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THE INTERNATIONAL PROHIBITIONS ON THE MILITARY USE OF ARTSAKH'S CULTURAL PROPERTY BY AZERBAIJAN

Abstract

During wars, cultural heritage is particularly vulnerable to deliberate attacks and acts of intolerance, as starkly demonstrated during the 44-day war initiated by Azerbaijan in 2020, the blockade of the Lachin Corridor, and the complete depopulation of Artsakh due to military operations in 2023. In armed conflicts, the use of monuments and their surrounding cultural landscapes for military purposes – such as shelters, ammunition depots, combat bases, observation posts, command centers, or deployment hubs for armed forces – poses a significant threat to heritage protection.

During and after the 2020 war, numerous churches, community cultural centers, and educational institutions in Artsakh were repurposed by Azerbaijan for military use. This repurposing undermined the primary cultural, spiritual, historical, educational, and aesthetic functions of these heritage sites. By altering their roles to serve military purposes – effectively turning them into "military objects" – their spiritual and cultural significance is disrupted. Moreover, this transformation violates the protections afforded by the Hague and Geneva Conventions, as well as international humanitarian law, which safeguard cultural heritage as a civilian asset.

Converting heritage sites for military purposes compromises their inviolability, making them more susceptible to damage or destruction. Despite

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the norms of international humanitarian law, incidents of damage and destruction to Artsakh's monuments due to their military use by Azerbaijan have not ceased. On the contrary, they continue to escalate, further endangering the cultural heritage of the region and, by extension, the world.

Keywords: *International humanitarian law, protection of cultural heritage, armed conflict, Artsakh, Azerbaijan, military use of cultural values, war crime.*

Introduction

The purpose of this article is to elucidate the concept of the military use of cultural heritage during armed conflicts, including its types, challenges, and prohibitions within the framework of international humanitarian law. It examines cases of the military use of Armenian monuments in Artsakh by Azerbaijan during the years 2020–2024, identifies the issues arising from this practice, reveals the damage inflicted on the heritage, and highlights the obstacles to its preservation.

For this research, the Hague and Geneva Conventions, which are aimed at the protection of cultural property during armed conflicts, as well as the norms of international humanitarian law derived from these conventions, have been studied. Cases of the militarization of Artsakh's cultural heritage by Azerbaijan have been identified through internet monitoring. The article adopts a multidisciplinary approach by combining theoretical and legal analysis of the heritage with documented evidence of its functional transformation and military use.

The scientific novelty of the article lies in its comprehensive analysis of the principles of international humanitarian law and the military use of cultural heritage through the case study of Artsakh. It emphasizes the legal frameworks governing the militarization of cultural heritage and the prohibitions against such practices. The relevance of the article is underscored by the urgency of preserving cultural heritage in conflict zones, particularly in light of the military actions initiated by Azerbaijan in Artsakh.

The preservation of cultural heritage during armed conflicts is a matter of universal concern, inspiring nearly two centuries of international commitment through numerous conventions and declarations in both peacetime and

wartime.¹ Key documents safeguarding cultural property in conflict include the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols,² the 1949 Geneva Conventions and their Additional Protocols, as well as various UNESCO and Council of Europe conventions and resolutions. Together with international humanitarian law, these instruments provide a comprehensive framework for legislative protection.

The war unleashed by Azerbaijan in 2020 caused profound harm to the cultural heritage of Artsakh, alongside its humanitarian and geopolitical consequences. By violating multiple norms of international humanitarian law, Azerbaijan inflicted significant damage to the heritage in question both during the military actions initiated on September 27, 2020,³ and after the signing of the trilateral agreement on November 9.⁴ Intolerance towards cultural heritage

¹ **Johannot-Gradis** 2015, 1256–1257.

² UNESCO 1954, 1999.

³ On October 8, 2020, during the military operations of the war, Azerbaijan committed violations of international law by launching two consecutive strikes on the Holy Savior Ghazanchetsots Cathedral in Shushi. Subsequently, the dome of the Green Chapel – St. John the Baptist Church – was blown up. Additionally, Shushi's Cultural Center and Stepanakert's Music School, as well as the archaeological camp of Tigranakert and other valuable sites were targeted.

⁴ Among the evident cases of cultural heritage destruction in Artsakh are the complete demolition of Zoravor Saint Astvacacin Church in Mekhakavan, Saint Sargis Church in Mokhrenis, Saint Hovhannes Mkrtich Church (Green Chapel-Kanach Zham) in Shushi, and Saint Hambarcum Church in Berdzor. Targeted attacks include the double bombing of Holy Savior Ghazanchetsots Cathedral in Shushi, the destruction of its dome, the erasure of inscriptions under the guise of restoration, the obliteration of a sculpture of Christ, and its subsequent designation as a Russian Orthodox church. The historical layers of Meghretsots Saint Astvacacin Church in Shushi were destroyed, as were the unique inscriptions of the medieval churches of Saint Sargis and Saint Grigor in Tsar. Also destroyed were the khachkar (cross-stone) in the village of Arakel in Hadrut Province and the 12th–13th century khachkars of the Armenian-Greek old cemetery in Shushi. The khachkars dedicated to the Artsakh Liberation War in the villages of Ukhtadzor, Vorotan, and Kavakavank in Hadrut region were also demolished. In 2024, Simons Aghbyur memorial khachkar in Martakert was destroyed, along with two khachkars near the spring monument in the village of Aghanus in Kashatagh. Historical cemeteries in Shushi, Sghnakh, Shosh, and Hadrut were razed. Memorials and monuments dedicated to heroes of the Artsakh Liberation War were destroyed, including those commemorating the Hadrut freedom fighters, as well as memorial complexes dedicated to the victims of the Armenian Genocide, the Artsakh Liberation War, and the Great Patriotic War in Shushi. Other destroyed monuments include the "Revived Talish" memorial in Talish village of Martakert Province, the bust of Hovhannes (Ivan) Tevosyan, the statue of Vazgen

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and restrictions on the cultural rights of Artsakh Armenians persisted throughout the nine-month blockade of the Lachin Corridor, the complete depopulation of Artsakh in 2023, and beyond.

The ongoing conflict has jeopardized the preservation of over 4,000 cultural assets – including churches, monasteries, khachkars (cross-stones), fortresses, and early Christian settlements – within Armenian territories now under Azerbaijani control. This damage stems not only from destruction and vandalism but also from the military use of heritage sites. Examples include the placement of military equipment in Artsakh's churches, community educational and cultural centers, the storage of weapons and ammunition, the transformation of heritage sites into combat positions or command centers, and their use as shelters for soldiers.

Although Azerbaijan is a party to the 1954 Hague Convention and its two Protocols, and is bound by international humanitarian law to neither target cultural property nor use it for military purposes during armed conflicts, these obligations are repeatedly ignored. This disregard for international norms fosters an environment of impunity, leading to the continued loss of Artsakh's unique cultural heritage.

International Prohibitions on the Military Use of Cultural Heritage

According to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its additional protocols of 1954 and 1999, it is prohibited to use cultural property defined by the convention⁵ for military purposes.⁶ Article 9 of the 1954 Hague Convention prohibits the establishment of military positions near civilian infrastructure as well as the use of cultural properties, charitable buildings, educational centers, schools, and hospitals for military purposes (shelters, armories, bases for armed groups), as

Sargsyan, the statue of Alexandr Myasnikyan, the memorial to Artsakh Hero Ashot Ghoulyan, the bronze statue of Stepan Shahumyan, the bust of Anatoly Zinevich, and the statue of Charles Aznavour among others (see the Artsakh Cultural Heritage Monitoring website and Alerts section, www.monumentwatch.org).

⁵ Cultural property, irrespective of its origin or ownership, refers to movable or immovable assets of great importance to the cultural heritage of every people. These include monuments of architecture, art, or history, whether religious or secular; archaeological sites, and architectural complexes of historical or artistic interest. (UNESCO 1954, art.1"a).

⁶ Tigranyan 2023, 157–158.

this can significantly damage the integrity of the heritage.⁷ Article 6 of the 1999 Second Protocol to the Hague Convention prohibits turning cultural property into military objects or using them in ways that can expose them to destruction or damage. Article 15(c) and (d) of the same protocol classify such actions as war crimes. It is worth noting that when monuments are used for military purposes, including churches, educational centers, museums, or other buildings, they lose the protection provided by Article 4 of the Hague Convention (and other regulations) during wartime.⁸ This means that the inviolability of heritage during armed conflicts is nullified, and it is deliberately or inadvertently transformed into a “military objective,” making its targeting not prohibited for gaining military advantage. Here, a fundamental question arises: What constitutes a military purpose, and what does it mean to use a monument for military purposes?

The Military Use of Monuments: Using monuments for military purposes means employing cultural heritage in ways that serve the objectives of gaining military advantage during armed conflicts, which can take several forms:

Using Cultural Heritage as Shelters: During military operations, monuments and heritage sites are often used as shelters for soldiers or civilians. Although these sites may be perceived as safe due to their cultural significance, such use renders the heritage vulnerable and increases the likelihood of being targeted by the adversary.

Storing Ammunition in or near Heritage Sites: Using monuments for this purpose, aside from the risks of accidental explosions and damage, can make heritage sites targets for the adversary. Reducing the enemy's ammunition supplies can provide a military advantage, making the storage of weapons in churches, museums, schools, or other buildings previously serving cultural purposes a significant threat to the preservation of the monument. Neutralizing such ammunition can become a military imperative in certain situations.

Using Heritage Sites as Observation Posts or Command Centers: Depending on the nature and location of the heritage (e.g., a high tower or a historic fortress), it can provide tactical advantages and serve as observation posts for snipers or command centers during military operations, thus giving a

⁷ UNESCO 1954, art. 9.

⁸ UNESCO 1954, art. 4.

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military advantage to the forces using it. This use directly endangers the heritage through retaliatory strikes, explosions, and accidental damage.

The Military Use of Artsakh's Monuments by Azerbaijan

After the end of the 44-day war in 2020, the Azerbaijani armed forces transformed the Kataro Church in occupied Hadrut into a military shelter, where weapons and ammunition are stored.⁹ The Kavakavank Church, located on a hill separating from the plain to the left of the road from Togh to Varanda (Fizuli), was also used for military purposes by Azerbaijan. During the intense battles of October 2020, the area was subjected to artillery shelling. Azerbaijani soldiers used the church as a military stronghold, resulting in significant damage or destruction to the church's ornaments and Armenian inscriptions.¹⁰

In official broadcasts on television, the Azerbaijani side showed that their armed forces were stationed in the former military bases of the Artsakh Defense Army. However, monitoring Azerbaijani social networks, especially after the complete occupation of Artsakh in 2023, reveals that buildings of some schools and especially community cultural centers, constructed and renovated before 2020 in various settlements of Artsakh, have been used as police and military bases and headquarters. Specifically, after the military operations in September 2023, some of the military equipment and ammunition of the Artsakh Defense Army were located in the yard of the former Khachatur Abovyan School in Shushi. Judging by photos and videos, this site had become one of the command centers of the Azerbaijani army in Shushi.¹¹ The building of the community center in the village of Getavan, Martakert region of Artsakh, has been repurposed for military purposes, as has the building of the school in the village of Chapar, Martakert region. The buildings of the community centers in the villages of Sarnaghbyur and Ukhtadzor have also been converted into military

⁹ Monument watch, <https://monumentwatch.org/en/alerts/the-usage-of-the-church-of-kataro-monastery-for-military-purposes/> (21.06.2023):

¹⁰ Monument watch, <https://monumentwatch.org/en/alerts/alert-the-kavakavank-church-is-losing-its-original-appearance/> (17.09.2024):

¹¹ Military attaches inspected military equipment and ammunition confiscated from Armenians. <https://www.youtube.com/watch?v=pedhLD0aAoU> (24.06.2024):

outposts. By 2023, the building of the community center had already been abandoned, with its windows broken¹².

The International Prohibition on the Use of Cultural Property for Military Purposes

Rule 38 of International Humanitarian Law requires parties to a conflict to respect cultural property and refrain from unnecessary destruction of structures dedicated to religion, art, science, education, or charity, as well as historical monuments, unless they constitute military objectives. The rule further stipulates that heritage of great importance to all peoples (as defined in Article 1 of the Hague Convention) should not be targeted unless military necessity imperatively demands it.

This implies that if a church houses military personnel or stores weapons and ammunition, its destruction could provide a concrete and specific military advantage to the adversary. In such cases, the “if” clause within the rule nullifies the protection, rendering an attack on the heritage site “lawful.” Therefore, the use of monuments for military purposes during armed conflicts can potentially legitimize an attack by the opposing party on such heritage.¹³ In the same vein, Rule 39 of International Humanitarian Law further prohibits the use of any people’s cultural heritage for purposes that could potentially lead to its destruction or damage, except in cases where such use is dictated by military necessity.¹⁴ From the analysis of these rules, it becomes evident that the primary means of protecting cultural property during military operations is to avoid using them for military purposes. This is because such use can undermine the inviolability of heritage during conflicts and provoke attacks by the adversary.

Here, the term “military necessity” requires further clarification, as this principle weakens the overall legal framework for the protection of cultural heritage during wartime. The principle of military necessity entered the realm of international humanitarian law through the conventional provisions of the 1954 Hague Convention and the 1949 Geneva Conventions. One of its most significant articulations is enshrined in Article 4 of the Hague Convention: “States are

¹² Monument watch, <https://monumentwatch.org/en/alerts/azerbaijan-utilizes-artsakhs-culture-houses-community-centers-and-schools-for-military-objectives/> (24.06.2024);

¹³ **Tigranyan** 2023, 67–71.

¹⁴ ICRC, Practice Relating to Rule 39.

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obliged to respect cultural property, both within their own territory and that of other parties, by refraining from acts of hostility, except in cases where military necessity imperatively requires such a decision".¹⁵ According to paragraph 2 of Article 4 of the Hague Convention, the obligation to protect cultural property is subject to exception in cases where its destruction is necessitated by military necessity. An analysis of the factual context reveals a clear truth: cultural heritage enjoys full protection as long as it is not associated with or used for military purposes. However, once it serves any military objective, its protection becomes highly problematic.

With this understanding, let us provide a substantiated explanation of the term. In the context of the protection of cultural heritage, the principle of military necessity is not a norm that seeks to absolutely safeguard cultural heritage. Instead, against the backdrop of the widespread destructions of the XX century, it aims to mitigate and constrain the practice of waging aggressive wars. It restricts the freedom of states during armed conflicts and raises questions about the legality of achieving military objectives.

In other words, military necessity is a concept within international humanitarian law that seeks to balance the demands of effective military operations with the imperative of protecting cultural property. It permits the use of force and the undertaking of certain measures that are essential to achieving a legitimate military objective, provided they are not prohibited by international law.¹⁶

This principle has been consistently present in all laws concerning the protection of heritage during warfare, including the 1868 St. Petersburg Declaration and the Lieber Code. According to these frameworks, the use of military force against cultural heritage is lawful only to the extent necessary for the belligerents to achieve their military objectives.¹⁷ It is worth noting that, according to the 1907 Hague Regulations on the Laws and Customs of War on Land, the destruction or seizure of the enemy's heritage is lawful if it is imperatively demanded by the necessities of war operations.¹⁸

¹⁵ UNESCO 1954, article 4.

¹⁶ **Tigranyan** 2023, 62–67.

¹⁷ **Carnahan** 998, 213; **Robertson** 1998, 197.

¹⁸ IHL Hague Convention (IV) 1907, Regulations: Art. 27

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Article 23(7) of the 1907 Hague Convention defines military necessity as anything required for warfare or defense during combat or in preparation for it.¹⁹ Article 27 of the same regulations explicitly states that “it is prohibited to target cultural property unless it has been used for military purposes.”²⁰ The logical confirmation of this principle is that the use of cultural property for non-cultural purposes causes it to lose its additional protection and transforms it into a target pursuing military objectives. It is crucial to note that while military necessity initially emerged as a limiting force against the destruction of cultural property, it subsequently evolved into a permissible exception.²¹

The First Additional Protocol to the 1949 Geneva Conventions, adopted in 1977, aligned the protection of cultural property with that of civilian objects, stating that such property must not be subjected to attacks, except in cases of military necessity.²² Article 52(2) of the Protocol defines military objectives by incorporating two essential criteria that must be fully satisfied before the destruction, damage, or seizure of cultural heritage objects.²³

The first criterion stipulates that attacks must be limited to military objectives, and the nature, location, purpose, or use of the object must make an “effective contribution to military action.”²⁴ The second criterion requires that the military advantage gained from the attack must be “definite and specific.”²⁵ It is evident that, by their nature, location, or purpose, cultural heritage objects cannot make an effective contribution to military action, nor can they provide a military advantage to the adversary. However, their use for military purposes can jeopardize their protection. Importantly, the concept of a definite and specific military advantage remains critical here. Thus, “It is not permitted to destroy a cultural object whose use does not result in a definite and specific contribution to military action, nor to destroy a cultural object that has temporarily served as a shelter for combatants but is no longer used as such.”²⁶

¹⁹ IHL Hague Convention (IV) 1907, 23 (g).

²⁰ IHL Hague Convention (IV) 1907, Regulations: Art. 27.

²¹ **Johannot-Gradis** 2015, 1268–1271.

²² Geneva Protocol I.

²³ **Henckaerts** 1999.

²⁴ **Henckaerts** 1999, 34.

²⁵ **Geneva Protocol I**.

²⁶ **Bothe, Partsch, Waldemar** 1982, 334, § 2.6.

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The use of a cultural property for military purposes²⁷ at a given time is the sole condition under which the cultural property may “become” a military target.²⁸ In other words, the use of heritage to support military operations is the primary argument that a party to an armed conflict may invoke to justify attacks on cultural properties.²⁹ From this, we can again conclude that the use of cultural heritage as a shelter or storage for weapons and ammunition undermines the overall system for the protection of heritage and makes it vulnerable to targeting.

In 1999, the Second Protocol to the 1954 Hague Convention was adopted, stating: “A ‘military objective’ is an object which, by its nature, location, purpose, or use, makes an effective contribution to military action, and whose total or partial destruction, capture, or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”³⁰ The Protocol specifies that acts of hostility against cultural property are lawful if two conditions are met: 1. “The cultural property has, by its function, been transformed into a military objective,” and 2. “There is no feasible alternative available to gain a similar military advantage.”³¹ The definition emphasizes that, for an attack to be lawful, the heritage must have been used for military purposes, the military advantage gained from targeting the heritage must be clear and evident, and it must be demonstrated that no practical equivalent alternative exists to achieve the military advantage other than through the attack on the object.

The Second Protocol seeks to tighten the conditions and stipulates that an attack must be ordered at the highest operational level of command, by an officer commanding forces equivalent to or larger than a battalion, and that it may only be carried out “due to imperative requirements of immediate self-

²⁷ There are various ways in which an adversary may exploit cultural property during military operations. The most evident involves utilizing immovable cultural heritage as strategic positions, such as employing a historic hilltop fortress as a defensive stronghold or stationing a sniper in a medieval bell tower or minaret to surveil the battlefield. Another scenario involves storing military equipment or ammunition in museums, galleries, or historically significant buildings.

²⁸ UNESCO 2016.

²⁹ O’Keefe, Péron, Musayev, Ferrari 2016, 1–91.

³⁰ UNESCO 1999, art. 1 f.

³¹ UNESCO 1999, art. 6

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defense.”³² Additionally, the Second Protocol introduces a further condition for attacks: a warning must be issued before the attack when circumstances permit. This obligation did not exist under the 1954 Convention. Furthermore, when the opposing party discovers that a cultural site is being used for military purposes, it must allow a reasonable period for soldiers or commanders to rectify the situation. These observations make it evident that “military necessity” cannot serve as a justification for the unlimited use of force to damage or destroy cultural heritage.³³

Conclusion

The use of monuments or their immediate cultural landscapes for military purposes such as shelters, weapons/ammunition storage, combat outposts, observation points, command centers, or troop deployment sites, poses a significant threat to the preservation of heritage during armed conflicts or in conflict situations. The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, its two Protocols, the Geneva Conventions, and their Additional Protocols, as well as the norms of International Humanitarian Law established on their basis, prohibit the use of cultural heritage for military purposes. However, since 2020, the use of Armenian churches, community cultural centers, and educational sites in Artsakh for military purposes by Azerbaijan has resulted in the loss of these assets’ inviolability and jeopardized their future preservation.

A review of international documents reveals that, in many cases, the protection of heritage during wartime depends on the appropriate and effective actions of armed forces, ensuring that heritage is not transformed into a military target or used for military objectives. As demonstrated, Armenian monuments are endangered not only by deliberate attacks but also by their utilization for various military purposes by Azerbaijan. Adherence to international norms is imperative for the continued preservation of the cultural heritage of Artsakh.

³² UNESCO 1999, art. 13(2)(c).

³³ **Techera** 2007, 1.

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ԱՐՄԻՆԵ ՏԻԳՐԱՆՅԱՆ

Ամփոփում

Պատերազմների ժամանակ մշակութային ժառանգությունը խոցելի է դիտավորյալ հարձակումների և անհանդուրժողականության պատճառով, ինչն էականորեն դրսևորվեց Ադրբեջանի կողմից 2020 թվականին սանձազերծված 44-օրյա պատերազմի, Լաչինի միջանցքի շրջափակման և 2023 թվականի ռազմական գործողությունների հետևանքով Արցախի ամբողջական հայաթափման գործընթացներում: Զինված բախումների կամ կոնֆլիկտային իրավիճակներում հուշարձանների, դրանց անմիջական մշակութային լանդշաֆտի օգտագործումը ռազմական նպատակով՝ այդ թվում որպես ապաստարան, զինամթերքի պահեստ, մարտական հենակետ, դիտակետ, հրամանատարության կետ կամ զինված ուժերի տեղակայման կենտրոն, էական վտանգ է ժառանգության պահպանությանը:

2020 թվականի պատերազմի ընթացքում և դրանից հետո Արցախի մի շարք եկեղեցիներ, համայնքային մշակութային ու կրթական կենտրոններ Ադրբեջանի կողմից սկսեցին օգտագործվել ռազմական նպատակով՝ խաթարելով ժառանգության հիմնական՝ մշակութային, հոգևոր, պատմական, կրթական, գեղագիտական և այլ գործառույթները: Ժառանգության գործա-

ռոյթի նման փոփոխմամբ ռազմական նպատակներին ծառայեցնելը կամ, որ նույնն է ժառանգությունը ռազմական օբյեկտի վերածելը, փաստորեն, վերջինիս հոգևոր-մշակութային գործառույթի խաթարումից զատ, մի կողմից չեզոքացնում է ժառանգության անձեռնմխելիությունը որպես պատերազմներում Հաագայի, Ժնևի կոնվենցիաներով և միջազգային մարդասիրական իրավունքով պաշտպանված քաղաքացիական օբյեկտ, իսկ մյուս կողմից առավել խոցելի դարձնում՝ բարձրացնելով ոչնչացման հավանականությունը: Բայց, չնայած միջազգային հումանիտար իրավունքի առկա նորմերին՝ Ադրբեյջանի կողմից Արցախի հուշարձանների ռազմական նպատակներով օգտագործման հետևանքով դրանց ոչնչացման և վնասման դեպքերը ոչ միայն չեն դադարում, այլ շարունակում են աճել՝ վտանգելով թե տարածաշրջանի և թե մոլորակի մշակութային ժառանգությունը:

Բանալի բառեր՝ *Միջազգային մարդասիրական իրավունք, մշակութային ժառանգության պաշտպանություն զինված հակամարտություն, Արցախ, Ադրբեյջան, մշակութային արժեքների ռազմական օգտագործում, ռազմական անհրաժեշտություն, ռազմական հանցագործություն:*

МЕЖДУНАРОДНЫЕ ЗАПРЕТЫ НА ИСПОЛЬЗОВАНИЕ АЗЕРБАЙДЖАНОМ В ВОЕННЫХ ЦЕЛЯХ КУЛЬТУРНОГО НАСЛЕДИЯ АРЦАХА

АРМИНЕ ТИГРАНЯН

Резюме

В условиях вооруженного конфликта использование памятников и их культурного ландшафта в военных целях – в качестве укрытия, складов боеприпасов, военных баз, наблюдательных пунктов, командных пунктов или центров развертывания вооруженных сил, представляет собой серьезную угрозу для защиты культурного наследия.

Во время и после войны 2020 года многие церкви, культурные и образовательные центры Арцаха были использованы Азербайджаном в военных целях, что не соответствовало функциональному назначению данных объектов, имевших духовное, историческое, культурно-образова-

тельное и эстетическое значение. Помимо того, это противоречило нормам, закрепленным в Гаагской и Женевской конвенциях, а также в международном гуманитарном праве, которые защищают культурное наследие как гражданский объект.

Использование объектов наследия в военных целях нарушает их неприкосновенность, создавая угрозу повреждений и разрушений. Несмотря на существующие нормы международного гуманитарного права, повреждение и разрушение памятников Арцаха в результате их использования в военных целях Азербайджаном имеет место по сей день, что являет собой опасность для культурного наследия региона как части мировой культуры.

Ключевые слова: *международное гуманитарное право, защита культурного наследия, вооруженный конфликт, Арцах, Азербайджан, военное использование культурных ценностей, военное преступление.*