As long as your heads are on you, leave!" After the mentioned announcement, "Mugham" music was played loudly.

86. In the panic many families lost each other. For example, in a private interview one of the residents of Arajadzor village of Martakert region said that he lost his father during the Azerbaijani shelling and was no

³⁹ "Nagorno-Karabakh conflict: Graphic execution videos emerge as Armenians flee and experts warn of genocide," iNews UK, 22.09.2023// <https://inews.co.uk/news/world/nagorno-karabakh-conflict-execution-videos-armenians-experts-warn-genocide-2636369>

longer able to contact him. At the time of the conversation, the person in question did not yet have any information about his father.

87. Another example is the story of a forcibly displaced person from Stepanakert who told the fact-finding group that her neighbor stayed in the city because she lost her two daughters as a result of the Azerbaijani shelling on September 19 and could not find them. (One was in kindergarten and the other at school when the shelling started). The mother refused to leave Stepanakert until the children were found.

88. One of the forcibly displaced persons (an emergency worker) from Haterk village told the Defender's fact-finding group about another case involving the impact of Azerbaijani aggression on civilians. He noted that he was in Martakert during the shelling to carry out rescue operations. At the time, there was widespread panic among civilians. One of the cars drove fast to avoid being shot and struck a woman and a child crossing the street.

89. One of the residents of Chankatagh said that his 5-year-old grandson was playing in the yard at the time of the shooting. He also noted that the 8-year-old granddaughter, who suffers from type 1 insulin-dependent diabetes, was at home with her 81-year-old grandmother, who has disability and mobility issues, at the time of the shooting. As a result of the shelling, the window of the house was broken, and everyone ran away from the house in panic. The children began to tremble due to fear. Subsequently the children were depressed for about 3 days and cried continuously.

90. In another case, a resident of Sarushen village said that he ran away from the village with his children under fire of unprecedented intensity, walked through the forest all night to reach another settlement, hid there, and managed to reach Stepanakert the next day. Numerous other people who were forcibly displaced from different settlements of the Nagorno-Karabakh also provided similar information in their private interviews.

91. People noted that when they were allowed to leave the Nagorno-Karabakh, everyone immediately used all possible means to escape: some with their own cars, others with buses, trucks, etc. There was an extreme need for diesel fuel. Many vehicles were stranded on the

road due to lack of fuel. The fleeing population was caught in heavy traffic, having to travel while hungry, thirsty, and without medicine for more than a day (in some cases for 40 hours).

92. While conducting on-site activities, the fact-finding groups of the Defender recorded numerous cases of individuals suffering from exhaustion, hunger, health afflictions, and mental distress, all within the context of an uncertain and precarious situation. For example, one of the children at the humanitarian center of Goris deteriorated sharply due to not eating for three days, and spending hours on the road under the rain in the back of a truck. In the presence of the fact-finding group of the Defender, he was given medical assistance on the spot.

Picture of the children whose health situation was deteriorated sharply in the presence of the fact-finding group of the Defender at the humanitarian center of Goris



93. In another case, the health condition of an elderly man deteriorated after a long journey to the Goris Humanitarian Aid Center, and his blood pressure increased. In the presence of the fact-finding group of the Defender, he was also provided with medical assistance on the spot.



Picture of an elderly man deteriorated after a long journey to the Goris Humanitarian Center

94. There were numerous similar cases in the Kornidzor, Goris, and Vayk humanitarian centers. It was obvious that people, especially children, were malnourished, tired, and cold. The same was observed in the elderly. In general, almost everyone interviewed by the fact-finding groups of the Defender was in uncertainty. According to doctors, a large proportion of the children had high fever, weakness, and diarrhea.

95. Methods of instilling fear were not only employed to encourage civilian evacuation, but persisted until displaced persons reached the Armenian border. The forcibly displaced people noted that most of the men were taken out of their cars near the Hakari bridge and made to pass certain checks and face identification by standing in a row, the cars were

also checked and passed under the scanner.⁴⁰ There were incidents where men were pulled out of the vehicle, and an Azerbaijani soldier took over the driver's seat with the families still in the car. Such separation caused fear to both the men and their families. Only after passing the checks were men allowed to return to the cars.

96. According to the information provided by some of the interviewees, Azerbaijani personnel communicated with the displaced civilians by bodily pushing and shoving them, especially in cases when they noticed a cross hanging in the car. They removed crosses from the cars, trampling them underfoot with shouting, cursing and other verbal abuse. In the case of one family, the grandmother became ill as a result of such behavior while passing through the Martuni checkpoint. The Azeris did not respond to her condition, simply continuing their shouts and curses.

97. During private conversations, people also reported that they had difficulty crossing the border after being in a blockade for about 10 months, mostly malnourished, and without medication for chronic diseases for a long time. There are numerous reports that children and pregnant women had health problems on the way. For example, during a private interview, an incident was recorded in which an 11-year-old child with epilepsy experienced a physical deterioration and fainted on the road; there was no opportunity to provide him with first aid or medication. Deaths from stroke as well as other adult deaths have been recorded on the road.

98. Interviewees unanimously reported that members of the Azerbaijani armed forces directed verbal abuse at displaced persons at the checkpoints, cursing at civilians, and urging them to leave and never come back with such statements as “go, get lost, clean our land.” Azerbaijani soldiers performed the salute of the Grey Wolves, filmed them, and shouted "Haida, davai" (“get moving”), forced displaced persons to repeat the word "Khojavand" three times, pulled hats off their

40

https://drive.google.com/file/d/1S3cZOWGZOyKk4fnMaplj1f0mUwqDM0Yb/view?usp=drive_link

heads, performed mocking security checks and so on. Children in particular were very scared on the road.⁴¹

Pictures depicting the deteriorated health condition of older persons who were forcibly displaced from Nagorno-Karabakh



⁴¹ The Grey Wolves is a Pan-Turkic right-wing militant organization, widely described as “extremist,” “ultranationalist,” “fascist,” and “terrorist,” which is responsible for acts of political violence in Turkey and wider Europe since the 1970s. The group and its salute are banned from multiple European countries including Austria (2019) and France (2020). In banning the Grey Wolves, the French Government cited “incitement to hatred” against Armenians in particular, expressed in acts such as vandalism of a memorial to victims of the Armenian Genocide. Counter Extremism Project: “Report: Grey Wolves” <https://www.counterextremism.com/threat/grey-wolves> “France bans Turkish ultra-nationalist Grey Wolves,” *Deutsche Welle*, 04.11.2023// <https://www.dw.com/en/france-bans-turkish-ultra-nationalist-grey-wolves-group/a-55503469>

Children

99. The rights of children who do not participate in military operations in an armed conflict or military situation are guaranteed by the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 (hereinafter “Fourth Geneva Convention”) and Additional Protocol I.

100. Children shall be the object of special respect and shall be protected against any form of indecent assault, according to Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977. The Parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason. Moreover, the Convention on the Rights of the Child obliges States Parties to respect and ensure respect for rules of international humanitarian law applicable to them in armed conflicts that are relevant to the child.

101. Due to the Azerbaijani military aggression against Nagorno-Karabakh, the rights of 30,000 children have been gravely violated. Children have suffered displacement, injuries, and great distress. They were among the forcibly displaced people who remained in the open air, without food or other basic care.

102. As a result of the fact-finding activities cases of dead children, missing, separated, or unaccompanied children were specifically reported. Numerous children remained without any contact with relatives and the possibility of evacuation. People were desperately trying to find their lost children.⁴²

103. As of September 20, the number of **injured children** was recorded at 13. At that moment 5 (five) cases of **child deaths** were confirmed⁴³ as

⁴² Member of the National Assembly of Nagorno-Karabakh Nella Grigoryan, 23.09.2023 // <https://news.am/arm/news/782874.html>

⁴³ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://twitter.com/ArtsakhOmbuds/status/1704551860999242216>
https://twitter.com/Artak_Beglaryan/status/1704512860485816435

a result of Azerbaijan targeting a group of children and women sheltering in one of the houses in Sarnaghbyur village. One of the children died on the way to the hospital, and the bodies of the two children were not even found by the parents.⁴⁴ On September 19, the Ministry of Healthcare of the Nagorno-Karabakh reported that 12 wounded children are getting medical aid in the Arevik Medical Association, three of them are in serious condition and in need of surgery.⁴⁵

104. The number of **missing children** is yet to be defined. The Office has been receiving numerous alarming calls about persons notably missing with the request to assist them in finding their children. The Defender and the Office are going to enhance their efforts in monitoring the cases related to missing, separated from their families, and unaccompanied children, and in case of necessity release a special report on the matter.

105. As a result of the monitoring of media reports, social media, and conducted interviews the Office has recorded activities of Azerbaijani armed forces that have gathered and taken away men from the age of 14 in some districts of Stepanakert.

106. According to an interviewee, cases have occurred in which parents have refused to leave Stepanakert because their children are missing. An interviewee attested that a neighbor woman, being unable to find her two young daughters (one a kindergartener, the other a school-aged student) who went missing on September 19th, refused to come to Armenia and stated that she would commit suicide.

107. As a result of the indiscriminate targeting of the civilian population by the Azerbaijani armed forces, some residents of the affected settlements did not even manage to leave the conflict zone and had to *hide with their children, in the basement, in churches, or in schools*.

⁴⁴ Aysor.am “At least 5 children have died in Sarnaghbyur, 13 wounded’ 9.20.2023 (Armenian) // <https://www.aysor.am/am/news/2023/09/20/%D4%B2%D5%A5%D5%A3%D5%AC%D5%A1%D6%80%D5%B5%D5%A1%D5%B6/2154681>

⁴⁵ Ministry of Healthcare of Nagorno-Karabakh, 19.09.2023 // <https://news.am/arm/news/781827.html>

108. It should be emphasized that during the shelling, some of the children were at school and kindergarten, and some of them were on their way home from school⁴⁶ (see paragraphs 9-11 of the present Report).

109. A displaced family from the Getavan village of Nagorno-Karabakh, which has 10 children, took refuge in the school named after Griboyedov in Stepanakert.⁴⁷

110. Interviewees reported that due to the interruption of civil life and the paralyzation of the healthcare system during the bombardments and the other shelling children were facing the same restrictions of food, sanitation, and access to healthcare.

111. Women were giving birth without any medical assistance. This information has repeatedly been reported through the media as well. For example, the women took shelter in the basement so that their babies wouldn't die because of the war. Two children were born in the basement, the other under the shelling.⁴⁸

112. Most alarmingly, it became public knowledge about the dissemination of **hatred against ethnically Armenian children** and women through Azerbaijani social media: Azerbaijani Telegram channels encourage people to find, kill, torture, and rape the missing people of Nagorno-Karabakh, including children, even offering money for it. Many relatives of the missing people were alarmed about receiving threatening and terrorizing calls and messages⁴⁹ (See the photos below).

Pictures depicting hatred against Armenian children disseminated by Azerbaijani social media users

⁴⁶ Video available at the following media outlets <https://www.aysor.am/am/video/2023/09/19/%D5%A1%D6%80%D6%81%D5%A1%D5%AD/79665>

⁴⁷ The video of interviews is available at: https://news.am/arm/news/782361.html?fbclid=IwAR18QAYPc_lEBaynGDECTF9R_AaXk1179ifeDBVuq-feMI5h5GcIN-yb7qNA

⁴⁸ The video is available at <https://twitter.com/robananyan/status/1704213426069712917?s=20>

⁴⁹ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 23.10.2023 // <https://twitter.com/ArtsakhOmbuds/status/1705360064310087867>



Translation from Russian: They are lost. Whoever finds them, should rape them, suck them, cut them into pieces, and give them to the dogs as dinner.

Pictures of children injured as a result of Azerbaijani attack



Pictures depicting forcibly displaced children waiting in Stepanakert



Women

113. According to information provided by the Ombudsman of Nagorno-Karabakh, as of 03:00, September 20, the number of deaths among the civilian population has reached 7 persons, among which 3 are women.^{50 51}

114. On September 19, women gave birth under the shelling, one of them in the basement.⁵²

115. During the Azerbaijani military aggression against Nagorno-Karabakh, Azerbaijan targeted a group of children and women sheltering in one of the houses in Sarnaghbyur village.⁵³

⁵⁰ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://twitter.com/ArtsakhOmbuds/status/1704271945917673681>

⁵¹ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://twitter.com/ArtsakhOmbuds/status/1704276856512385488>

⁵² <https://twitter.com/robananyan/status/1704213426069712917?s=20>

⁵³ Former State Minister & The Human Rights Ombudsman of the NagornoKarabakh, 20.09.2023 // https://twitter.com/Artak_Beglaryan/status/1704512860485816435

116. The Ministry of Defense of Azerbaijan shared a picture and footage of an unconscious woman, a resident of Nagorno-Karabakh, receiving medical care and going through surgery in an Azerbaijani hospital.⁵⁴

117. Azerbaijani users are sharing the profiles of Armenian women from Nagorno-Karabakh on social media, encouraging those who find the women to rape them when they are taken into Azerbaijani custody.⁵⁵

118. The Office also conducted monitoring of Azerbaijani public sources and social media publications disseminated over the mentioned days. The results reveal an alarming trend where calls for violence, encompassing physical reprisals, sexual threats, and hate speech, are continuously being disseminated across various social groups and online platforms.

119. These publications notably included photos of Armenians seeking information about the whereabouts of their relatives living in Nagorno-Karabakh. They not only serve as evidence of Armenophobic sentiment deeply ingrained within the Azerbaijani society but, in light of recent events, also indicate the existence of real threats of physical harassment against Armenians, particularly women and children, who were especially targeted. Therefore, it was recommended by the Defender to refrain from disseminating information concerning individuals whose whereabouts remain unknown through public sources, as this makes them susceptible to targeting by Azerbaijani users. Concurrently, public figures, especially members of parliament were using aggressive rhetoric and threats of use of force in their publications.

120. Many women were under complete blockade⁵⁶ and could not be evacuated, at the same time many of them evacuated from different

⁵⁴ Minister of Defense of the Republic of Azerbaijan, 21.09.2023 // <https://t.me/duxov01/9069>, https://t.me/bez_tor/29994

⁵⁵ Statement of Minister of Foreign Affairs of Armenia at the UN Security Council emergency meeting, 22.09.2023 // https://www.mfa.am/en/speeches/2023/09/22/UNSC_Urgent/12225

⁵⁶ The interview of Mayor of Mets Shen village, 20.09.2023 // <https://news.am/arm/news/782120.html>

regions of Nagorno-Karabakh continued to stay in the area adjacent to Stepanakert airport, spending the night under the open sky.⁵⁷

121. On September 19, the Azerbaijani armed forces opened fire on the vehicles of the Russian peacekeepers while the latter were attempting to evacuate women and children from Nagorno-Karabakh through the Lachin Corridor, by the Hakari Bridge.⁵⁸

Alleged cases of torture/mutilation

122. The fourteen cases presented below are the casualties of the attacks of Azerbaijani armed forces on Nagorno-Karabakh on September 19-20, 2023. The information about cases of alleged torture/mutilation that was available in public media and revealed by the interviews has been confirmed by the state competent authorities upon the Defender's request.

123. Out of the fourteen dead bodies, four belong to children aged twelve and younger, three to older persons, one to a female, and five to males. The dead bodies that have been transferred to Armenia from Nagorno-Karabakh, demonstrate physical traces of violence and signs of alleged torture/mutilation that should be determined by the forensic examination.

124. Presented below are brief descriptions of pictures depicting cases of alleged torture/mutilations of civilians committed by the Azerbaijani armed forces during the September 19-20 military aggression against Nagorno-Karabakh. You can find the pictures in **the additional confidential appendix which is not subject to public dissemination.**

⁵⁷ Video depicting <https://www.youtube.com/watch?v=JMSbyMH7iOE>, <https://www.youtube.com/watch?v=kSygPkmhGoo>, <https://www.aysor.am/am/news/2023/09/23/%D5%8D%D5%BF%D5%A5%D6%83%D5%A1%D5%B6%D5%A1%D5%AF%D5%A5%D6%80%D5%BF/2156758>

⁵⁸ Panorama.am "Azeri troops fire at Russian peacekeepers' vehicles evacuating women, children from Artsakh," 20.09.2023// <https://www.panorama.am/en/news/2023/09/20/Azeri-attack-Artsakh/2898908>

125. Pictures 1 demonstrates the body of a male. The right upper limb is amputated at the level of the arm. The left ear is absent. The left half of the head is burned and charred, and there are multiple shrapnel injuries on the left upper and lower limbs with surrounding burnt surfaces (See additional confidential appendix pictures 1).

126. Pictures 2 demonstrates the body of a male, in civilian/casual clothes. Examination of the body revealed signs of damage to the neck. The circular injury traces around the neck as well as the cyanosis of the head, face, and neck indicate suffocation (See additional confidential appendix pictures 2).

127. Pictures 3 demonstrates the body of a male child, aged between 10-12 years old. There is a circular damage mark around the neck. The form of damage on the anterior surface of the neck, with cyanosis of the head and neck, is evidence of suffocation. There are also many small scratches and wounds on the body (See additional confidential appendix pictures 3).

128. Pictures 4 demonstrates the body of a male child, aged between 10-12 years old. The traces of shrapnel injuries are mainly in the left half of the body. The left upper limb is cut off at the upper 1/3 level of the arm and there is shrapnel damage in the shoulder area. The skin of the head, face, and neck is burnt from the left side. There are many fragmentary injuries on the lateral surface of the left lower extremity, especially on the thigh. There are similar injuries on the medial surface of the right knee (See additional confidential appendix pictures 4).

129. Pictures 5 demonstrates the body of a male. The face and the left half of the head are almost completely burnt; the left ear, the eye socket, the left cheek and the left half of the mouth are charred. There is a large defect with charred edges on the upper surface of the left shoulder. In addition, there are burns on the upper-middle parts of the left upper extremity (See additional confidential appendix pictures 5).

130. Pictures 6 demonstrates the body of an elderly male civilian. There are burns on the upper and lower limbs. There is a shrapnel injury below the left ear of the corpse. (See additional confidential appendix pictures 6).

131. Pictures 7 demonstrate the body of a female civilian from Sarnaghbyur villages in Askeran, Nagorno-Karabakh. Her body is severely mutilated with the skin on the corpse's face completely burned. There are shrapnel injuries on the outer part of both thighs. The outer part of the right thigh is severed. (See additional confidential appendix pictures 7).

132. Pictures 8 demonstrate the body of a male child, 10 years of age, from Sarnaghbyur village in Askeran, Nagorno-Karabakh. There are scratches on the upper limbs and abdomen of the corpse and shrapnel injuries on the head (See additional confidential appendix pictures 8).

133. Pictures 9 demonstrate the body of a male child, between the ages of 8-9. He was from Sarnaghbyur village in Askeran, Nagorno-Karabakh. There are scratches on the upper and lower limbs of the body, and abdomen, and shrapnel injuries on the head. The left upper limb of the corpse was amputated as a result of impact trauma (See additional confidential appendix pictures 9).

134. Picture 10 demonstrates the body of a male civilian. The limbs and other body parts below the neck have kept their natural color, and the face of the corpse is burned and blackened (See additional confidential appendix pictures 10).

135. Pictures 11 demonstrate the body of a male civilian. The cause of death has likely resulted from a severe injury to the front of the neck, a laceration across the whole width of the cervical. The fingers on his right arm are severely damaged, while the thumb is smashed. What appears to be his left hand is maimed with no remaining fingers. His left ankle is disfigured, caused by the application of brute force that has caused the injuries on his upper limbs. (See additional confidential appendix picture 11).

136. Pictures 12 demonstrate the body of a male civilian whose body is charred. Shrapnel wounds are noticeable across his face, stomach, and lower limbs. Specifically, his left cheek is torn apart and his eye-sockets are blackened. The right leg has several incisions across the foot and ankle. Meanwhile, the left leg is dismembered below the thigh (See additional confidential appendix pictures 12).

137. Pictures 13 demonstrate the body of an elderly male civilian with gunshot wounds across his body, specifically the area around his neck, the right side of his torso, and the left side of his hip area. (See additional confidential appendix picture 13).

138. Pictures 14 demonstrate the body of an elderly civilian whose body has been heavily dismembered right side of his skull is devoid of skin. The left side of his thorax is crushed with a significant indentation in the breast area. The body is heavily dismembered, with both upper joints sundered at the forearms. Evidently, large lesions are noticeable on his right shoulder, thorax, and bicep area. In addition, there are multiple gunshot wounds across his entire body, in particular, the abdomen and right and left sides of his torso (See additional confidential appendix pictures 14).

Dead bodies

139. In Nagorno-Karabakh, the bodies of about 100 people killed by the Azerbaijani military were in communities cut off from Stepanakert, such as Martuni and Martakert. The Azerbaijani armed servicemen kept communities isolated from each other. The Azerbaijani armed servicemen had almost completely disrupted the connection.

140. The isolation between communities deprived the relatives of victims the possibility of taking the dead bodies for forensic examinations and burial. Moreover, there are cases when the relatives of victims have to carry out funerals without previous forensic examination.

141. A Member of Parliament of Nagorno-Karabakh announced that people are not able to transfer the bodies of victims to Yerevan. Most people don't want their children to be buried in Nagorno-Karabakh, as they are not certain whether they will stay in Nagorno-Karabakh or not.⁵⁹

⁵⁹ Member of the National Assembly of Nagorno-Karabakh Ms. Nella Grigoryan, 23.09.2023 //

<https://news.am/arm/news/782874.html>

142. On September 20, the ambulance of the Stepanakert's morgue, which was sent to the Martakert region in order to transport 8 bodies to the capital, was fired at by the Azerbaijani armed forces. The driver of the ambulance got injured and was not able to evacuate the bodies to Stepanakert.⁶⁰

143. Since September 21, the rescues of the State Service of Emergency Situations of the Ministry of Internal Affairs of Nagorno-Karabakh has carried out search and rescue operations of dead and missing servicemen and civilians in the entire territory of Nagorno-Karabakh. As a result of search and rescue operations, 106 bodies were found in Ajapnyak district of Stepanakert, Charektar village of Shahumyan region, Sarnaghbyur village of Askeran region and other regions.⁶¹

144. Article 34 of the Protocol Additional to the Geneva Convention prescribes that the remains of persons who have died for reasons related to occupation or in detention resulting from occupation or hostilities and those of persons not nationals of the country in which they have died as a result of hostilities shall be respected, and the gravesites of all such persons shall be respected, maintained and marked (Article 130)

145. The Geneva Conventions also prescribes the obligation of the Parties to the conflict to search for, collect, and evacuate the dead (Rules 112-115)

146. More specifically, under Rule 114 Parties to the conflict must endeavor to facilitate the return of the remains of the deceased upon request of the party to which they belong or upon the request of their next of kin. They must return their personal effects to them. Meanwhile, the Azerbaijani armed servicemen kept communities isolated from each other and the connection was almost completely disrupted.

⁶⁰ The Human Rights Ombudsman of Nagorno-Karabakh, 20.10.2023 // <https://x.com/ArtsakhOmbuds/status/1704314872203190305?s=20>

⁶¹ State Service of Emergency Situations of the Ministry of Internal Affairs of Nagorno-Karabakh // ok.com/RescueServiceOfTheNKR/

Missing persons

147. On September 19-21, the Office of Armenia received numerous calls and applications on more than 55 missing persons from Askeran, Martakert, Stepanakert and Martuni regions.

148. On September 29, a spokesperson for the International Committee of the Red Cross Yerevan office reported that the office was receiving “dozens of phone calls every day” in addition to in-person visits from Nagorno-Karabakh residents seeking missing friends and relatives.⁶² As of October 6, the ICRC Yerevan Office reported having received “hundreds” of calls and requests related to missing persons, although a total estimate of persons supposed missing was not yet available.⁶³

149. The Office of the Ombudsman of Nagorno-Karabakh also reported that the relevant Nagorno-Karabakh authorities have “received more than 600 calls and requests to find their missing family members, relatives and loved ones”.⁶⁴

150. Among the missing persons are servicemen and also civilians. Their fate and whereabouts remain unknown and challenging to ascertain.

151. The families of the missing persons are enduring an alarming period of uncertainty, with their suffering exacerbated by the dearth of information on their relatives. This predicament was further compounded by their lack of access to the Internet and electricity since the beginning of the military aggression by Azerbaijani armed forces.

152. The International Convention for the protection of all persons from enforced disappearance also prescribes that no one shall be subjected to enforced disappearance. No exceptional circumstances whatsoever,

⁶² Azatutyun (RFE/RL Armenia), “Karabakh Refugees Look For Missing Relatives,” 29.9.2023. // <https://www.azatutyun.am/a/32616293.html>

⁶³ Armenian Mirror-Spectator, “ICRC Receives Hundreds of Calls from Karabakh Citizens Searching for Missing Persons,” 06.10.2023// <https://mirrorspectator.com/2023/10/06/icrc-receives-hundreds-of-calls-from-karabakh-citizens-searching-for-missing-persons/>

⁶⁴ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 22.10.2023 // <https://x.com/ArtsakhOmbuds/status/1705219742582050847?s=20>

whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.

Displaced persons

153. On September 19, at the beginning of the Azerbaijani aggression against Nagorno-Karabakh, the civilian population of six communities of Nagorno-Karabakh, Khramort, Khnabad, Sarnaghbyur, Nakhichevanik, Machkalashen, and Chankatag, was promptly evacuated.⁶⁵

154. Since the beginning of active hostilities, Russian peacekeepers have evacuated civilians from Mardakert, Martuni, and Askeran districts. About 5,000 people⁶⁶ have been brought to the location of the peacekeeping contingent.⁶⁷

155. Overall, more than 10,000 people have been displaced from their communities, and forced to find shelter in other settlements of Nagorno-Karabakh, where relative safety could be provided. Among them were women, children, and elderly. Moreover, many of them had already been displaced several times in their life due to military escalations and aggression.

156. During their displacement, the people of Nagorno-Karabakh were facing lack proper food, medication, and hygiene essentials.⁶⁸ As of September 22, according to the Minister of Foreign Affairs of Armenia, more than ten thousand persons became forcibly displaced, including

⁶⁵ Statement of the Human Rights Ombudsman of Nagorno-Karabakh, 19.09.2023 // <https://news.am/arm/news/781814.html>

⁶⁶ <https://www.youtube.com/watch?v=sHQnPINAw7M&t=6s>

⁶⁷ Ministry of Defense of the Russian Federation, 21.06.2023 // https://eng.mil.ru/en/news_page/country/more.htm?id=12479525@egNews

⁶⁸ Statement of the information headquarters of Nagorno-Karabakh, 21.09.2023 // <https://www.aysor.am/am/news/2023/09/21/%D5%8D%D5%BF%D5%A5%D6%83%D5%A1%D5%B6%D5%A1%D5%AF%D5%A5%D6%80%D5%BF/2155240>

children, who stayed in the open air, without food and other means of subsistence.

157. The forced displacement of civilians from their homes in the conflict-affected regions of Nagorno-Karabakh constitutes a severe violation of their right to live in peace and security. The displacement of people deprives citizens their basic essentials. It places the fundamental rights of the displaced persons at significant risk, including their schooling, employment, and livelihoods.

158. As a result of the 44-day war of 2020, over 30,000 displaced citizens of Nagorno-Karabakh. Approximately 10,000 of them were returned to their communities. However, currently, they were forced to leave their homes which makes them more vulnerable.

159. Furthermore, the psychological impact on displaced persons from the Azerbaijani aggression in Nagorno-Karabakh is particularly pronounced, as they not only grapple with the loss of their homes and livelihoods but also face the added burden of uncertainty and instability in their lives.

160. As of October 10, a total of 100,632 forcibly displaced persons have arrived in Armenia from Nagorno-Karabakh.

161. On September 25-26, the Human Rights Defender visited Goris and Kornidzor communities to conduct fact-finding activities on the spot and collect detailed information. In particular, at the registration point located in the Goris community, conversations were held with forcibly displaced persons, and the issues related to their registration and provision of accommodation were examined. Many issues were discussed with the competent state authorities and necessary solutions were provided.

162. Forcibly displaced persons were also provided with counseling related to the protection of rights. The Defender expressed a strong commitment to addressing issues within her mandate, with a special daily focus on these matters and an individualized approach to upholding everyone's rights.

163. The forcibly displaced persons presented to the Defender the most serious issues of human rights that appeared as a result of the Azerbaijani aggression in their place of residence.

164. The Defender also had a meeting with the governor of Syunik in Goris. The latter presented to the Defender the activities being carried out in the region regarding the reception of forcibly displaced persons. The Defender stated that the issues related to the rights of these persons are under her immediate attention. A meeting was also held with the representatives of other state bodies.

165. On the same day, the Defender visited the Humanitarian Station based in the Kornidzor settlement of Tegh community. The Defender together with the Head of the Armenian office of the UN High Commissioner for Refugees and Representative of UNICEF, observed the needs assessment process and talked with the staff, including medical workers.

Ethnic cleansing and genocidal policy

166. The shelling of the civilian settlements of Nagorno-Karabakh, targeting the civilian population and objects as well as the results of the media monitoring activities conducted by the Office confirm that Azerbaijan aimed to complete the ethnic cleansing of the Armenian population of Nagorno-Karabakh.

167. Along with creating a humanitarian disaster in Nagorno-Karabakh, old and new videos, photographs and other publications containing hostility and hatred towards Armenians were being actively disseminated in the media platforms and social networks of Azerbaijan.

168. Furthermore, all of this was accompanied by comments by Azerbaijani society full of hate and Armenophobic speeches, praising the human rights violations committed by the Azerbaijani armed forces against both military personnel and civilians, including war crimes and atrocities.

169. The Defender once again records that such an intolerant attitude of the Azerbaijani society is the consequence and proof of the

Armenophobic policy as well as the policy of ethnic cleansing pursued by the Azerbaijani authorities.

170. In addition, ethnically based hate propaganda against Armenians in Azerbaijan has also been recorded by international human rights monitoring bodies, in particular, in the concluding observations on the 10th to 12th periodic reports of Azerbaijan to the United Nations Committee on the Elimination of Racial Discrimination (CERD) from September 22, 2022, and in the report of the European Commission against Racism and Intolerance (ECRI) of 29 March 2023.

171. Both the committee and the commission have expressed their concern regarding the incitement to racial hatred and the propagation of racist stereotypes against persons of Armenian national or ethnic origin, including on the Internet and social media, as well as by public figures and government officials.

172. Moreover, the use of discriminatory language and propaganda of intolerance towards ethnic Armenians in school textbooks was also considered worrying. In this regard, ECRI also recorded the prevalence of hate speech against Armenians among the youth, in school and beyond, stressing that it can create fertile ground for further military operations.

173. Pointing out the existence of aggressive rhetoric against ethnic Armenians in Azerbaijani society, including by officials, ECRI noted that the boundary lines between the Azerbaijani political and other public discourse against Armenian decision-makers and hate speech towards Armenians as an ethnic or national community are blurred and practically impossible to discern, although the Azerbaijani authorities refuse to accept that the resentment on the part of Azerbaijani society is against persons of Armenian origin but not only against Armenian decision-makers.

174. The Defender emphasizes that this dangerous Armenophobic policy of Azerbaijan should be at the center of the attention of organizations with a mandate of human rights protection, noting that this dangerous phenomenon rooted in society as a result of years of coordinated policy cannot be eliminated through the mere verbal

declaration of the Azerbaijani authorities, but it is necessary to implement systematic and serious practical mechanisms in that direction.

175. The Defender states that such an intolerant attitude of the society of Azerbaijan is the consequence and proof of the Armenophobic policy of the Azerbaijani authorities.

176. The Defender calls upon the international community to take immediate and urgent actions to redress the consequences of atrocities and crimes against humanity.

Recommendations

177. Taking into consideration the gravity of the consequences of the humanitarian crisis in Nagorno-Karabakh, and the urgent need to guarantee the protection of the human rights of the forcibly displaced persons, the Defender does not limit herself to the process of only identifying the existing issues, problems, needs, and challenges that the displaced people face, but also presents specific recommendations aimed at resolving them.

178. Taking into consideration the results of the fact-finding activities, and their detailed and comprehensive analysis, the Defender recommends that State competent authorities should:

- Identify the vulnerable groups, including persons and their families who became victims of any form of ill-treatment, as well as establish and implement special mechanisms and methodology for addressing their needs and ensuring their fundamental rights.
- Identify and address the basic needs of forcibly displaced persons in order to ensure their physical, mental, and social well-being, while undertaking the process of consolidating means for ensuring access of displaced persons to the relevant services.
- A critical need is to ensure the mental integrity of the forcibly displaced persons from Nagorno-Karabakh; thus, the relevant State bodies of Armenia should implement a targeted and extensive needs assessment on the causes of the traumas faced by the displaced persons, to determine the appropriate directions of support which must be provided to them to ensure their mental integrity and psychological well-being.

179. To the competent investigative and prosecuting bodies:

- Investigate the alleged cases of violations of international humanitarian law and fundamental rights, including alleged cases of torture and/or mutilation.

180. Thus, the Defender urges the State competent authorities to ensure that the physical security and integrity of the concerned persons are guaranteed and that the basic necessities and needs, such as nutrition, water, shelter and housing, health, and sanitation are ensured. Moreover, the relevant state bodies should take the necessary measures and steps to ensure all the relevant economic and social rights, such as access to employment, education, social security, etc.

181. The Defender further notes the specific urgency of the protection of the rights of persons from vulnerable groups, such as children, women, older persons, and persons with disabilities. Additionally, the Defender calls upon the competent authorities of Armenia to ensure that the civil and political rights of the forcibly displaced persons from Nagorno-Karabakh are ensured and protected.

182. To the Office of the Representative on International Legal Matters:

- Assess the events related to the causes of the displacement of ethnic Armenians from Nagorno-Karabakh, including the blockade and military aggressions, from the perspective of international public law, international human rights law, international humanitarian law and based on results present the cases at international and European judicial instances.
- Ensure the adequate documentation of cases of violation of individual human rights of the forcibly displaced persons to present the issues at international and European instances, such as the International Court of Justice, and the European Court of Human Rights.

- Undertake all necessary measures within its mandate to ensure that the challenges conditioned by the causes and consequences of forced displacement of the entire ethnic Armenian population from Nagorno-Karabakh are presented to the international judicial authorities.