

ISKUHI N. AVANESYAN

Institute of History of the NAS RA, Ph.D in History

iskuhi82@mail.ru

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**AZERBAIJAN'S VIOLATIONS OF THE TRILATERAL
STATEMENT OF NOVEMBER 9, 2020, AND THEIR
IMPACT ON ARTSAKH
(FEBRUARY 2021 - DECEMBER 2022) ***

Abstract

In September-November 2020, with the help of Turkey, Azerbaijan conducted large-scale military operations against Artsakh (Nagorno-Karabakh), during which we witnessed numerous war crimes by the Azerbaijani side against the civilian population of the Republic. On November 9 of the same year, the President of the Russian Federation, the Prime Minister of the Republic of Armenia and the President of the Republic of Azerbaijan signed a trilateral statement on the cessation of hostilities in Nagorno-Karabakh, which ended large-scale military operations in Artsakh and deployed Russian peacekeeping forces to maintain peace. However, the establishment of the ceasefire was followed by regular violations on the part of the Azerbaijani side.

The purpose of the article is to reveal the crimes of the Azerbaijani armed forces and terrorist acts against the peaceful population of the Republic of Artsakh after the 2020 war. It

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should be noted that in the period following the trilateral statement, the Azerbaijani side violated the rights of the people of Artsakh in various ways, including the right to life and health, physical and psychological integrity. In parallel with the crimes committed against various settlements of Artsakh, the Azerbaijani side carried out psychological and propaganda actions against the people of Artsakh, aiming to force the civilian population to leave their homes.

Key words: Republic of Artsakh, conflict, trilateral statement, ceasefire violation, attacks on the population, crimes, international law.

Introduction

Following the establishment of the ceasefire on 9 November 2020¹, the Azerbaijani side began to violate the provisions of the trilateral agreement and undermine the peaceful settlement of Artsakh in various ways. These actions became more aggressive in February-March 2022 and continued thereafter. Azerbaijan particularly regularly violated the condition of ‘complete cessation of fire and hostilities’ mentioned in paragraph 1 of the statement², resulting in the loss of life and the violation and suppression of the most basic rights necessary for human existence and life. In various sections of the line of contact between Artsakh and Azerbaijan, the Azerbaijani side resorted to provocative actions and committed criminal acts against the rights, lives, health and property of the people living in Artsakh.

The aim of the study is to identify the actions of the

¹ Марукян А. 2021, 33.

² Заявление Президента Азербайджанской Республики, Премьер-министра Республики Армения и Президента Российской Федерации, 10.11.2020, <http://kremlin.ru/events/president/news/64384>

Azerbaijani side in relation to Artsakh after the 2020 war and violations of the established ceasefire regime. In this regard, the following tasks are set:

1. to identify Azerbaijani terrorist acts committed in Artsakh in the post-war period.
2. as part of the analysis, to determine the consequences of the crimes committed and the losses suffered by the civilian population.

The research was based on reports from the Human Rights Offices of the Republic of Armenia and the Republic of Artsakh, as well as materials published in the press and on social media. The research was conducted through a comprehensive study and comparison of available facts. The study concludes that Azerbaijan's deliberate actions were aimed at resolving the conflict through military means.

Terrorist acts committed by Azerbaijan.

Azerbaijan has repeatedly violated the ceasefire established by the trilateral statement of 9 November 2020, resorting to various provocations. As a result of the 44-day war, more than 30 of the 108 settlements remaining under the control of the Republic of Artsakh with a population of more than 15,000 people became border settlements, with Azerbaijani military bases located up to 1.5 km away from them³. After the ceasefire was established, the Azerbaijani side periodically shelled peaceful settlements from these bases. Although, according to

³ Արցախի Հանրապետության Մարդու իրավունքների պաշտպան միջանկյալ զեկույց (2022 թ. փետրվար-մարտ ամիսներին Ադրբեյջանի կողմից Արցախի բնակչության իրավունքների խախտումների մասին). 2022, 5:

the trilateral statement, the parties were supposed to remain in their positions at that time, a month after the statement, the villages of Mets Tagher and Khzaberd in the Hadrut region of the Republic of Artsakh were occupied by Azerbaijan as a result of the latter's attack. This act of Azerbaijani aggression resulted in the killing of nine servicemen from the Artsakh Republic Defence Army and the capture of 65 more⁴. The Azerbaijani side labelled them as terrorists and initiated illegal, juridically unfounded court proceedings, sentencing them to imprisonment⁵. It should be noted that threats and terrorist acts of a military, psychological and economic nature by the Azerbaijani side have intensified since February-March 2022. The main targets of shelling during this period were the communities of Khramort, Khnapat, Nakhichevanik, Parukh in the Askeran district, as well as the communities of Karmir Shuka, Tagavard, and Khnushinak in the Martuni district. In particular, on 7 and 9 March, parks and bases located near the administrative territory of the communities of Khramort and Khnapat in the Askeran district, as well as the community of Khnushinak in the Martuni district, were subjected to mortar shelling. The shelling of these settlements from Azerbaijani positions continued on 10 and 11 March, resulting in the injury of a resident of Khramort, damage to the roofs of houses and agricultural equipment⁶. Whereas in the earlier period the

⁴https://x.com/Karabakh_MoD/status/1339152044821786625?s=20&t=mJg-k4dpSj26ZHL57XGz3g

⁵https://x.com/Karabakh_MoD/status/1339609674941906944?s=20&t=mJg-k4dpSj26ZHL57XGz3g

⁶Սողազող օկուպացիա, 16 ապրիլի 2022, <https://orbeli.am/hy/-post/-975/20220416/%D5%8D%D5%B8%D5%B2%D5%A1%D6%81%D5%B8%>

Azerbaijani armed forces primarily used small-calibre firearms, since March 2022 their actions have escalated to include the use of large-calibre weaponry as part of their continued hostilities. Notably, on 22 July 2022, Azerbaijani forces shelled civilian areas, targeting the settlements of Tagavard and Karmir Shuka in the Martuni district of the Nagorno-Karabakh Republic (NKR). The 20-minute bombardment caused damage to residential buildings.

Aiming to cause humanitarian problems in Artsakh, the Azerbaijani side completely disrupted the operation of the only gas pipeline entering Artsakh from the Republic of Armenia at 1:00 a.m. on 8 March 2022, resulting in the entire population of Artsakh being deprived of gas supplies⁷. According to information circulating at the time, the gas pipeline was deliberately blown up. Gas was used by the population throughout the republic in various areas of normal life: heating apartments, houses, state and private organisations, educational and medical institutions, providing hot water, food production and other types of economic activity. Therefore, the disruption of gas supply in Artsakh caused many problems. The homes of most of the approximately 120,000 citizens living in the republic were gasified, which means that gas was the main means of heating for the population, and they were deprived of access to gas heating and hot water. Gas was also used in apartments for cooking, and its absence directly affected the normal organisation of meals in families. The heating problem greatly

D5%B2+%D6%85%D5%AF%D5%B8%D6%82%D5%BA%D5%A1%D6%81%D5%AB%D5%A1

⁷ Ադրբեջանական կողմը խողովակը նորոգելիս այն բացել ու փակելու հարմարանք է տեղադրել. Արցախի իշխանություններ, 22 մարտի 2022 <https://www.azatutyun.am/a/31764876.html>

affected the normal organisation of the educational process in Artsakh, as a large number of educational institutions – kindergartens, schools, secondary vocational and higher education institutions – were heated with gas. Gas supply disruptions and the lack of adequate heating also had a significant impact on the normal functioning of the healthcare system. Thus the interruption of gas supplies significantly affected the normal functioning of key economic sectors.

In particular, gas was used in the capital Stepanakert to cover a significant portion of the total demand for bread, and bread supplies were significantly affected. The lack of gas also had a number of negative consequences for the transport sector. All this caused a number of problems in several sectors of the republic's economy.

After the trilateral statement was signed, the Azerbaijani side repeatedly resorted to psychological acts of terrorism aimed at suppressing and spreading an atmosphere of fear and despair among the population of Artsakh. The Azerbaijani side widely used various tools to intimidate the civilian population. In various sections of the line of contact, daily acts of propaganda terrorism were accompanied by targeted and indiscriminate firing of small arms in the direction of various settlements⁸, shining searchlights on the houses of residents at night, and obstructing agricultural work. Since 24 February, the Azerbaijani side has been sending threatening messages to the civilian population from positions located near various settlements of the Republic of Artsakh. Military vehicles equipped with loudspeakers drove up to the heights near the

⁸https://x.com/Karabakh_MoD/status/1339152044821786625?s=20&t=mJg-k4dpSj26ZHL57XGz3g

settlements and played recordings with the following content: *"You are on the territory of the Republic of Azerbaijan. Azerbaijani law governs any actions taken here. Anything you do without official permission is illegal. The agricultural work you are currently doing is illegal. Do not prepare for war and do not attempt to create a border on our territory. If you want to stay and live here, obey the laws of Azerbaijan. For your own safety, we demand that you stop working and leave the territory immediately, otherwise force will be used against you and you will be held responsible for any losses. Do not endanger your life and the lives of your family members. Leave the territory, leave the territory."*⁹ This method of intimidation was first used on 24 February 2022 against residents of the village of Khramort in the Askeran district, after which the Azerbaijani side carried out similar actions to intimidate residents of other communities, namely: Karmir Shuka, Tagavard in the Martuni district, Khnapat, Nakhichevanik, Parukh and other communities in the Askeran district. These circumstances forced residents of the above-mentioned settlements to keep their children out of kindergartens and schools due to safety concerns. Agricultural work, which is the main means of livelihood for the rural population, was also not carried out under these threats. Azerbaijan's recent efforts to intimidate the rural population were executed in a deliberately planned manner, under the direct coordination of the Azerbaijani leadership. These actions appear

⁹ Արցախի մարդու իրավունքների պաշտպան, «Ասկերանի շրջանի հարամորթ համայնքում ադրբեջանցիների կողմից բարձրախոսներով հայ բնակչությանն ուղղված «կոչերն ու հորդորները» բնակչությանն ահաբեկելու ուղիղ դիտավորություն ունեն», 26.02.2022, <https://www.facebook.com/100003582698868/videos/pcb.4603428943119817/1299977423840281>

to be aimed at eroding the psychological resilience of the people of Artsakh. This is evidenced by the fact that so-called ‘appeals and exhortations’ were recorded on video and disseminated via social media platforms during the 44-day war and afterward, through channels affiliated with Azerbaijani propaganda¹⁰. Thus, in March 2022, another Azerbaijani aggression against the communities of Parukh, Khramort and Karaglu Hill in the Askeran district of the Republic of Artsakh resulted in the death of three soldiers of the Defence Army and 14 people were injured to varying degrees¹¹. The criminal behaviour of Azerbaijan disrupted the lives of the peaceful population of the village of Parukh in the Askeran district, where by spring 2022 there were no peaceful residents left. Azerbaijan established control over part of the Karaglu heights in the Askeran district, which kept the peaceful population of neighbouring Armenian settlements under daily danger and threat¹². As a result of Azerbaijan's crimes, the normal life of the border villages was disrupted. The next step in the Azerbaijani side's terrorist propaganda campaign took place on 11 March, when the official Facebook page of the National Assembly of the Republic of Artsakh was subjected to a cyberattack. As a result, the page was briefly taken over by Azerbaijani hackers. The Azerbaijanis took advantage of this opportunity to once again intimidate the peaceful population of Artsakh, urging them to leave their homes immediately or threatening to use force if they did not

¹⁰ <https://www.facebook.com/Caliber.az/videos/5129718323745410>

¹¹ https://x.com/Karabakh_MoD/status/1507416637456138262?s=20&t=mJg-k4dpSj26ZHL57XGz3g

¹² Փառուխից դեպի Քարագլուխ ադրբեջանական ստորաբաժանումները մի քանի հատվածներում դիրքավորվել են, 25.03.2022, <https://oragir.news/hy/material/2022/03/25/35880>

comply. While under Azerbaijani control, they posted a terrorist statement on the official Facebook page of the National Assembly of the Republic of Artsakh, which said, in particular: ‘We call on all Armenians to leave the occupied territories of Azerbaijan within 168 hours, otherwise all Armenian servicemen will be eliminated’¹³. In addition to actions aimed at intimidating the population using the above methods, the Azerbaijani side periodically resorts to jamming mobile communications and Internet access in the territory of Artsakh. Based on the facts gathered during those days, the Artsakh Ombudsman made statements noting that periodic interruptions in mobile communications and the Internet are carried out by Azerbaijanis using special jammers, which creates obstacles to the freedom to use telephone and other forms of communication and the right of the people of Artsakh to receive information¹⁴.

Large-Scale Aggression, the Exodus of Armenians from the Communities of Berdzor, Aghavno and Sus.

It should be noted that before committing criminal acts against various communities in Artsakh, the Azerbaijani side spread misinformation that the military units of the Artsakh Defence Army had violated the ceasefire and opened fire in one direction or another, thereby preparing the ground for the start of military operations in various directions. This is evidenced by the start of large-scale operations by Azerbaijan on 1 August

¹³ <https://www.facebook.com/ArtsakhParliament>, 11.03.2022:

¹⁴ Արցախի Հանրապետության Մարդու իրավունքների պաշտպան միջանկյալ զեկույց (2022 թվականի փետրվար-մարտ ամիսներին Ադրբեջանի կողմից Արցախի բնակչության իրավունքների խախտումների մասին). 2022, 8:

2022. On that day, Azerbaijani units attempted to cross the line of contact in a number of areas of the northern and north-western border zone of Artsakh. In the days that followed, the scale of the escalation increased, and the Azerbaijani armed forces targeted the combat positions of the Defence Army and the permanent deployment site of one of the military units, using mortars, grenade launchers and strike UAVs¹⁵. As a result of the escalation, two servicemen of the Artsakh Defence Army were killed and 19 were wounded¹⁶. The aggression undertaken by the Azerbaijani side was aimed at establishing control over various settlements, civilian infrastructure and important roads in Artsakh. The goal was also to force the Armenian side, under the threat of renewed force, to retreat from the functioning Lachin corridor connecting the Republic of Armenia with Artsakh and to use an alternative route. The available evidence indicates that Azerbaijan's periodic acts of aggression are aimed at intimidating the civilian population of Artsakh, creating unfavourable living conditions and forcing Artsakh residents to leave their homes in an atmosphere of fear. In addition to the use of force, the Azerbaijani side has coerced the Armenian side into making concessions on various issues, as a result of which the security of the civilian population of Artsakh has become even more vulnerable.

¹⁵ Զոհեր, վիրավորներ, մասնակի զորահավաք Արցախում, օգոստոսի 3, 2022, <https://www.azatutyun.am/a/31974069.html>

¹⁶ ԱՀ ՄԻՊ արտահերթ զեկույց (2022 թ. օգոստոսին Ադրբեյջանի կողմից Արցախի ժողովրդի իրավունքների խախտումների մասին). 2022, 26:

According to the trilateral statement of 9 November 2020¹⁷, all settlements in the Kashatagh district of the Republic of Artsakh passed under Azerbaijani control, with the exception of communities located within the 5-kilometre Lachin corridor connecting Artsakh with Armenia. The day after the start of hostilities on 1 August 2020, a meeting of the Security Council was held on 2 August, at which the President of the Republic of Artsakh, Arayik Harutyunyan, announced the demands of the Azerbaijani side. The Azerbaijani side, through the Russian peacekeeping forces stationed in Artsakh, demanded that traffic through the corridor connecting the Republic of Artsakh with the Republic of Armenia be reorganised along a new route¹⁸. In parallel with the military actions carried out by Azerbaijan in various directions, negotiations began with the mediation of representatives of the Russian peacekeeping contingent, as a result of which a decision was made to change the current route of the corridor connecting Artsakh with Armenia (the Lachin corridor), and a deadline was set for 29 August. The deadline was then extended to 1 September¹⁹. As subsequent events showed, the Azerbaijani side implemented its demands by conducting military operations in various directions from 1 to 3 August 2022, using the threat of force. As a result of the change in the route of the corridor, the settlements of Berdzor, Agavo and Sus came under enemy control. For security reasons, the

¹⁷ Statement by President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation, November 10, 2020, <http://en.kremlin.ru/events/president/news/64384>

¹⁸ Նախագահ Հարությունյանը հրավիրել է Անվտանգության խորհրդի ընդլայնված նիստ՝ 02. 08. 2022, <https://banak.info/8028>

¹⁹ Ինչպիսի՞ն է լինելու Հայաստանն Արցախին կապող նոր միջանցքը, 11 օգոստոսի 2022, <https://hetq.am/hy/article/147189>

Artsakh authorities organised the evacuation of the population of these settlements²⁰. As a result of decisions taken at the military and political levels, people's normal lives were disrupted and they lost everything they had built up over the years: their homes, property and jobs. This is evidence of how human rights are subject to the threat of force from Azerbaijan. As of 25 August, the civilian population had been relocated from all Armenian settlements in the corridor. Already on 26 August, Azerbaijani armed forces entered these settlements²¹. It is important to note that the operation of the corridor was explicitly outlined in the trilateral statement. This corridor held existential significance for the people of Artsakh; therefore, any disruption in its operation inevitably led to the onset of a humanitarian crisis.

During the 22 months following the establishment of the ceasefire, gross violations of the ceasefire were recorded, resulting in casualties among the civilian population and Defence Army personnel. From 9 November 2020 to mid-2022, more than 112 crimes were committed against the population of Artsakh from positions located in territories adjacent to Armenian settlements under the control of the Republic of Artsakh, resulting in significant human and material damage. As a result, three civilians and 15 military personnel were killed, 126 people (48 civilians and 78 military personnel) were subjected to attempted murder, and 65 people (14 civilians and

²⁰ «Այս պահին մեզ եթե ուզում են օգնել, կարող են առաջարկել տրանսպորտային միջոցներ և հնարավորինս մատչելի». Բերձորի քաղաքապետ, 11. 08. 2022, <https://168.am/2022/08/11/1746766.html>

²¹ Բերձոր, 2022 թ., օգոստոս. Քաղաքը լի էր ընտանի կենդանիներով, որոշ տների մոտ կեր էր թողնված 27.01.2024, <https://step1.am/blog/2024/01/27/10081/>

51 military personnel) suffered gunshot wounds of varying severity or were subjected to violence²².

Conclusions. Summarizing the consideration of the issue, the following conclusions were drawn:

1. Despite signing the trilateral statement, Azerbaijan has not ceased its internationally illegal actions; in particular, it has continued its aggressive, offensive actions, the seizure of military personnel and civilians, attacks on peaceful settlements, and the destruction of Armenian cultural heritage in the occupied territories.

2. A comparison of Azerbaijani propaganda with the aggressive actions of its armed forces during the period in question suggests that Azerbaijan was deliberately laying the groundwork for the blockade of Artsakh and the initiation of large-scale military operations.

3. In the period after the ceasefire, Azerbaijani aggression was not only not restrained by mechanisms, but was also not condemned by the international community. As a result, the use of force and the threat of force by the Azerbaijani authorities continued until the complete depopulation of Artsakh in September-October 2023.

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²² ԱՀ ՄԻՊ արտահերթ զեկույց (2022 թ. օգոստոսին Ադրբեջանի կողմից Արցախի ժողովրդի իրավունքների խախտումների մասին). 2022, 7:

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"At the moment, we can be offered vehicles if they want to help, and affordable ones if possible. Mayor of Berdzor, 11.08.2022, <https://168.am/2022/08/11/1746766.html>

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Ամփոփում

2020 թ. սեպտեմբեր-նոյեմբերին Թուրքիայի օգնությամբ Ադրբեջանը Արցախի նկատմամբ իրականացրեց լայնածավալ պատերազմական գործողություններ, որոնց ընթացքում խաղաղ բնակչության հանդեպ կատարվեցին բազմաթիվ ռազմական հանցագործություններ: Նույն թվականի նոյեմբերի 9-ին

Ռուսաստանի Դաշնության նախագահի, Հայաստանի Հանրապետության վարչապետի և Ադրբեջանի Հանրապետության նախագահի կողմից ստորագրվեց Արցախում ռազմական գործողությունների դադարեցման վերաբերյալ եռակողմ հայտարարությունը, որով դադարեցվեցին լայնածավալ ռազմական գործողությունները և այնտեղ տեղակայվեցին ռուսական խաղաղապահ ուժեր:

Սակայն եռակողմ հայտարարությանը հաջորդած շրջանում ադրբեջանական կողմը տարբեր միջոցներով ոտնձգություններ էր կատարում արցախահայության իրավունքների նկատմամբ՝ նպատակ ունենալով հայաթափել Արցախը:

Բանալի բաներ՝ Արցախի Հանրապետություն, հակամարտություն, եռակողմ համաձայնագիր, հրադադարի խախտում, բնակչության թիրախավորում, հանցագործություններ, ահաբեկում, միջազգային իրավունք:

**Искуп Н. Аванесян, Институт истории НАН РА, к.и.н.,
Нарушения трехстороннего заявления от 9 ноября 2020 года со
стороны Азербайджана и их последствия в Арцахе (февраль
2021 - декабрь 2022)**

Резюме

В сентябре-ноябре 2020 года с помощью Турции Азербайджан провел широкомасштабные военные действия против Арцаха (Нагорного Карабаха), в ходе которых были зафиксированы многочисленные военные преступления азербайджанской стороны против гражданского населения Республики. 9 ноября того же года президент Российской Федерации, премьер-министр Республики

Армения и президент Азербайджанской Республики подписали трехстороннее заявление о прекращении боевых действий в Нагорном Карабахе, согласно которому были прекращены широкомасштабные военные действия в Арцахе и развернуты российские миротворческие силы для поддержания мира. Однако за установлением режима прекращения огня последовали регулярные нарушения со стороны азербайджанской стороны.

Цель статьи - раскрыть преступления вооруженных сил Азербайджана и террористические акты против мирного населения Республики Арцах после войны 2020 г. Следует отметить, что в период, последовавший за трехсторонним заявлением, азербайджанская сторона различными способами нарушала права народа Арцаха, включая право на жизнь и здоровье, физическую и психологическую неприкосновенность. Параллельно с преступлениями, совершаемыми в отношении различных поселений Арцаха, азербайджанская сторона осуществляла действия психологического и пропагандистского характера, направленные на то, чтобы заставить гражданское население покинуть свои дома.

Ключевые слова: Республика Арцах, конфликт, трехстороннее заявление, нарушение режима прекращения огня, нападения на население, преступления, международное право.