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ARTSAKH'S SETTLEMENTS AND INFRASTRUCTURE: TARGET OF AZERBAIJANI AGGRESSION DURING THE **2020 WAR**

Abstract

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Once again, made by Azerbaijan, we witnessed crimes during the military operations against Artsakh in 2020. The 44-day war was marked by widespread breaches of international law, deliberate attacks on civilian infrastructure and cultural monuments, the use of prohibited weapons, and other war crimes. This resulted in thousands of casualties, tens of thousands of wounded and displaced individuals, and extensive destruction. During the 44-day war, Azerbaijani armed forces launched systematic and coordinated attacks on nearly all settlements in Artsakh, targeting residential houses, public buildings, and educational institutions. From the very first day of the war, Azerbaijan launched relentless shelling and bombing campaigns on Stepanakert and multiple communities across Askeran, Martuni, Hadrut, Martakert, Karvachar, and Kashatagh districts. Thousands of civilians were left homeless as their apartments and houses were either destroyed or rendered uninhabitable. Throughout the war, more than 170 peaceful settlements were targeted using aircraft, heavy artillery, rockets, and tanks. Throughout the entire 44-day war, Azerbaijan's military-political leadership, while continuing to commit war crimes, deliberately and periodically targeted key civilian infrastructure across Artsakh, including power, communication, gas and water supply systems, bridges, and food storage

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facilities. Since September 27, the telephone and Internet network has been another deliberate target. First, Azerbaijani hackers caused serious problems in the communication system for several days, resulting in tens of thousands of civilians being unable to communicate for long periods. Schools, kindergartens, shops and other facilities were also targeted. During the war, the key infrastructure, including roads and bridges, was heavily damaged. Major roads, particularly those connecting Stepanakert with neighboring villages, as well as inter-district and inter-community roads, were targeted. These attacks clearly violated the principle of distinction between civilian and military targets, demonstrating that Azerbaijan's strikes were deliberate and targeted in nature, further confirming the intentionality of the war crimes committed during the September 2020 conflict.

Keywords: war, settlements, infrastructure, shelling air raids, prohibited weapons, crimes, international law.

Introduction

On September 27, 2020, the Azerbaijani Armed Forces, supported by Turkish units and with direct state involvement, launched large-scale missile and air strikes along the entire Artsakh-Azerbaijan border. These attacks targeted not only military positions but also settlements deep in the rear, including the capital, Stepanakert. The 44-day war against Artsakh saw Azerbaijan systematically violate key international principles outlined in the UN Charter, OSCE commitments, and obligations to the Council of Europe. Baku disregarded fundamental norms such as the prohibition of force, the peaceful resolution of disputes, and the protection of human rights. With Turkey's direct involvement and the use of mercenaries, Azerbaijan ultimately seized a significant portion of the Republic of Artsakh, facilitated by the Armenian side's capitulation.

This article aims to identify Azerbaijan's war crimes during the 2020 war against the settlements and infrastructure of Artsakh. To this end, the objectives of the present research are.

- 1. To reveal the shelling of residential buildings and houses of Artsakh by the armed forces of Azerbaijan from September 27 to November 11, 2020.
- 2. Raise the issue of Azerbaijani missile and air strikes on public facilities during the war days.

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3. As part of the analysis, clarify the use of all types of weapons, including prohibited weapons, against the infrastructure of Artsakh.

The research was conducted through a comprehensive study and comparison of available facts. As a result of the research, we concluded that during the 44-day war, the Azerbaijani side took deliberate measures to make it impossible for thousands of civilians to live in their own homes by shelling without distinction, targeting civilian infrastructure and creating an atmosphere of fear.

Targeted and Coordinated Strikes on Residential Areas by the Azerbaijani Armed Forces

During the 44-day war, Azerbaijani armed forces launched systematic and coordinated attacks on nearly all settlements in Artsakh, targeting residential houses, public buildings, and educational institutions. Artillery shelling and drone strikes caused extensive material damage, with densely populated areas suffering direct hits – a clear evidence of intent to harm civilian life and health.

In numerous instances, these attacks were deliberate, as military targets were located far from civilian areas. The absence of military objectives near the strike sites further underscores the premeditated nature of these assaults, constituting war crimes. As a result, approximately 60% of Artsakh's total population – more than 90,000 people¹ – were forced to flee their homes in search of safety.

It is important to note that such targeted attacks against civilians and civilian infrastructure violate international law, constituting war crimes under the Rome Statute of the International Criminal Court and the Geneva Conventions. Article 8(2)(b)(i)(ii)(iv) of the Rome Statute treats "intentionally directing attacks against the civilian population", "intentionally directing attacks against civilian objects" and "intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated" as war crimes. Articles 51 and 52 of Protocol 1 to the Geneva Convention protect civilian life and civilian objects.³

¹ On the Azerbaijan atrocities against the Artsakh population in September-October 2020, The Republic of Artsakh Human rights ombudsman, 2020, 14.

https://evnreport.com/arm/magazine-issues/azerbaijan-s-war-crimes-2/, 20.12.2020, Azerbaijan's war crimes (accessed: 03.07.2024).

³ Ibid.

From the very first day of the war, Azerbaijan launched relentless shelling and bombing campaigns on Stepanakert and multiple communities across Askeran, Martuni, Hadrut, Martakert, Karvachar, and Kashatagh districts. Thousands of civilians were left homeless as their apartments and houses were either destroyed or rendered uninhabitable. Throughout the war, more than 170 peaceful settlements were targeted using aircraft, heavy artillery, rockets, and tanks.

The first strikes by the Azerbaijani armed forces on residential neighbourhoods in Artsakh, which were launched without warning between 6:50 and 7:30, when children, women, elderly people and other civilians were still asleep, provide ample evidence that they were aimed at intimidating the civilian population, causing panic and forcing them to leave their homes. The intensive shelling of villages and towns in Artsakh resulted in numerous civilian casualties and injuries. During the war, cluster weapons prohibited under international humanitarian law were also widely used against the civilian objects and infrastructure, especially in Stepanakert, resulting not only in massive destruction, but also in the fact that unexploded ordnance present in populated areas created additional risks for the civilian population. The cluster munition attacks began on the morning of 27 September in a residential area about 200 metres from the International Committee of the Red Cross office.4 Human Rights Watch, an international human rights organisation, published information on Azerbaijan's use of banned cluster bombs, based on fact-finding work conducted in Stepanakert in October 2020. "The use of cluster weapons, particularly in populated areas, shows that the safety of civilians is clearly ignored. Cluster munitions should never be used under any circumstances, especially in urban areas, due to the predictable and unacceptable harm they cause to civilians", said Stephen Goose⁵, director of HRW's Crisis, Conflict, and Arms Division and the co-founder of the International Campaign to Ban Landmines.

Throughout the war, Azerbaijan continued to deploy cluster weapons, particularly targeting the capital. According to information from the Artsakh Prosecutor's Office, Azerbaijan utilized a range of military drones and missile

⁴ https://www.hrw.org/news/2020/10/23/azerbaijan-cluster-munitions-used-nagorno-kara bakh?%20fbclid=IwAR1nBbKtMqK8w9wv0NeXIZvxs-U9IWG0VyIN5pdf71xLMSpcro1xX-i4jiU% 20/01.01.2021/, 23.10.2020, Azerbaijan: Cluster Munitions Used in Nagorno-Karabakh (accessed: 17.07.2024).

⁵ https://newsarmenia.am/am/news/nagorno_karabakh/-human-rights-watch-/, 24.11.2020, Azerbaijan uses banned cluster munitions in Karabakh. Human Rights Watch. (accessed: 10.08.2024):

systems, including the Azerbaijani-made "ZARBA-1K" attack drone, "YARASA" reconnais sance drone, Israeli "ORBITER-2" and "ORBITER-3" reconnaissance drones, "SIRCHER-2" reconnaissance drone, "SKYSTRAIKER" attack drone, Heron reconnaissance drone, and Harop attack drone. They also employed Turkish "BAYRAKTAR TB2" reconnaissance and attack drones, "ANKAS" reconnaissance drones, and Canadian-produced Wescam CMX 15D tactical cameras for Bayraktar TB2 UAVs. Additionally, civilian structures and infrastructure were primarily struck by strike and reconnaissance drones, self-destruct drones, as well as re mote-controlled missiles, "SMERCH" multiple rocket launchers, "LORA" operation al-tactical missile systems, and Belarusian MLRS "POLONEZ" systems.6

The first attacks also targeted officers' residences in the Mataghis locality of the Martakert district, where military families lived. As a result, the civilians there at the time – women, children and the elderly – were threatened. The officers' quarters were 1–1.5 kilometres away from the military unit. In some cases, the damage or destruction can be attributed to their proximity to the line of battle between the Artsakh Defence Army and the Azerbaijani armed forces, but there are many cases where residential buildings without military installations nearby were damaged or destroyed, while their destruction brought no military advantage to the enemy. The Azerbaijani armed forces did not respect the principle of prevention during the attacks. Moreover, the Azerbaijani attacks on villages did not have any military purpose. Attacks that do not directly target military objectives, as well as those that cause disproportionate damage to the life, health, or property of the civilian population, are qualified as war crimes.

Throughout the war, we witnessed numerous war crimes committed by Azerbaijan. On the morning of September 30, Azerbaijan, with the support of Turkish F-16 fighter jets, Su-25 attack aircraft, and reconnaissance and strike UAVs of the "Bayraktar" type, launched airstrikes on the settlements of Hadrut, Martuni, and Martakert districts, resulting in human casualties. In the first decade of October,

https://yerevan.today/all/society/97269/arcaxi-dataxazoutyan-tvyalnery%D5%9D-44-orya-paterazmi-hetevanqov-vnas-kratsnerin-petakan-adjakcoutyan-tramadrman-masin, 07.02.2022, Data from the Prosecutor's Office of Artsakh on the provision of state aid to victims of the 44-day war (accessed: 12.07.2024).

⁷ https://armenpress.am/hy/article/1029578, 30.09.2020, The Azerbaijani Air Force launches bombing attacks on Artsakh (accessed: 16.08.2024).

while intense hostilities were ongoing, Stepanakert, Martuni, Hadrut, Martakert, and Shushi came under heavy shelling and bombardment, leading to the destruction of several residential buildings and homes.

On the early morning of 15 October, after prolonged artillery shelling, the Azerbaijani armed forces launched a large-scale offensive in both the north and south, with the use of artillery, UAVs, missiles, and aircraft. During the night of 15-16 October, particularly at dawn, heavy artillery fire was directed towards Martuni and the locality of Karmir Shuka, followed by shelling of the community of Berdashen in the morning.

During the same period, Stepanakert, Togh (Hadrut district), Tigranavan, Aygeovit, Shosh, and Aghavno (Kashatagh district) were shelled, resulting in three civilians being wounded in the Shosh community.⁸ On 23 October, Azerbaijani forces shelled Askeran, and at midnight, they again shelled Martuni, Stepanakert, and Martakert, with military aviation being used in the latter attack. Following this, the villages of Karmir Shuka and Tagavard (Martuni district) were targeted again with Smerch-type missiles⁹.

Stepanakert and other towns and villages of Artsakh were periodically hit by long-range missiles, drones, and military aviation, leading to complete or partial destruction of residential buildings and homes. According to data provided by the Office of the President of the Republic of Artsakh, 170 settlements across the Republic suffered significant material damage during the war. As a result of explosions in residential neighborhoods under the control of the Republic of Artsakh, 1,176 people were left homeless. A total of 295 apartment buildings (2,239 flats), 8,443 private residences, and 110 basement buildings were damaged.¹⁰

This data underscores the ongoing, coordinated, premeditated, and purposeful nature of Azerbaijan's military actions.

Targeting of Public Facilities and Infrastructure

Throughout the entire 44-day war, Azerbaijan's military-political leadership, in continuing to commit war crimes, deliberately and periodically targeted key

⁸ https://www.facebook.com/ArtsakhInformation, Information Headquarters of Artsakh/NKR InfoCenter/ НКР ИнфоЦентр (accessed: 10.07.2024).

⁹ https://www.facebook.com/ArtsakhInformation, Information Headquarters of Artsakh/NKR InfoCenter/ HKP ИнфоЦентр (accessed: 10.07.2024).

¹⁰ https://t.me/s/texekatvakanshtab?before=6369, Information Headquarters of Artsakh / NKR InfoCenter / HKP ИнфоЦентр (accessed: 13.08.2024).

civilian infrastructure across Artsakh, including power, communication, gas and water supply systems, bridges, and food storage facilities. The primary focus of these strikes was the capital, Stepanakert, with the intention of depriving tens of thousands of civilians of their basic living conditions. Azerbaijan utilized long-range missiles and attack drones to strike these targets.

Particular emphasis was placed on power plants and several hydroelectric power stations, aiming to completely dismantle the electricity generation system in the region. This was evidenced by the continuous shelling of the central building and power plant of Artsakhenergo CJSC, which supplies electricity to the capital, using non-distinctive weapons during the course of the war.

"Human Rights Watch" documented that on the night of 2 to 3 October, Azerbaijani forces fired LAR-160 class cluster rockets at the territory and power plant of Artsakhenergo CJSC. They also inspected the remains of the rocket, found about 100 metres from the main building of the department, revealed numerous fragments characteristic of MO95 ammunition, which were mostly lying along the street adjacent to the building and the power plant.¹¹

As a result of the attacks, Stepanakert was left without electricity for an extended period. A statement issued by the Artsakh Human Rights Defender's Office on 18 October highlighted that in addition to shelling the Stepanakert power plant, the Azerbaijani Armed Forces also targeted power plants and electrical networks in various towns and villages. Over 10 stations were either destroyed or severely damaged. Azerbaijan further deliberately targeted several hydroelectric power plants located deep within Artsakh, aiming to cripple the region's electricity production capacity.¹²

Since September 27, the telephone and Internet network has been another deliberate target. First, Azerbaijani hackers caused serious problems in the communication system for several days, resulting in tens of thousands of civilians being unable to communicate for long periods of time. Since October 3, the Azerbaijani Armed Forces have again deliberately targeted communication

https://www.hrw.org/news/2020/12/11/azerbaijan-unlawful-strikes-nagorno-karabakh, 11.12.2020, Azerbaijan: Unlawful Strikes in Nagorno-Karabakh (accessed: 21.08.2024).

¹² https://artsakhombuds.am/hy/document/735 , "Updated edition of the second interim report on Azerbaijan's atrocities against the population of Artsakh in September-October 2020", interim report (Stepanakert. Defender of Human Rights of the Republic of Artsakh, 18.11.2020.), (accessed: 15.09.2024):

stations and networks with long-range missiles and drones. As a result of these strikes, dozens of key communications infrastructure facilities (stations, towers, nodes, etc.) were destroyed or seriously damaged.¹³ Schools, kindergartens, shops and other facilities were also targeted. Some schools, including the buildings of Stepanakert's 4th and 10th and 2nd schools, were destroyed and extensive material damage was caused. 14 According to "Human Rights Watch", Azerbaijani troops struck four times on the territory of School Nº 10, located on the opposite side of the street, near the power plant. The attacks caused severe damage to dozens of classrooms, the exterior of the building, and the electricity and water supply systems that served the school. Between September 27 and Otober 12, 2020, this area was subjected to continuous attacks. 15 According to the Artsakh Presidential Administration, 41 schools and 15 kindergartens were damaged due to the war launched by Azerbaijan, with an additional 121 schools and 20 kindergartens coming under the control of Azerbaijani Armed Forces. 16 The building of the Artsakh State Emergency Service was also targeted. The Rescue Service was a civil defense organization operating in Artsakh. Its responsibilities included civil defense, search and rescue and other emergency works. These deliberate attacks resulted in casualties, injuries, and significant material damage. The targeting of civilians and humanitarian organizations further underscores Azerbaijan's violation of international humanitarian law, and its engagement in grave war crimes. Additionally, medical centers were not spared from Azerbaijani artillery. On October 28, a maternity hospital in Stepanakert was hit by airstrikes, and the same facility was later struck by Smerch missiles on November 3. Earlier, on October 14, a military hospital in Martakert was also shelled. According to the Unified Armenian Information Centre, civilians also were receiving treatment there.¹⁷ Medical facilities and personnel are explicitly protected from attack under Article 19 of the First Geneva Convention, which

¹³ On the Azerbaijan atrocities against the Artsakh population in September-October 2020, 2020, p. 21.

https://www.hrw.org/news/2020/12/11/azerbaijan-unlawful-strikes-nagorno-karabakh, 11.12.2020, Azerbaijan: Unlawful Strikes in Nagorno-Karabakh, (accessed: 04.09.2024).

https://www.hrw.org/news/2020/12/11/azerbaijan-unlawful-strikes-nagorno-karabakh, 11.12.2020, Azerbaijan: Unlawful Strikes in Nagorno-Karabakh, (accessed: 07.09.2024).

¹⁶ Human rights violations during the 44-day Artsakh War, Fact-finding report, 2022, 312.

¹⁷ https://newsarmenia.am/am/news/nagorno_karabakh/-human-rights-watch-/ (05.05.2022), Azerbaijan's war crimes (accessed: 16.09.2024).

safeguards "Fixed establishments and mobile medical units of the Medical Service" and states that they "may in no circumstances be attacked." Similarly, Article 18 of the Fourth Geneva Convention ensures that "Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack."

During the war, key infrastructure, including roads and bridges, was heavily damaged. Major roads, particularly those connecting Stepanakert with neighboring villages, as well as inter-district and inter-community roads, were targeted. Civilian casualties were recorded, particularly among displaced persons who were attempting to reach safer areas. On October 2, the Berdzor Bridge was shelled, followed by the Agavno Checkpoint Bridge on October 17.²⁰ These deliberate attacks on vital bridges, often used for civilian and humanitarian purposes, were aimed not only at causing material damage but also at psychologically intimidating the local population and obstructing potential aid routes to Artsakh.

On October 31, the Stepanakert market was shelled, causing significant destruction. According to the State Emergency Situations Service of the Ministry of Internal Affairs of the Republic of Artsakh, part of the market was destroyed, and the civilian population suffered substantial material damage. A residential building, along with all its contents, was also completely destroyed during the attack. Nearby flats in an adjacent building sustained partial damage, and several explosions were reported.²¹ The destruction extended beyond civilian areas to include economic facilities across the country, with production workshops, service facilities, and other businesses suffering significant losses.

The Office of the President of the Republic of Artsakh reported that during the 44-day war, a total of 72 administrative buildings, 98 civil infrastructure facilities (including 13 hotels, 49 shops, 7 petrol stations, 1 car park, 25 catering establishments, and 3 bridges), and 96 social infrastructure facilities (including 15 pre-

¹⁸ https://evnreport.com (accessed: 06.05.2022), Treaties, States Parties and Commentaries, Geneva 1949 (accessed: 12.09.2024).

¹⁹ https://ihl-databases.icrc.org, (accessed: 06.05.2022), ICRC, Treaties, States Parties and Commentaries, (accessed: 12.09.2024).

²⁰ https://www.azatutyun.am/a/30870931.html, (accessed: 02.10.2020), Currently, the fighting continues, with the main directions being north and south (accessed: 15.09.2024).

https://armeniasputnik.am/20201031/stepanakert-hrtirakocutyun-arcax-paterazm-25133744.html (accessed: 31.10.2020), In the morning, Stepanakert was subjected to rocket fire. They are oriented towards the market, residential buildings (accessed: 17.10.2024).

schools, 41 schools, and 40 medical institutions/hospitals) were damaged.²² Preliminary estimates suggest that the total damage to the 8,380 buildings assessed amounts to 12.5 billion drams.²³ These attacks clearly violated the principle of distinction between civilian and military targets, demonstrating that Azerbaijan's strikes were deliberate and targeted by nature, further confirming the intentionality of the war crimes committed during the September 2020 conflict.

Conclusions

In summary, the materials studied lead to the following conclusions:

- 1. In 2020, Azerbaijan's actions during the war constituted war crimes, including unleashing aggression, collaborating with and utilizing international terrorists to suppress the inalienable right of the people of Artsakh to self-determination. Azerbaijan deliberately targeted civilian objects and civilians with prohibited and indiscriminate weapons, engaged in the torture and killing of Armenian prisoners of war, illegally detained prisoners of war and civilians, destroyed cultural heritage, and unlawfully occupied territory. These acts are crimes that demand international scrutiny.
- 2. The illegal actions of the Government of Azerbaijan have faced little international opposition. Despite extensive evidence confirming the existence of an Armenophobic policy at the state level, the Government of Azerbaijan has shown no signs of changing its policy. This lack of accountability and response has allowed Azerbaijan to continue its aggressive actions, including another military operation against Artsakh in 2023 and the complete deportation of Armenians from the region.

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²² Human rights violations during the 44-day Artsakh War, Fact-finding report, 2022, 321.

²³ Ibid.

atrocities against the population of Artsakh in September-October 2020', Interim report, Defender of Human Rights of the Republic of Artsakh, Stepanakert, October 18, 2020, 13 p.

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ԻՍԿՈՒՀԻ ԱՎԱՆԵՍՅԱՆ

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Ամփոփում

Մարդկության և իրավահավասարության դեմ ուղղված հանցագործութլունները շարունակում են սպառնալիք մնալ աշխարհի խաղաղությանն ու անվտանգությանը։ Նման հանցագործություններն ի հայտ եկան նաև 2020 թ. Արցախի դեմ Ադրբեջանի վարած պատերազմական գործողությունների րնթացքում։ 44-օրյա պատերացմը, որն ուղեկցվում էր Ադրբեջանի կողմից միջազգային իրավունքների լայնածավալ խախտումներով, քաղաքացիական ենթակառուցվածքների և մշակութային հուշարձանների միտումնավոր թիրախավորմամբ, արգելված զինատեսակների կիրառմամբ և պատերազմական այլ հանցագործություններով, հանգեցրեց հազարավոր զոհերի և տասնյակ հազարավոր վիրավորների, տեղահանումների և ավերածությունների։ Պատերազմի հետևանքով Արցախի մի շարք շրջաններ ենթարկվեցին էթնիկ

զտման, իսկ բնակչությունը դարձավ Ադրբեջանի կողմից իրականացված ռազմական հանցագործությունների և զանգվածային ոճրագործությունների զոհ։

Սույն հոդվածը նպատակ ունի վերհանելու 2020 թ. պատերազմի ժամանակ Ադրբեջանի զինված ուժերի հանցագործությունները՝ Արցախի Հանրապետության բնակավայրերն ու ենթակառուցվածքները նպատակային և կանխամտածված թիրախավորումը։ Կատարված ուսումնասիրությունները վկայում են, որ մեզ հետաքրքող ժամանակահատվածում տարբեր շրջանների քաղաքացիական կառույցներ, բնակելի թաղամասեր, տներ հայտնաբերելու, թիրախավորելու և ոչնչացնելու, ինչպես նաև խաղաղ բնակչության շրջանում վախի մթնոլորտ ստեղծելու նպատակով Ադրբեջանը կիրառել է ունեցած բոլոր զինատեսակները, այդ թվում արգելված տեսակներ։

Կարելի է պնդել, որ Ադրբեջանի զինված ուժերի միտումնավոր և պարբերաբար հարվածումը քաղաքացիական ենթակառուցվածքների առանցքային օբյեկտներին (էլեկտրականության, կապի, գազի և ջրամատակարարման համակարգեր, կամուրջներ, սննդի պահեստներ և այլն) նպատակ ուներ տասնյակ հազարավոր խաղաղ բնակիչների զրկել կյանքի տարրական պայմաններից և հետագա գոյատևման միջոցներից։

Ադրբեջանի ռազմական հանցագործություններն ունեցել են համակարգված բնույթ և դրա հիմքում ընկած է եղել նաև խաղաղ բնակչությանն իրենց տներից պարտադրաբար հեռացնելու որոշում։

Բանալի բառեր՝ պատերազմ, բնակավայրեր, ենթակառուցվածքներ, հրետակոծություններ, օդային հարձակում, արգելված զենքեր, միջազգային իրավունք։