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**DESTRUCTION OF THE ARMENIAN CULTURAL HERITAGE IN THE
OCCUPIED SETTLEMENTS OF ARTSAKH IN 1920-2022 AS A WAR CRIME***

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This study aims to present in 1920-2022 In Azerbaijan implemented a policy of destroying the Armenian cultural heritage in the occupied settlements of Artsakh, taking as a basis the relevant international conventions.

It is emphasized that impunity prepares fertile ground for the implementation of new cultural genocides.

The research focuses on the following tasks in order to achieve the above goal:

- to represent the destruction of the Armenian cultural heritage in the occupied settlements of Artsakh in 1920-2022;*
- the fate of the monuments of the Great Patriotic War in Artsakh;*
- destruction of historical and cultural heritage as war crimes.*

The relevance of the topic is due to the fact that war crimes, cultural genocides and state terrorist policy carried out by the Turkish-Azerbaijani terrorist tandem continue to this day.

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The research was carried out within the framework of the research topic of the Center for Caucasian Studies of Mesrop Mashtots University.

The photos used in the study were taken from open Internet trash cans.

The study is presented by a comprehensive study of the available facts using the method of analysis of documentary materials.

The article substantiates the fact that the war crimes carried out by Azerbaijan and the destruction of historical and cultural heritage are committed at the state level and are a component of the Armenian-phobic policy of Azerbaijan, which clearly shows that Azerbaijan has no peace agenda.

As a result of the study, we came to the conclusion that Azerbaijan continues its genocidal and aggressive policy in the region.

Keywords: cultural genocide, occupied settlements of Artsakh, Armenian cultural heritage, war crimes, monuments of the Great Patriotic War, Armenophobia, civilization, international law.

Introduction

The Armenian Highlands, inhabited by Armenians since time immemorial and including the kingdoms of great and small Armenians, is extremely rich in various historical monuments created by the natives of the region for many centuries.

The current Republic of Armenia includes about 10% of the territory of the Armenian Highlands or historical Armenia (with the Republic of Artsakh-about 14%), and the rest of the large-scale Homeland is divided between neighboring countries -Turkey, Azerbaijan (including the Nakhichevan Autonomous Republic subordinate to it), Georgia and Iran.

As a consequence of all this, most of the Armenian historical monuments are automatically located outside the Republic of Armenia.

Over the past almost a century, the neighboring states of Armenia have shown different approaches to the preservation of Armenian historical monuments. At the same time, with the exception of the Islamic Republic of Iran, which constantly and in all respects demonstrated an exemplary attitude, in the territories of the three other neighbors of the Republic of Armenia, Armenian historical monuments were not only not subject to proper protection during the entire specified period, but were also planned and deliberately destroyed¹.

In 1918, as a result of Turkey's military intervention, an artificial Azerbaijani entity appeared on the political map of the world.

Since its creation, Azerbaijan has been pursuing a policy of genocidal and ethnic cleansing, the main purpose of which is to appropriate the historical homeland of the indigenous peoples of the region and the rich cultural heritage created over millennia. An integral part of this policy is the anti-Armenian policy implemented in Azerbaijan at the state level. The cornerstone of this policy is genocidal actions and war crimes carried out by State patronage on ethnic and religious grounds.

The deliberate and consistent Armenian cultural heritage on the part of Azerbaijan fully corresponds to both the characteristic of cultural genocide and the term "war crime". The Azerbaijani state policy of purposeful destruction of Armenian cultural values was and remains as planned as the genocide against the Armenian people, the state terrorist policy and war crimes: destroying the people, destroying any evidence relating to the culture that they have created for thousands of years, which will lead to the disappearance of this people from the universal memory of mankind, and for those who commit cultural genocide, state terrorist policy and war crimes, denial or denial of the

¹Karapetyan S. Azerbaijan out of civilization, Yerevan 2017, p. 7.

existence of this group will become more than easy. In parallel, to establish control over research related to the history and culture of Armenians, becoming an obstacle to excavations and scientific expeditions in Armenian historical settlements, and, finally, the appropriation of the Armenian cultural heritage by distorting the peculiar and anti-scientific rewriting of the "history" of Azerbaijan.

As a rule, for those who practice vandalism in culture, historical and architectural monuments become the target first of all, which, having a clear territorial location and symbolizing a specific national or religious affiliation, simultaneously perform the function of unique indicators in the question of belonging to a given territory or locality.

Destruction of the Armenian cultural heritage in the occupied settlements of Artsakh in 1920-2022

It is noteworthy that in the 1920s and 1940s, when the entire Soviet Union was shaken by anti-religious atheistic ideology, not a single mosque was destroyed in Azerbaijan, and even new ones were built, while dozens of medieval monasteries and churches were destroyed and leveled to the Ground in parallel¹.

In Armenian Nakhichevan, which came under the control of Azerbaijan in 1921, **27 thousand monuments of the Armenian cultural heritage of the VII-XIX centuries – churches, monasteries, chapels and khachkars of universal historical and cultural value were destroyed.** One of the khachkars is on display at the UN headquarters in New York, which saved it from destruction.

As a result of the Turkish-Azerbaijani aggression in March 1920, the historical capital of Artsakh, the city of Shushi, was burned and the genocide of the Armenian population of Shushi was carried out. The genocide in Shushi became the first stage of the aggressive policy of the newly created state of Azerbaijan. As a result of this monstrous crime, thousands of Armenians were killed, the survivors became refugees, and the Armenian cultural heritage was destroyed. The ruins of the buildings of the Armenian Shusha remained until the 1960s and clearly testified to the genocide².

During the [illegal AH, DY] stay of Nagorno-Karabakh within Azerbaijan, as well as during the years of Azerbaijan's military aggression against the **Republic of Artsakh (Nagorno-Karabakh Republic), 167 churches, 8 monastery complexes, 123 historical Armenian cemeteries and 47 settlements were destroyed, blown up and completely destroyed, 2,500 highly artistic khachkars and more than 10,000 tombstones with epigraphic inscriptions were smashed and turned into building material. Bulldozers demolished 13 historical and archaeological monuments.** Monuments in the caves of Tsakhach, Metz Taglar and Azoh were blown up. Destroyed V-XIII centuries) in the settlements of Mokhrablur Sarashen, Aknaberd, Manadzor... Most of the unique fortress wall of Mayraberd (XVI-XVIII centuries) was demolished³.

¹ Karapetyan S. Azerbaijan out of civilization, p. 8.

² Zargaryan R. Azerbaijan's destruction of Artsakh's civilizational heritage qualifies as war crimes, https://yerkramas.org/article/182456/unichtozhenie-azerbajdzhanom-civilizacionnogo-naslediya-arcaxa-kvalificiruetsya-kak-voennye-prestupleniya?fbclid=IwAR17hP7JPYfyZaYMXscUCDJuQLvy41bTeSLRIGWrH_WpmLiX5DYz407We9c, 14.05.2021.

³ Melik-Shahnazaryan L. Azerbaijan's war crimes against the peaceful population of the Nagorno-Karabakh Republic, http://armenianhouse.org/mshakhnazaryan/docs-ru/crime/chapter8_10.html.

It was especially easy for the Azerbaijani authorities to destroy Armenian cultural monuments in Northern Artsakh, which, as a result of the dismemberment of historical Artsakh (Nagorno-Karabakh), did not become part of the Nagorno-Karabakh Autonomous Region, created in 1923 only on one third of the historical territory of Armenian Artsakh (Nagorno-Karabakh). We are talking about Shahumyan, Dashkesan, Shamkhor, Kedabek, as well as Khanlar districts, on the territory of which the ancient Artsakh (Karabakh) city of Gandzak. The forcible separation of Northern Artsakh from the native environment of Artsakh in the 20s of the XX century was an act of violence against history and geography. Nevertheless, until 1988, Armenians still constituted the overwhelming majority of the population in the area of compact residence in Northern Artsakh. **Before the forced deportation in 1988-1991, a third of the entire Armenian population of Artsakh – more than 83 thousand people - lived on these lands of the northern part of Artsakh.** The Shahumyan region of the Nagorno-Karabakh Republic was captured by Azerbaijan during the military intervention against the already independent Republic of Artsakh (NKR) in 1992, and the twenty thousand Armenian population of the region became refugees or was destroyed¹.

In the 1950s and 1960s, when the Soviet power abandoned the blind anti-religious struggle against religious monuments, the mass slaughter of Armenian medieval monuments (**monasteries, churches, chapels and cemeteries with khachkars**) continued in Azerbaijan under state patronage.

The state policy of destruction of Armenian monuments located on the territory of Azerbaijan, in fact, not only did not stop, but did not even soften even after the **1960s, when Azerbaijani historians and architects fulfilling a political order suddenly and unanimously declared "Albanian" all Armenian monuments built before the beginning of the 20th century**².

. Here are some examples of the destruction of the Armenian civilizational heritage in Northern Artsakh. In the Gedabek district: in 1983, the dome of the Khunisavank Church (IX century) was completely destroyed; a stele with a rich ornament that incorporated Christian symbols, multiple inscriptions in Armenian (VI century) - disappeared in 1983; the church in the village of Kalakand (IX-XI centuries) - turned into a latrine. In Dashkesan district: Targmachats Monastery (IV-V centuries) in the village of Khachakap is destroyed; the church is 8 km away. south of the village of Banants (IX-XI centuries) - in 1987, it was bulldozed and dumped into the gorge; the Sockeye Andi Bridge (XII century) was destroyed by an explosion; the church and cemetery in the village of Khachbulakh (XVII-XVIII centuries) were completely destroyed in 1970; the church of the village of Kirants (XII century) was destroyed under the pretext of installing electricity poles; tombstones khachkars of the cemetery near the village of Amrvar (XIII-XV centuries) - were bulldozed into the river in 1970. In Shamkhor district: the monastery of Dasno Karmir yekhtsi in the village of Gulambar (VII century) - destroyed in 1937; the monastery near the village of Barsum (X century) - destroyed in 1982. In the Khanlar district: the Mrtsunis church near the village of Getashen (XVII century) - partially destroyed; the church and cemetery near the village of Murut (XIII century) - completely destroyed in the sixties; the monastery of Yegnasar near the village of Getashen (XVII century) - the walls of various monuments of the complex were intentionally damaged.

¹Zargaryan R. Azerbaijan's centennial destruction of Artsakh's civilizational heritage, http://russia-artsakh.ru/node/6999?fbclid=IwAR1lkgyJ9AIPzZrrs_PIVp5g7ZSIxA3zPqu5gj1-Os_RHnH0V-BY6ajZtaA.

² Karapetyan S. Azerbaijan out of civilization, p. 8.

In Gandzak, two of the five Armenian churches were completely demolished; one was converted into a club, two into a museum and a philharmonic hall. As a result of the so-called "restoration" works, traces of Armenian architecture and inscriptions in the Armenian language were completely destroyed¹

It should also be noted that the process of widespread destruction of Armenian monuments, designated as Albanian, on the right bank of the Kur and in Nakhichevan, has taken unprecedented proportions since Azerbaijan gained independence (in 1991) since then, and according to available data, it still continues on the same scale.

As for the historical monuments that were damaged during the Artsakh war, it is noteworthy that not only those monuments that were destroyed for at least a short period (1991-1992) were destroyed they were under the control of the Azerbaijani armed forces, but also those who were far from the territories covered by military operations².

During the years of the Azerbaijani terrorist aggression against the NKR, a military ammunition depot for Grad multiple launch rocket systems was set up in the temporarily occupied city of Shushi in the Kazanchetsots temple, from which the NKR capital Stepanakert was fired. Only the liberation of Shusha in 1992 by the Karabakh armed forces prevented Azerbaijan's plans to blow up the temple. In 1993, the Azerbaijani army subjected the Gandzasar church to targeted rocket attacks, in the wall of which there are still remnants of an Azerbaijani rocket.

1994. After the truce established since May, Armenian monuments in general, and religious and cemetery monuments in particular, continue to be destroyed in Azerbaijan at the highest state level, making even the country's military forces participants in the policy of cultural genocide.

Presenting the essence of the Azerbaijani authorities' policy of denying Armenian historical monuments, it is not difficult to notice that what happened is identical from the 15th century to the present day in **Western Armenia**, 1974 from to the present in **Northern Cyprus**, 1996-2001 In **Afghanistan (Bamiyan)**, 2008.- to this day in **Kosovo (for example, Petrik, Suvareka, Puduyeyo, Mushtishtie)**, 2012-to this day in **Syria (for example, Ragga, Palmyra, Deir ez-Zor)**, 2014 from to the present, with vandal acts committed in **Iraq (for example, Mosul, Nimrud, Hatra)**. It is also clear that the approaches and actions of the Turkic states created on foreign lands in relation to the world civilizational heritage are monotonous and, in fact, in order to get rid of the material cultural heritage of indigenous peoples³.

The war launched by Azerbaijan on September 27, 2020 was clearly directed not only against the local population but also against the cultural heritage of the area. During the war, specific cultural objects were targeted by the Azerbaijani army. It should be noted that the deliberate destruction of cultural values during hostilities and later by a number of international conventions and declarations, is qualified as a war crime⁴.

Destruction of Armenian historical and cultural monuments 2020-2022:

¹ Zargaryan R. Azerbaijan's centennial destruction of Artsakh's civilizational heritage.

² Karapetyan S. Azerbaijan out of civilization, p. 8.

³ Karapetyan S. Azerbaijan out of civilization, p. 8.

⁴ Petrosyan H., Muradyan H. The cultural heritage of Artsakh/Karabakh at the cross-hairs of attacks, Yerevan 2022, p. 29.

- a. **Churches-** Prior to the recent war, the cathedral had been damaged by Azerbaijani Tatars during the 1920 Shushi Massacre of Armenians, and after the formation of the Nagorno Karabakh Autonomous Region (NKAO) was used as a storehouse by Soviet Azerbaijan's authorities. Only after the liberation of Shushi in 1992 and the formation of the Artsakh Republic, Ghazanchetsots Cathedral was renovated and continued being the cultural and religious centre of Artsakh. In 2020, as a result of the large-scale war unleashed by the Turkish-Azerbaijani tandem against the Republic of Artsakh in the autumn, the dome of the church was seriously damaged (ill.1-3). Luckily, no one was injured at that time. Hours later, as journalists were inspecting the damage inside and around the Cathedral, Azerbaijani Armed Forces struck the building one more time. 2 Russian journalists were wounded and an Armenian who accompanied the reporters was injured as well. The editor-in-chief of "Segodnya" was critically wounded and underwent surgery in Stepanakert. Months after the war, Azerbaijan started "reconstruction" works in Ghazanchetsots, and as it was seen from the non-occupied territories in the vicinity of Shushi, the Azerbaijani side had taken down the dome of the cathedral. Azerbaijan's propaganda machine came up with a new thesis suggesting that allegedly they're transforming the church into its "original look". Ironically, the dome of the cathedral had been destroyed in 1920 during the massacre of the Armenians in Shushi and was reconstructed according to the initial architectural plan only after Shushi's liberation¹.

Shushi: Kanach Zham church- St Hovhannes Mkrtych Church of Shushi, also known as Kanach Zham (Green Church) was one of Azerbaijan's targets even after the war. On November 15, 2020, Azerbaijani users began to distribute videos from the vicinity of the Kanach Zham church – the destroyed dome of the church was clearly visible even from the emerged footage.

Kanach Zham is part of Shushi's Armenian Heritage and became an active church only after Artsakh's Liberation. Being built in 1847, the church had undergone lots of challenges; such as the Shushi Pogroms of 1920, then, in the Soviet Era when the Azerbaijani authorities turned it into a part of a Health resort complex.

It's important to underline that the church wasn't damaged during the war, unlike Ghazanchetsots Cathedral, which is located in Shushi as well. After the trilateral agreement of ceasefire was signed, Azerbaijani soldiers actively published footage from within Shushi city and a picture of an Azerbaijani serviceman posing in front of Kanach Zham emerged as well (ill.4-5).

The destruction of the Green Hour is also clearly recorded using satellite photos^{2(ill.6)}.

- b. **Cemetery- New satellite images of the destroyed Sgnakh cemetery (ill.7-8):** The Azerbaijanis completely destroyed the cemetery in the village of Sgnakh in Artsakh. The latest satellite images, which are dated August–September 2021, indicate that a year after the occupation of the village, the Azerbaijanis completely destroyed the cemetery. Satellite images also show that the Azerbaijanis have destroyed the cemetery, although it is not located on a new road under construction. This fact proves once again that Azerbaijan implements a systematic distraction of cultural values in the occupied

¹Shushi: Ghazanchetsots Holy Savior Cathedral, <https://war.karabakhrecords.info/en/2021/06/28/shushi-ghazanchetsots-holy-savior-cathedral/>.

² Shushi: Kanach Zham church, <https://war.karabakhrecords.info/en/2021/06/23/shushi-kanach-zham-church/>.

territories of Artsakh. Artsakh Minister of Education, Science and Culture Lusine Karakhanyan also spoke about the vandalism of Azerbaijanis in the territories of Artsakh. She added that the monument to Nelson Stepanyan, the monument to the Armenian genocide in Shushi, and Sgnakh cemetery, over which the road was paved, were destroyed. Earlier, the site monumentwatch.org also reported that Azerbaijan destroyed the Sgnakh cemetery and other cultural monuments on the new roads under construction in the occupied territory of Artsakh. The Caucasian Heritage Watch warned that the Sgnakh cemetery was under threat several months ago, and altered published images to prove it. We remind you that this is not the first case when Armenian cemeteries in the occupied territories of Artsakh are completely destroyed for the construction of new roads, despite the fact that they are often not even on the way of the road. The Azerbaijanis also destroyed the historical cemetery in the village of Mets Tagher in the Hadrut region, which was also not on the main road under construction¹.

The Fate of the Monuments of the Great Patriotic War in Artsakh

In war zones and during wars, in principle, it is difficult to understand the motivation of this or that violence, cruelty and vandalism, since war has no written laws. However, in-depth research shows the hidden motives of atrocities that are inaccessible to the general public and remain unnoticed. All this is especially evident in the case of co-existing nations and countries that have found themselves in the sphere of interethnic conflicts, the seizure of vital and culturally important territories, which, in turn, qualifies as **cultural genocide**.

Many people have heard about the Artsakh or Karabakh conflict and Azerbaijani aggression, since during the 2020 pandemic and general restrictions, a war broke out that was particularly brutal.

This war by its nature was not distinguished by humanism, especially attention is drawn to vandalism against the Armenian historical and cultural heritage, up to the destruction of monuments dedicated to the Great Patriotic War, and, what was more unusual, targeted fire and ritual pogroms over universal cultural monuments. Let's leave aside the fact that this conflict was accompanied by the destruction of Armenian art and culture. Even without visual evidence, UNESCO and the UN have adopted a number of resolutions on the destruction of the Armenian cultural heritage in Azerbaijan. The war of 2020 was an exception in this respect, and the pogromist soldiers in their euphoria and joy had no idea that they were publishing materials about crimes. It should be noted that Baku very quickly realized that such publications could have consequences, and tried to stop them, announcing that these actions were condemned, and their perpetrators would be prosecuted.

However, the materials available on the web are enough to initiate a real criminal prosecution, and, equally importantly, enough to make public a public assessment. Humanity has never talked about cultural boundaries in cultural presence or coexistence. This term is defined as the presence of evidence of the presence of another ethnic group in the country. In specific conflicts, this becomes the goal of clarifying cultural boundaries and destruction. In other words, cultural presence is a sufficient basis for proving that the writings of a given place or foreign people, cultural style, lifestyle created from local raw materials, are a fact of the short-term or long-term nature of the presence of a particular ethnic group in the region. All this is clearly expressed in Azerbaijani and Kurdish, Jewish, Russian joint cemeteries preserved on the territory

¹ New satellite images of the destroyed Sgnakh cemetery, <https://war.karabakhrecords.info/en/2022/01/13/new-satellite-images-of-the-destroyed-sgnakh-cemetery/>.

of the Republic of Armenia, which, although not under special protection, remain unchanged after the departure of representatives of these ethnic groups from their place of residence. During the war in Artsakh in 2020, soldiers of the Azerbaijani army fired at the monument of the Great Patriotic War in the village of Avetaranots for one reason: the names of the Armenians who participated in the war were written on the monument. The publication of this video raised many questions about the condition of the monuments to the Armenian soldiers of the Great Patriotic War in Azerbaijan and how the monuments of this group were treated in Soviet times. The fact is that any large-scale atrocity has its own ulterior motives, explanation and history.

The cultural genocide carried out in Azerbaijan has deeper roots. At first glance, this attitude is typical only during the war or during the years of independence of Azerbaijan, but in fact everything is different. There is a certain attitude towards the Great Patriotic War and monuments dedicated to it in Azerbaijan, which becomes obvious from the public sentiment that has developed around the figure of **Mammad Emin Rasulzade**. It is impossible not to record that since Soviet times, the Azerbaijani public has shown a loyal attitude to Mammad Emin Rasulzada, who during the Great Patriotic War was engaged in organizing the Azerbaijani Legion of the Wehrmacht and took an active political part in the war on the side of fascist Germany. Now monuments to him and his busts are being installed in Azerbaijan. Mammad Rasulzade is now being presented online as an Azerbaijani public and political figure. Whether we like it or not, we must admit that this circumstance has a direct and indirect impact on the formation of the generation of independent Azerbaijan. Loyalty to the Azerbaijani legionnaires and radical nationalism over the past 30 years have brought up exactly the generation that in 2020, during the war, was engaged in the destruction of monuments and monuments to the Armenian heroes of the Great Patriotic War. The Soviet Union fought against global evil, representatives of 128-150 nationalities stood shoulder to shoulder during the war, about 800 different ethnic groups are mentioned, and it is difficult to imagine how Armenia would dare to treat such monuments badly just because the names of representatives of other nationalities are carved on them.

What will happen to the bust of the hero of the Socialist labor in Shushi or to the bust of the twice war hero? In the temporarily occupied Armenian territories from the Azerbaijan, where there are facts of the presence of Armenians, their cultural heritage is ruthlessly destroyed. One of such examples is the destruction in 1969 of the monument to 600 Armenian soldiers in Baku or the Museum of the glory of Marshals Hovhannes Baghramyan and Amazasp Babajanyan in the village of Chardakhlu, which was turned into a teahouse by the Azerbaijani authorities back in 1989.

During the 1991-1994 Azerbaijan-Artsakh War, the monuments to the marshals were destroyed. There are many facts: specialists can conduct doctoral research or even write a book about all this. In any case, what has happened requires several international conferences and discussions. In the case of research, we need to find out exactly what we want to pass on to future generations. This is especially true for preventing the spread of evil at the international level and suppressing radicalism.

Below is a list of the above-mentioned destruction of monuments of the Great Patriotic War and evidence of cultural genocide against the Armenian heritage¹:

- **1988 - The bust of Marshal Hovhannes Baghramyan was destroyed in Kirovabad, which was first doused with paint, and then torn off the pedestal;**
- **1989 - a monument in honor of 1300 soldiers, participants of the Great Patriotic War, including two marshals, seven Heroes of the Soviet Union, was destroyed in the village of Chardakhlu;**

¹As a result of monitoring, this list is periodically updated, and we will publish it in a revised form in the next study prepared by our research group.

- **2020 - Monuments to the victims of the Armenian Genocide, soldiers of the Great Patriotic War and the war in Artsakh are being destroyed in Shushi (ill.9);**
- **The bust of twice Hero of the USSR Nelson Stepanyan was demolished in Shushi. The bust of the hero of the socialist labor Ivan Tevosyan was also demolished in Shushi;**
- **The village of Azokh - the monument to Colonel-General Sergei Sardarov was destroyed;**
- **Hadrut - the monument to Admiral Isakov was destroyed;**
- **The village of Karin is like this - the monument to the memory of the Great Patriotic War was destroyed (ill.10);**
- **The village of Metz Taher - the museum of Marshal Armenak Khanferyants was destroyed;**
- **The village of Avetaranots - the complex of memory of soldiers of the Great Patriotic War was targeted with machine guns;**
- **Aknakhpyur village - the monument of the Great Patriotic War was destroyed.**

Judging by the chronology and geography of what happened, the list can be continued, although it is enough to understand what is happening in the territories of Karabakh occupied by Azerbaijan. We should add that the same fate will befall all other monuments and traces of the Armenian heritage in the occupied territories and in Azerbaijan. It is safe to say that a purposeful, state-sanctioned cultural genocide of the Armenian heritage is being carried out in Azerbaijan¹.

Destruction of Historical and Cultural Heritage as War Crimes

The 1954 Convention for the Protection of Cultural Property in the **Event of Armed Conflict**², known as the Hague Convention, prohibits the military targeting of cultural property during armed conflict. Article 4 Respect for cultural property reads as follows (emphasis added):

- 1. The High Contracting Parties³ undertake to respect cultural property situated within their own territory as well as within the territory of other High Contracting Parties by refraining from any use of the property and its immediate surroundings or of the appliances in use for its protection for purposes which are likely to expose it to destruction or damage in the event of armed conflict; and by refraining from any act of hostility, directed against such property.**
- 2. The obligations mentioned in paragraph 1 of the present Article may be waived only in cases where military necessity imperatively requires such a waiver.**
- 3. The High Contracting Parties further undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property. They shall refrain from requisitioning movable cultural property situated in the territory of another High Contracting Party.**

¹Gevorgyan A. The fate of the monuments of the Great Patriotic War in Nagorno-Karabakh, <https://regnum.ru/news/polit/3341486.html>.

²UNESCO, Convention for the Protection of Cultural Property in the Event of Armed Conflict, 1954; <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/convention-and-protocols/1954-hagueconvention/>.

³"High Contracting Party" is defined in the Second Protocol as a State Party to the Convention.

4. They shall refrain from any act directed by way of reprisals against cultural property.
5. **No High Contracting Party may evade the obligations incumbent upon it under the present Article, in respect of another High Contracting Party, by reason of the fact that the latter has not applied the measures of safeguard referred to in Article 3¹.**

The Second Protocol to the Hague Convention (added in 1999) further reinforced the scope of the Hague Convention and clarified some of its provisions. Article 7 Precautions in attack reads as follows (emphasis added):

Without prejudice to other precautions required by international humanitarian law in the conduct of military operations, each Party to the conflict shall:

- a. **do everything feasible to verify that the objectives to be attacked are not cultural property protected under Article 4 of the Convention;**
- b. **take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental damage to cultural property protected under Article 4 of the Convention;**
- c. **refrain from deciding to launch any attack which may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated; and**
- d. **cancel or suspend an attack if it becomes apparent:**
 - i. that the objective is cultural property protected under Article 4 of the Convention;
 - ii. that the attack may be expected to cause incidental damage to cultural property protected under Article 4 of the Convention which would be excessive in relation to the concrete and direct military advantage anticipated.

Both Azerbaijan and Armenia ratified the Hague Convention in 1993 (the Second Protocol in 2001 and 2006 respectively)².

In 2002 the International Criminal Court (ICC) was established to prosecute genocide, crimes against humanity and war crimes. Article 8(2)(b)(ix) of the **Rome Statute of the ICC** defines war crimes, among others as **"intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives" (emphasis added)**. Although neither the Republic of Armenia nor the Republic of Azerbaijan are parties to the ICC, the rules to respect and to protect cultural property during an armed conflict are considered norms of customary international law established by state practice and thus are binding³.

¹ The Armenian cultural heritage in Artsakh (Nagorno-Karabakh): cases of vandalism and at risk of destruction by Azerbaijan, ad hoc public report, Stepanakert 26 January, 2021, p.29.

² UNESCO, State parties to the Convention for the Protection of Cultural Property in the Event of Armed Conflict 1954, <http://www.unesco.org/new/en/culture/themes/armed-conflict-and-heritage/convention-and-protocols/statesparties/>.

³ IHL Database - Customary IHL - https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule38 IHL Database - Customary IHL - https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule40.

Resolution No. 2347 (2017), adopted by the UN Security Council on March 24, 2017, stated that attacks on cultural and religious sites or historical monuments in accordance with international law is a war crime and that the perpetrators of such attacks should be brought to justice¹

According to the norms and principles of international law, war crimes have no statute of limitations.

Conclusion

Summing up the results of this study, we came to the following conclusions:

- a. Cultural genocide is an integral part of the state policy of Azerbaijan;
- b. Azerbaijani law enforcement agencies are also involved in the policy of appropriation and destruction of the Armenian tangible and intangible cultural heritage;
- c. The policy of ethnic cleansing and cultural genocide carried out by the military-political leadership of Azerbaijan against the indigenous peoples of the region proves once again that Azerbaijan is an enemy of civilization.

To be continued.

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ԱՄՓՈՓՈՒՄ

1920-2022թթ. Արցախի բռնազավթած բնակավայրերում հայկական մշակութային ժառանգության ոչնչացումը որպես ռազմական հանցագործություն

Ավանտուկ Հովիկ

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Սույն հետազոտությունը նպատակ է հետապնդում ներկայացնելու 1920-2022 թթ.-ին Ադրբեջանի կողմից Արցախի բռնազավթված բնակավայրերում իրականացվող հայկական մշակութային ժառանգության ոչնչացման քաղաքականությունը՝ հիմք ընդունելով միջազգային համապատասխան կոնվենցիաները: Հստակորեն ընդգծվում է, որ անպատժելիությունը պարարտ հող է նախապատրաստում նոր մշակութային ցեղասպանությունների իրականացման համար:

Վերոնշյալ նպատակի իրականացման համար ուսումնասիրության առանցքում դրված են հետևյալ խնդիրները.

- ներկայացնել հայկական մշակութային ժառանգության ոչնչացումը Արցախի բռնազավթված բնակավայրերում 1920-2022 թվականներին,
- հայրենական մեծ պատերազմի հուշարձանների ձակատագիրը Արցախում,

- **պատմական և մշակութային ժառանգության ոչնչացումը որպես ռազմական հանցագործություններ:**

Թեմայի արդիականությունը պայմանավորված է նրանով, որ թուրք-ադրբեջանահաբեկչական տանդեմի կողմից իրականացվող ռազմական հանցագործությունները, մշակութային ցեղասպանությունները և պետական ահաբեկչական քաղաքականությունը շարունակվում են մինչև օրս:

Ուսումնասիրությունը շարադրված է առկա փաստերի համալիր քննությամբ՝ փաստագրական նյութերի վերլուծության մեթոդի կիրառմամբ:

Հոդվածում հիմնավորված է այն իրողությունը, որ Ադրբեջանի կողմից իրականացվող ռազմական հանցագործությունները և պատմամշակութային ժառանգության ոչնչացումը կատարվում են պետական մակարդակով և հանդիսանում է Ադրբեջանի հայատյաց քաղաքականության բաղադրիչ, որն ակնահայտորեն ցույց է տալիս, որ Ադրբեջանը խաղաղության օրակարգ չունի:

Հետազոտության արդյունքում եկել ենք այն եզրահանգման, որ Ադրբեջանը տարածաշրջանում շարունակում է իր ցեղասպան ու նվաճողական քաղաքականությունը:

Բանալի բառեր՝ մշակութային ցեղասպանություն, Արցախի բռնազավթված բնակավայրեր, հայկական մշակութային ժառանգություն, ռազմական հանցագործություններ, Հայրենական մեծ պատերազմի հուշարձաններ, հայատյացություն, քաղաքակրթություն, միջազգային իրավունք:

РЕЗЮМЕ

Уничтожение армянского культурного наследия в оккупированных территориях Арцаха в 1920-2022 годах как военное преступление

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Цель данного исследования - представить, как в 1920-2022 годах в Азербайджане осуществлялась политика уничтожения армянского культурного наследия в оккупированных населенных пунктах Арцаха, взяв за основу соответствующие международные конвенции.

Подчеркивается, что безнаказанность готовит благодатную почву для осуществления новых культурных геноцидов.

Исследование фокусируется на следующих задачах для достижения вышеуказанной цели:

- представлять уничтожение армянского культурного наследия в оккупированных территориях Арцаха в 1920-2022 годах;
- судьба памятников Великой Отечественной войны в Арцахе;
- уничтожение исторического и культурного наследия как военные преступления.

Актуальность темы обусловлена тем, что военные преступления, культурные геноциды и государственная террористическая политика, проводимая турецко-азербайджанским террористическим тандемом, продолжаются и по сей день.

Исследование представлено комплексным изучением имеющихся фактов с использованием метода анализа документальных материалов.

В статье обосновывается тот факт, что совершенные Азербайджаном военные преступления и уничтожение исторического и культурного наследия совершаются на государственном уровне и являются составной частью армянофобской политики Азербайджана, что ясно показывает, что у Азербайджана нет мирной повестки дня.

В результате исследования мы пришли к выводу, что Азербайджан продолжает свою геноцидальную и агрессивную политику в регионе.

Ключевые слова: культурный геноцид, оккупированные населенные пункты Арцаха, армянское культурное наследие, военные преступления, памятники Великой Отечественной войны, армянофобия, цивилизация, международное право.



ill. 1-3 The Church of Holy Saviour Ghazanchetsots in Shushi after the Azerbaijani missile attack



ill. 4-5



Hov Nazaretyan
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fresh satellite images show the partial destruction of Shushi's Kanach Zham church



ill. 6



ill.7 Satellite images of the cemetery 09.2020 ill. 8 Sgnakh cemetery 2021.08



Karabakh Records
@KarabakhRecords · Follow



A monument in Shushi dedicated to the memory of the victims of the Armenian Genocide, WW2 and the 1st Artsakh War was destroyed by the Azerbaijani Armed Forces. [#AzerbaijaniAggression](#)



ill. 9



իլ. 10