



INTERNATIONAL EURASIA PRESS FUND

Member of the UN Economic and Social Council (ECOSOC)

with General Consultative Status

REPORT on the Second Karabakh War: reasons, consequences and the crimes committed

(September-October 2020)

This document reflects the assessment of the crimes committed against the civilian population of Azerbaijan, damage level, various opinions and the current situation during the Second Karabakh War.

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About the International Eurasia Press Fund

The International Eurasia Press Fund (IEPF) is a non-governmental organisation registered in 1992. IEPF operates within the framework of joint cooperation with the UN agencies, the US Department of State, European Commission, World Bank, International Press Institute, International Federation of Journalists, foreign diplomatic missions in Azerbaijan, ministries, as well as various international organisations. "Peace at home, peace in the country, peace in the world" is the main motto of the IEPF.

In 2007, the IEPF became a member of the UN Economic and Social Council (ECOSOC) with Special Consultative Status, which was reclassified to the General Consultative Status in 2014. Since 2014, the IEPF has become a member of the European Council on Refugees and Exiles (ECRE), the Public-Private Partnerships – United States Department of State, International Peace Bureau and the International Press Institute. IEPF is one of the founders of the Azerbaijani Press Council and the NGO Forum, and its activity is included in the registry of organisations coordinated by the Republican Commission for International Humanitarian Aid. The International Eurasia Press Fund has great experience in implementing social and humanitarian programs to improve the living conditions of low-income people, increase their employee capabilities, peacekeeping operations, as well as the restoration of infrastructure in war-torn areas, mine clearance, and etc. The IEPF has been the author of research, monitoring and alternative reports on the settlement of ethnic conflicts in the CIS countries since the 1990s. Since 2000, the organisation has joined the Mine Action Programme jointly implemented by the National Agency for Mine Action (ANAMA) and the United Nations Development Programme. IEPF is a successful implementer of the First Level Assessment Survey in Hazardous Areas supported by the UNDP and ANAMA, the Study of the Socio-Economic Impact of Mines in Azerbaijan supported by the UNDP, European Commission, the American Research Operations Centre and Mine Action Assessment, Study of the needs of IDPs supported by ANAMA and UNDP, Azerbaijan Youth Support Programme and programmes to educate people in need of special care supported by UNICEF.

From the first days of its activity, the IEPF has organised visits of numerous representatives of foreign media, international organisations and civil society to the war-torn and devastated regions to convey the truth about Karabakh to the world. The IEPF, a member of the UN ECOSOC, has held various parallel sessions at the UN Headquarters in New York and Geneva, made efforts to contribute to the end of the occupation, refugees and internally displaced persons repatriation, and peace restoration.

According to the state instructions given by ANAMA and in accordance with the State Programme on Socio-Economic Development of the Regions of the Republic of Azerbaijan, about 20 years ago, the IEPF "Community Mine Action" team has joined the Azerbaijan Mine Action Programme.

Introduction

The Soviet Union collapse was accompanied by the appearance of a number of ethnic conflicts. Since January 1988, the policy of ethnic cleansing in Armenia against the Azerbaijani nationals (living inside Armenia) has been systematically implemented. The Armenian government and Armenian nationalist organisations, under the auspices of the USSR leadership, carried out thousands of bloody atrocities and actions in the process of expelling ethnic Azerbaijanis from Armenia.

According to the State Commission on Prisoners of War, Hostages, and Missed persons, as a result of the ethnic cleansing in Armenia, 185 Armenian settlements were emptied, more than 250,000 Azerbaijanis and 18,000 Kurds were forcibly evicted from their homes, and 217 Azerbaijanis were killed by Armenians. 49 of them froze to death in the mountains while fleeing from the Armenian territories, 76 were tortured to death, 115 were burnt, 16 were shot, and others were hanged, electrocuted, and drowned.

In parallel, the armed conflict began in the Nagorno-Karabakh region of Azerbaijan. This conflict has escalated with Armenia's territorial claims against Azerbaijan and the deportation of ethnic Azerbaijanis from Armenia. Armed attacks were organised against Azerbaijani population living in the villages of Nagorno-Karabakh, and terror was carried out against the local civilian population.

On the ethnographic situation in Nagorno-Karabakh (1989 data)

Area: 4 388 sq.km.

Population: 189,085 people,

Armenians: 145,450 (76.9%) people,

Azerbaijanis: 40,688 (21.5%) people,

Other: 2,947 (1.6%) people,

Shusha city

Area: 312 sq. Km.

Population: 20 579 people,

Azerbaijanis: 19,036 (92.5%) people,

Armenians: 1,377 (6.7%) people,

Occupied: May 8, 1992.



In 1992 the conflict reached its peak. As a result of the genocide committed in Khojaly city, 613 Khojaly residents were killed, including 63 children, 106 women, 70 elderly people. After a while, the city of Shusha, the cradle of culture of Nagorno-Karabakh and Azerbaijan, was occupied. Therefore, the occupation of Nagorno-Karabakh was completed. Later, Kalbajar, Lachin, Jabrayil, Gubadli, Zangilan, Fuzuli, Aghdam regions around Nagorno-Karabakh and inhabited by Azerbaijanis were occupied by Armenian military units. About 700,000 people were displaced from their native lands and scattered to other regions of Azerbaijan. There was a huge humanitarian catastrophe.

In total, more than 30,000 people were killed, 50,000 were disabled and more than 4,500 were missing during the First Karabakh War, which lasted from 1991 to 1994. A ceasefire agreement was signed in 1994 to resolve the conflict, and the OSCE Minsk Group was established under the co-chairmanship of the United States of America, Russia and France. Long time passed, but the negotiations on the settlement of the conflict through the efforts of the OSCE Minsk Group and other international organizations gave no results.

In 1988-1994, in total 900 settlements, 150,000 houses, 7,000 public buildings, 693 schools, 855 kindergartens, 695 medical institutions, 927 libraries, 44 temples, 9 mosques, 473 historical monuments, palaces and museums in Karabakh, 40,000 museum exhibits, 6,000 industrial and agricultural enterprises, 160 bridges and other infrastructure facilities were destroyed.



For 30 years, all infrastructure in the occupied Nagorno-Karabakh region and 7 surrounding regions of Azerbaijan, material and natural resources have been destroyed. Environmental terrorism has been conducted constantly by the fascist regime of Armenia and its chauvinistic armed forces. During this period, the UN fact-finding mission was not allowed to visit the occupied territories, on the contrary, defence fortifications were established in the occupied territories, which required large expenditures, and the material, spiritual and historical heritage of Azerbaijani people was looted. The Armenian government relocated ethnic Armenians living in different countries to these vacant areas, inside the sovereign territory of Azerbaijan, under Armenian occupation.

According to the Azerbaijani side at the end of 2015, 8,500 people were relocated to Nagorno-Karabakh and a total of 23,000 to 7 other occupied regions. Of these, Lachin: 13,000 people, Kalbajar: 700 people, Zangilan: 520 people, Jabrayil: 280 people. *According to international media outlets citing the Armenian central government, 6,000 Armenian families from Syria had been resettled in these areas even before 2012. The settlement policy and the establishment of deep defence fortifications have demonstrated the unwillingness of the Armenian side to withdraw its military forces from the occupied territories of Azerbaijan.*

Military operations in Karabakh and the Second Karabakh War

The First Karabakh War ended in 1994 with a ceasefire. Before the ceasefire, there were four resolutions adopted by the UN Security Council calling for the immediate and unconditional withdrawal of the Armenian armed troops from the occupied territories of Azerbaijan. The terms of these resolutions and the efforts of the OSCE Minsk Group to resolve the conflict peacefully did not give any results during the ceasefire period. Although, no military operations were carried out during this period of time, the ceasefire was regularly violated by Armenian military units. During the ceasefire until 2020, 1,436 Azerbaijani servicemen and civilians were injured, and 429 servicemen and civilians were killed.

As a result of the conflict escalation in April 2016, Azerbaijani Armed Forces liberated more than 2,000 hectares of territory in the direction of Fuzuli and Tartar regions and took control over the strategic heights in the territory of Nakhchivan.

Since 2018, control over the state border with Armenia in Gazakh, Agstafa, Tovuz, Gadabay and Dashkesan regions has been transferred from the Azerbaijani Defence Ministry to the State Border Service, and it has been confirmed that the Republic of Azerbaijan has no military goals on the border with Armenia.

Starting from July 12, 2020, the villages in Tovuz region of Azerbaijan have been fired with large-calibre weapons and artillery from the direction of the state border of Armenia. These operations aimed at involving other neighbouring countries in the conflict after possible involvement of Azerbaijani side in military operations along the state borders of Armenia. Nevertheless, the provocation was stopped after political and diplomatic interventions. Twelve Azerbaijani servicemen were killed during the military operations. After a while, the ceasefire was restored.

Although the Azerbaijani side has always demonstrated political will to resolve the conflict, the Armenian side continued its provocative actions, ignoring the accepted basic principles, declaring that “Karabakh is a part of Armenia”, denying all legal and political documents, committing sabotage, provocations by targeting various cities and villages of Azerbaijan, as well as claiming the start of a war for new territories against Azerbaijan.

On September 27, 2020, the Armenian Armed Forces made another large-scale provocation and intensively fired at the positions of the Azerbaijani Army located in the frontline zone with large-calibre weapons and artillery. Armenia's military-political leadership continued its provocative actions, trying to involve third countries in the conflict, violating the obligations fixed in Geneva Conventions by targeting civilian areas with heavy weapons, and committing various crimes against civilians. Intensive shelling of Gapanli, Chiragli and Orta Garvand villages of Tartar region, Alkhanli and Shukurbeyli of Fuzuli region, Jojug Marjanli of Jabrayil region, Goranboy and several other villages of Dashkesan region, resulted in deaths and injuries among the civilian population. Numerous houses and civilian objects were badly damaged. The frontline units of the Azerbaijani Army took retaliatory measures to prevent this provocation and ensure the safety of the civilian population living in the areas close to the frontline. As a result, military operations intensified, and counterattacks of Azerbaijani Armed Forces began. Military operations along the line of contact with the occupied territories have intensified in the direction of Fuzuli, Khojavend, Agdam, Agjabadi, Tartar, Goranboy regions of Azerbaijan.



The words of the President of the Republic of Azerbaijan Ilham Aliyev to Armenian leadership to prepare a road map with the exact dates of Armenia's withdrawal from occupied lands, to implement the requirements of the UN resolutions and to start peace talks were not accepted by the Armenian political establishment.

As a result of military operations started on September 27, 2020 until October 27, 2020, 182 villages, Jabrayil, Fizuli, Zangilan, Gubadli cities, Hadrut and Sugovushan settlements of Khojavend region, Minjivan settlement, strategically important Murov mountain range, and Zangilan region, located in the territory of occupied Nagorno-Karabakh and 7 adjacent regions of Azerbaijan, have been liberated from the occupation.

As a result of the military aggression of the Republic of Armenia against the Republic of Azerbaijan, it was revealed that international humanitarian law was seriously violated, civilians were deliberately killed with hostile intent, and the crimes of deliberate destruction of property committed. The IEPF fact-finding mission observed damage to a large number of private properties, vehicles, social infrastructure, offices of civil society organizations, school buildings, kindergartens, and social and cultural facilities in Fizuli, Agdam, Tartar, Goranboy, Naftalan, and Ganja. As a result of the shelling of civilian areas, 398 civilian objects, 2174 houses and 90 apartment buildings became unusable. In total, 91 civilians were killed and 363 were injured in result of shelling of villages and towns inhabited by civilians. The IEPF received the following information on the damage caused to civilians by the war from executive bodies, the local population and municipalities:

Tartar region



The territory of the region has been subjected to rocket and artillery fire by Armenian military units since September 27. In total, about 15,500 shells were fired by Armenian military units from September 27 until the end of October in the region. As a result, 17 civilians were killed and 61 were injured. The district has a population of 104,000, and the vast majority of them have temporarily left their homes for security reasons. They are placed in schools, kindergartens, public catering facilities in different regions. Some of them have settled on relatively safe roadsides to irrigate their farms and to feed their cattle and small ruminants. 26 villages of the region are bordered by the contact line.

As a result of the shelling of the region by Armenian military units, 37 settlements (villages and city centres) were damaged. During the artillery fire of the Armenian military units, 133 houses were completely destroyed, 873 houses were partially destroyed, 47 shopping centres, 65 apartment buildings, 100 ancillary buildings, 18 administrative buildings, 14 schools, 1 vocational school, 1 music school, 3 medical centres, 3 cultural institutions were seriously damaged. A cotton plant, a bakery, public catering establishments and a market area were destroyed as a result of artillery fire. Cotton planted on 2,981 hectares is being lost in unharvested areas. It was planned to harvest 34.8 quintals of cotton per hectare.

Barda region

The centre of the region is the city of Barda. A total of 157,507 people live in Barda region. In addition, more than 30,000 IDPs from Nagorno-Karabakh and 7 surrounding regions settled in the IDP settlements built in the region during the First Karabakh War. After the conflict escalation, most people from Tartar and Aghdam regions moved to the Barda region in terms of security. Their total number is 20,130. 11,091 of them settled in private houses, and 7,096 in 83 schools located in the district. 1133 people were temporarily accommodated in public catering facilities and various enterprises operating in the district. Armenian military units fired more than 60 missiles at the Barda region, more than 25 kilometres away from the line of contact. 13 of them targeted the city of Barda, and the others targeted 5 villages of the region. Some of these missiles have been identified as SKAD / ELBRUS cassette missiles. The most tragic incident occurred as a result of the shelling of Garayusifli village of Barda region on October 27 and the city of Barda on October 28. 21 civilians were killed and 71 were injured when rocket-propelled grenades were fired at the city of Barda. There was a human tragedy. Many of the local citizens killed were women and children.

In total, 28 civilians were killed and 86 were injured in rocket attacks on Barda in September-October, 2020. More than 70 buildings were damaged by artillery fire. 27 individual residential buildings were severely damaged or destroyed; 3 of them were completely destroyed. 1 (one) apartment building, 5 (five) public catering facilities (Old Barda restaurant) were seriously damaged, 1 (one) school, 9 (nine) cattle were destroyed.

Ganja city

This is the second largest city in Azerbaijan. More than 350,000 people live in the city. There is an international airport in the city. Since October 4, 2020, Armenian military units have fired 13 ballistic missiles at the city. Some of them were neutralized by the Air Defence Systems. More than 200 apartments, individual and multi-apartment buildings were damaged as a result of the shelling of the city's civilian areas. The houses of 145 families were completely destroyed and they became homeless. As a result of the ballistic attack, 139 people were injured and 28 civilians were killed. 6 of them are children. 4 children lost both parents. There was a human tragedy as a result of the shelling of the city.



In total, the explosions severely damaged about 500 trade facilities, one of which was completely destroyed. 6 kindergartens, 8 secondary schools and the building of a higher education institution were severely damaged.

Goranboy district

This is mainly an agricultural region. It has a population of over 120,000 people. In September-October, 2020, Armenian military units fired 662 shells at 28 settlements in the region. According to ANAMA, 52 of them were long-range missiles. As a result of the artillery fire, 250 private houses and 6 social facilities were damaged. 6 of them were completely destroyed. 7 civilians were killed and 10 were injured. Garachinar and Safikurd villages of the region were seriously damaged as a result of Armenian artillery shells. Tap village of the region was especially damaged. More than 2848 people live in this village. 174 shells were fired by Armenian military units against the village of Tap. Clover fields, vegetable fields, pastures were damaged, 48 heads of cattle and cows were perished.



Fuzuli district

There are 75 villages in the region. 12 of them and the city of Horadiz were liberated in 1994 by the Azerbaijani army. More than 60,000 people settled in the region. The rest of the population (over 50,000) is dispersed to other regions of Azerbaijan and live as IDPs. As a result of recent military operations, Armenian military units have intensively fired on the villages, settlements, Zobujug IDP settlements and the city of Horadiz. According to local people, three civilians were killed and more than 20 were injured. As a result of shells fired on the territory of the region, more than 300 residential buildings of the region were damaged, 10 houses in Horadiz were completely destroyed. The Youth House, Heydar Aliyev

Centre and Mugam Centre in Horadiz were severely damaged. Kindergartens, buildings of financial institutions, schools, gas stations in the district were damaged. Residents of Horadiz city, Zobujug settlement, Gazakhtar, Alkhanli, Ahmadalilar and other settlements were evacuated. Due to the Armenian shelling of agricultural lands of Fuzuli, the fields were damaged and the harvest was not completed.

Along with these regions and cities, Naftalan, Beylagan, and Kurdamir, Gabala, Khizi, Absheron regions, located 200-300 kilometres from the line of contact (Front line where the armed clashes are taking place), were also damaged as a result of long-range missiles fired from Armenian regime, from inside the sovereign territory of Armenia.

Ağdam district

73 percent of the region is under occupation. The remainder part of the region (27 percent) was settled by Azerbaijani IDPs. The region has a total population of 204,000. More than 93,000 people live in these occupied areas. During the military operations, 43 settlements of the region were shelled. By the end of October, about 9,000 shells were fired into the region. As a result, 7 people died and 42 were injured. 19 villages near the contact line of the region were evacuated due to the start of military operations. 679 buildings were damaged. Of these, 582 were private houses (67 of which were completely destroyed), 515 ancillary buildings (97 of which were completely destroyed), 231 heads of cattle and cows perished. 2,120 hectares of cotton fields were planted in the district, and 6,000 tons of cotton from those fields fell into disrepair. Almost half of the IDP population living near the contact line was evacuated to Agjabadi and Barda.

Military aggression, violations of international law and crimes against civilians

During the night of October 4-11-17, 2020, the Armenian Armed Forces fired rockets at civilians (and their residencies) in the central part of Ganja, killing and injuring many people, and causing extensive damage to civilian infrastructure and vehicles. Although the Armenian side stated that the military posts around Ganja were targeted, the bitter situation should be considered as another crime against humanity. All three rocket attacks on the city of Ganja were carried out in densely populated areas, resulting in killing and wounding the civilians. The fact that the attack took place at night, when people were mostly at home, also indicates the intent of the crime. In total, 25 civilians were killed and more than 100 civilians were injured as a result of the shelling of Ganja by Armenian forces. The IEPF investigation mission immediately visited the place, got acquainted with the scale of the destruction caused by explosion, met with the victims, attended the funerals of the dead, and talked to the wounded in hospitals. As a result of the investigation carried out by ANAMA, 8K14 SKAD / Elbrus operational-tactical ballistic missiles fired at Ganja were found on the fragments. According to a spokesman of the Defence Ministry:

"If the Elbrus ballistic missile is brought to the front, then it can have a flight distance to Baku. If it was brought to Nagorno-Karabakh, it is possible to imagine what kind of destruction it would cause. Based on the intelligence sources obtained, we know that there is no such military unit in the 1st General Army located in Nagorno-Karabakh. This weapon is part of the 71st missile regiment of Armenia. That military unit is located in Stepanavan", he said.

Another tragedy occurred on October 27th and October 28th when the city of Barda, 25-30 kilometres from the conflict zone, came under fire with Smerch-type cassette shells. As a result of the bombing of the city centre, 21 people were killed and 71 were injured. Numerous trade and commerce facilities and cars were damaged.

One of the missiles fired by the Armenian Armed Forces at the power plant in Mingachevir, a city of more than 100,000 people, more than 100 km away from the conflict zone, targeted the power plant and the houses where civilians lived. As a result of the rocket attack on a private house, 5 people were hospitalised with various injuries, and the house itself was severely damaged. Mingachevir, the industrial city of Azerbaijan, is strategically important and has the largest reservoir and power plant in the South Caucasus region. The targeting of this reservoir and power plant could have serious environmental consequences for the South Caucasus region.

IEPF investigators determined that some people were targeted during the funeral ceremony in Seydimli village cemetery of the Tartar region, 4 people were killed and 3 were seriously wounded as a result of artillery fire by Armenian troops. As a result of the fire in the city of Naftalan, 5 members of a family, including 2 children, were killed. There are dozens of such facts.

According to the Prosecutor General's Office of the Republic of Azerbaijan, as a result of war crimes committed by the Armenian Armed Forces against the civilian population of Azerbaijan, as a result of targeting civilian settlements in Fuzuli, Beylagan, Agjabadi, Aghdam, Naftalan, Goranboy, Ganja from September 27th to October 22nd, as a result of shelling of the settlements, 63 civilians were killed and 292 were injured.

Destroyed cultural monuments and social infrastructure

Historical monuments, religious temples, cultural facilities, as well as educational institutions of national and local importance in Ganja were severely damaged. Thus, the Alexander Nevsky Russian Orthodox Church, built in 1887, the 14th-century Imamzadeh Religious-Architectural Monument Complex, a local historical monument that once served as a "Men's Gymnasium" and is now used by the Azerbaijan State Agrarian University, and The Nizami cinema were damaged. 5 schools and 6 kindergartens, as well as the building of Ganja Music College were severely damaged. As a result of the firing on the territory of Fizuli region, the tomb of Sheikh Babi, which dates back to the 13th century, was severely damaged.

As a result of the Armenian provocation, about 180 businesses were initially damaged in the military operations. Preliminary analysis of the appeals shows that entrepreneurs operating in Agdam, Ganja, Fizuli, Tartar, Beylagan, Naftalan, Barda, Jabrayil (Jojug Marjanli) and Agjabadi regions suffered the most from the Armenian provocation. Crops and public catering facilities were damaged, mostly livestock and trade facilities. At the same time, some farmers are currently unable to harvest their crops as Armenian Forces fire on civilian settlements. IEPF staff met with entrepreneurs, farmers and various traders. It was determined that the agricultural sector was severely damaged. A cotton factory in Azad Garagoyunlu village of Tartar, a market area in the centre of Tartar city, markets, gas stations, public catering facilities, trade places in Ganja, Barda, Aghdam and Fizuli regions were destroyed as a result of missile strikes.

The Azerbaijani government has appealed to the population to inform them about the damage caused to businesses as a result of the Armenian military aggression. Despite the military operations, rapid work was observed in the area after the order of the President of the Republic of Azerbaijan on the restoration of the 29-kilometer section of the main road leading to the liberated Sugovushan village.

As a result of the aggression of the Armenian military, 420 schools were suspended in 14 regions. To date, about 50 general education institutions have been damaged by rocket fire by the Armenian military. 10 schoolchildren were injured in the



shelling of Ganja. As a result of the shelling of Naftalan and Agjabadi, 3 schoolchildren were killed. As a result of the Armenian terrorist attack on Ganja, 3 children lost both parents. In total, 9 schoolchildren were killed as a result of the shelling of civilians by the Armenian Armed Forces.

It is a clear violation of the educational rights of children which are stipulated at the articles 28 and 38 of the Child Rights Convention and also the principles stated at the Safe Schools Declaration.

According to the Article 38 of the Convention on the Rights of the Child (1989), State undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child. State have obligations under international humanitarian law to protect the civilian population in armed conflicts, and shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

It should also be noted that according to the Safe Schools Declaration, it is prohibited to use educational facilities as bases, barracks or detention centres during the armed conflict. But it was used as a constant method by the Armenian army. So, they choose either a house of culture, or a school, or a kindergarten as a military base. They use civilian objects, as a "human shields" which is prohibited in the context of armed conflicts. This rule is set forth in the Third Geneva Convention (with respect to prisoners of war), the Fourth Geneva Convention (with respect to protected civilians) and Additional Protocol I (with respect to civilians in general).

Targeted strategic facilities

During the military operation, which began on September 27, the Armenian military intends to expand the scale of the conflict by targeting several strategic objects of Azerbaijan, to create panic among the population, to involve third parties to the conflict.

The President of the Republic of Azerbaijan, Mr. Ilham Aliyev, said, "If the plans to dismantle the pipelines are implemented, the response will be very severe for them. We have already warned about this. I think that the European countries that will receive gas from TANAP next year should also warn them. Because TANAP is not only our project. TANAP has other shareholders, TAP has European shareholders. This is a project of exceptional importance for Europe's energy security. Therefore, we should all be interested in this project not to be harmed in any way." he said in an interview to foreign media.

At night of October 6, 2020, the Armenian Armed Forces fired rockets to the Yevlakh region, which is densely populated by civilians and far from the conflict zone, where the Baku-Tbilisi-Ceyhan main export oil pipeline is passing. The missiles hit 10 meters of the Baku-Tbilisi-Ceyhan pipeline in Yevlakh region. Fragments of more than 300 cluster bombs were scattered around. This is a serious threat to the life and health of the civilian population. The fact of this action had been confirmed during the investigation carried out by ANAMA's special mobile team in the area, and the bombs scattered around were removed from the area and neutralized.

On October 18, at about 13:00, an explosion was heard in the Khizi region and the remains of an S-300 missile fell. ANAMA's special mobile operation team found the remains of an S-300 missile in the Sitalchay area in place. The missile was fired by the Azerbaijani Air Defence System. This missile is capable of detecting targets within a radius of 300 km. It has been determined that the missile has a range of 250-280 km.

The armed forces of the occupying Republic of Armenia deliberately violated the norms and principles of international law, the Geneva Conventions of 1949 and their Additional Protocols, as well as the requirements of the humanitarian ceasefire declared on October 10, 2020 at 12:00. Armenia continued to fire heavy artillery at settlements and strategic facilities.

On October 17, 2020, at around 01:00 pm, the Armenian armed forces fired missiles at the Mingachevir Hydroelectric Power Station, the largest thermal power plant in the South Caucasus, more than 100 km away from the conflict zone. The missiles were neutralized by the air defence forces of the Azerbaijani Army. During the humanitarian ceasefire, Armenian officials said that the targeting of cities outside the front line aimed at creating panic among the population in the depths of Azerbaijan territory.

On October 22, 2020, Armenian military units fired rockets at the Oguz-Gabala-Baku water pipeline, which supplies drinking water to the Absheron Peninsula and is of special strategic importance for our country. As a result of neutralization by the air defence forces of the Azerbaijani Army, parts of the missile fell near the water pipeline. In late October, fires broke out in the forests of Goygol and Dashkesan districts outside the line of contact, and environmental terror was committed.



Violation of International Law

UN Security Council Resolutions (822,853,874,884), adopted in 1993, call for an immediate and unconditional withdrawal of Armenian Armed Forces from the occupied territories of Azerbaijan. Despite the fact that 27 years have passed since the adoption of the resolutions, its provisions have not been implemented by Armenia. Illegal settlements were carried out in the occupied territories. The UN General Assembly's resolution on the Armenia-Azerbaijan Nagorno-Karabakh conflict, adopted on September 7, 2006, entitled "Situation in the Occupied Territories of Azerbaijan" condemned the fires committed by Armenia in the occupied territories. The next resolution of the same name, adopted by the General Assembly on March 14, 2008, covers the legal, political and humanitarian aspects of the conflict and reaffirms the principles of its settlement. These principles include respect for the sovereignty and territorial integrity of Azerbaijan, the immediate, complete and unconditional withdrawal of Armenian troops from the occupied territories of Azerbaijan, the right of IDPs to return to their native lands, and the coexistence of both communities in Azerbaijan. It also covers the illegality of the situation created as a result of the occupation of the territories.

Despite the fact that the decisions of the Council of Europe mainly cover the field of political and legal reforms, this body has periodically expressed its position on the ongoing conflicts in Europe, including the South Caucasus. First, taking into account the severity of living conditions of refugees and internally displaced persons, the Parliamentary Assembly of the Council of Europe (PACE) has prepared various reports calling for their unconditional return and for member states to be sensitive to this humanitarian tragedy. PACE supported the OSCE mediated political settlement of the conflict on the basis of the principles of the Helsinki Final Act and the Paris Charter. Resolution No. 1119 "On Conflicts in the South Caucasus" adopted on April 22, 1997, provides for the settlement of the conflict, the inviolability of borders, the granting of broad autonomy for Nagorno-Karabakh, the right of return of refugees and internally displaced persons, and the security of all peoples, as well as the conditions for the deployment of multinational peacekeeping forces. PACE sees the resolution of conflicts in giving ethnic groups the status of autonomy, which allows them to express their characteristics. Ethnic groups must fully enjoy

their rights and not cause to damage the territorial integrity of the state. PACE Resolution 1416 on the Nagorno-Karabakh conflict, settled by the OSCE Minsk Group, adopted on 25 January 2005, reaffirmed the occupation of Azerbaijani territories, expressed concern over ethnic cleansing on these territories, and referred to the UN Security Council Resolution 822, 853, 874 and it called for the observance of Resolutions 884 and the withdrawal of troops from the occupied territories. The organization also reaffirmed the right of IDPs to return to their lands and stressed the inadmissibility of occupation of the territory of a member state by another member state. In addition, the Sarsang Reservoir, built on the Tartar River in 1976 to provide irrigation water to about 100,000 hectares of land in six regions of Azerbaijan, fell into disrepair as a result of the occupation, depriving residents of irrigation water. The Committee on Sustainable Development has prepared a report. The resolution "Deliberate deprivation of water to residents of the border regions of Azerbaijan" adopted on January 26, 2016, calls for the withdrawal of Armenian troops from the region, considers the deliberate creation of an artificial ecological crisis as "environmental aggression" and reaffirms the occupation of part of it by Armenia.

According to the 1992 Rio de Janeiro Declaration on Environment and Development, countries must be aware of their responsibilities in their activities and respect international law that protects the environment during armed conflicts. However, the environmental terror in the occupied territories, as well as the recent shelling of the cities of Mingachevir, Gabala and Khizi by Armenian military units with ballistic missiles, as well as phosphorous bombs of settlements and farms far from the conflict zone, are completely contrary to the provisions of the Declaration.

All this is in line with international instruments on the protection of civilians - children, women, elderly, people with disabilities in times of war, including the UN Declaration on the Protection of Women and Children in Emergency Situations and Armed Conflict, the Law on the Rights of the Child, is a serious violation of the Convention on the Rights of Persons with Disabilities, as well as the 1949 Geneva Conventions and their Additional Protocols. The continuation of such cases, creating numerous precedents of impunity, conditions for new crimes against humanity and endangers the civilian population.

Protection of civilians in international law

In international humanitarian law, the protection of civilians is not the same as the protection of combatants. This difference is particularly relevant in the conduct of hostilities: there is a fundamental distinction between civilians and combatants, and between military objectives and civilian objects. Combatants may be attacked until they surrender or are otherwise hors de combat, while civilians may not be targeted, unless and for such time as they directly participate in hostilities, and they are protected by the principles of proportionality and precaution against the incidental effects of attacks against military objectives and combatants.

Regarding the legal aspects of the protection of civilians, in accordance with the IV Geneva Convention the protection of civilians during armed conflict is a cornerstone of international humanitarian law. This protection extends to their public and private property. International Humanitarian Law (IHL) also identifies and protects particularly vulnerable civilian groups such as women, children and the displaced persons.

International human rights law and international humanitarian law share the goal of preserving the dignity and humanity of all. Over the years, the UN General Assembly, the Human Rights Council have considered that, in armed conflict, parties to the conflict have legally binding obligations concerning the rights of persons affected by the conflict.

Targeting civilians by Armenian military forces

According to the armament index of world countries released by the *Bonn International Center for Conversion* in February 2020, Armenia ranks third in the world and first in Europe for the number of servicemen per thousand people in Armenia, the cost of armaments in the gross domestic product (GDP), military spending, healthcare, number of troops and the quantity of heavy weaponry. The report says that the reason for Armenia's leading position in the arms race is the Nagorno-Karabakh conflict and its militaristic policy over the past 30 years.

(Source: Armament index, Bonn International Center for Conversion in February 2020).

In an interview with TV show "Vesti" aired on the Russian TV channel Russia-1 on 8 October, Vagharshak Harutyunyan, the chief adviser to Prime Minister Nikol Pashinyan, openly stated that Armenia is purposefully bombarding peaceful cities of Azerbaijan and targeting civilians to create panic among them. (Source: Caspian News, <https://caspiannews.com/news-detail/pashinyans-advisor-confirms-armenias-deliberate-attacks-on-azerbaijani-civilian-settlements-2020-10-9-0/>)

Since the deadly clashes between Armenia and Azerbaijan broke out on September 27, Armenia's forces have continued to shell densely populated areas, strategically important civilian and energy infrastructure, which are far from the frontline. The skirmishes broke out after Armenia's forces deployed in the occupied Azerbaijani lands hit Azerbaijani civilian settlements and military positions along the front zone in the occupied Nagorno-Karabakh region of Azerbaijan.

Armenia's forces have so far launched intensive missile attacks against Azerbaijan's second-largest city of Ganja, which is more than 60 kilometers away from the conflict zone, the central Azerbaijani city of Mingachevir, which hosts the country's largest hydroelectric power and water reservoir, as well as Barda, Tartar and Beylagan. They also hit the Khizi-Absheron region near Azerbaijan's capital Baku with mid-range missiles.

Military experts expressed confidence that by shelling Azerbaijani cities, Yerevan is trying to provoke Baku into tit-for-tat response. If Yerevan can demonstrate that military activities are taking place not only in the territory of the occupied Nagorno-Karabakh region of Azerbaijan, but also in Armenia itself, then it can demand military support from Russia.

American Chamber of Commerce in Azerbaijan (AmCham Azerbaijan) issued a statement supporting territorial integrity of Azerbaijan. According to the statement, AmCham Azerbaijan is deeply concerned with the events developing in the Nagorno-Karabakh region and other areas of Azerbaijan. The Chamber strongly condemns all attacks on Azerbaijan, especially recent large-scale shelling of civilian population and strategic infrastructure facilities carried out from the territory of Armenia.

Protection of women and children in armed conflicts in international law

If we talk about specific protection of children and women, international humanitarian law provides general protection for children and women as persons taking no part in hostilities, and special protection as persons who are particularly vulnerable.

Geneva Protocol II of 1977 also codifies the principles according to which the civilian population as such, as well as individual civilians, shall not be the object of attack. The Fourth Geneva Convention comprises a great many provisions in favour of children. They show that, already in 1949, it was felt that children should be especially protected against warfare.

Armenia is violated the principles stipulated by the Declaration on the Protection of Women and Children in Emergency and Armed Conflict and which calls for the strict observance of the Declaration by all Member States. Attacks and bombings on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited, and such acts shall be condemned.

The internally displaced children in Azerbaijan still cannot realize their right to voluntary return to their lands in safety and dignity. During the conflict, 224 children were taken hostage by Armenian military forces and were subsequently released, and 29 children are still considered to be in Armenian captivity. 73 Azerbaijani children are missing.

Children in Azerbaijan are the targets by Armenian aggressors even during the ceasefire time. During the ceasefire since 1994, 34 children became victims of the Armenian terror, 14 of them were killed and 20 were injured.

War crimes during the humanitarian ceasefire

According to the humanitarian ceasefire reached by the parties in Moscow, which was supposed to start on October 10, 2020 at 12.00, the Republic of Azerbaijan and the Republic of Armenia agreed on the exchange of the remains of the dead, the prisoners and other detainees and victims in accordance with the criteria of the International Committee of the Red Cross and the mediation of the OSCE Minsk Group. A humanitarian ceasefire has been declared to begin substantive talks to resolve the conflict peacefully as soon as possible, based on the basic principles of settlement through the co-chairs.

However, despite the statement of the Presidents of the United States of America, the French Republic and the Russian Federation, representing the OSCE Minsk Group Co-Chairs, dated 1 October 2020, the statement of the OSCE Minsk Group Co-Chairs of 5 October and 10 October 2020, Armenia has not complied with the requirements of the humanitarian ceasefire adopted in accordance with the Moscow Declaration. Thus, although a ceasefire was felt in various directions of the front, Armenian military units made efforts to counterattack to return the territories liberated by Azerbaijan. As a result, the Azerbaijani Armed Forces liberated the settlement of Hadrut and several villages in Nagorno-Karabakh.

Uncompromising, the Armenian military fired SKAD / ELBRUS, TOCHKA-U long-range missiles at the cities of Ganja and Mingachevir, Barda and other regions, 80-100 km away from the conflict zone, in the Baird and Vardenis regions. As a result, many civilians, women and children were killed or injured.



Tragedy took place in Ganja and Barda, the largest economic cities of Azerbaijan. Ganja, Azerbaijan's second largest city came under rocket fire, killing 28 people, mostly women, and injuring a total of 139 people, including 10 women and five children. Long-range missiles hit the territory of Ganja city, destroying settlements and social infrastructure facilities within a radius of 500 meters. As a result of the shelling of Barda, 27 people were killed and 86 were injured.

A few hours after the ceasefire came in power, ambulances moving in the liberated territories were fired upon by the Armenian Armed Forces, killing and injuring Azerbaijani Army doctors.

The destructive power of the missile that hit the territory of Barda was recorded by ANAMA employees. As a result of the rocket's fall, a large hole was formed at a depth of 10 meters and a radius of 30 meters. During the ceasefire, a residential area built for IDPs in Shikharkh settlement of Tartar region was targeted, people were killed or injured. Talking with the civilians and military, the IEPF representatives revealed the followings committed during the humanitarian ceasefire:

- During the removal of the bodies from the battlefield, trap explosives were placed under the remains of the dead by the Armenian army soldiers;
- Azerbaijani soldiers were shot and hand grenades were thrown at them while handing over the bodies;
- Military doctors who helped transport the bodies and the wounded were fired upon;

There were deaths and injuries in all three cases.

- Soldiers who died on the Azerbaijani side were tortured and insulted, and these immoral acts were spread on social networks;
- Pictures and information about soldiers chained to posts and cars in the trenches of the Armenian military units in the occupied territories have been identified.

Captives and missing persons

The information of the State Commission for Prisoners of War, Hostages and Missing Persons as a result of the Armenia-Azerbaijan Nagorno-Karabakh conflict was published on 01.10.2020. According to the report, captives and missing persons, **including the first Karabakh conflict:** *a) servicemen - 3171 people*

b) civilians - 719 people (71 children, 267 women, 326 elderly people) of them: a) men - 3623 people b) women - 267 people were officially registered.

The provisions of the humanitarian ceasefire reached in Moscow on October 10, 2020 intended the exchange of bodies and prisoners of war. The execution of the prisoners with the participation of the Red Cross is noted. The positions of the parties on the issue were different.

Assistant to the President of the Republic of Azerbaijan, Head of Foreign Policy Affairs Department Hikmet Hajiyev "I would like to emphasise once again that the mechanism for exchanging bodies, as well as prisoners between Azerbaijan and Armenia, has been around for some time, is ready and working." he said.

Although the official statement stated that the Azerbaijani side was ready to hand over the bodies of the dead soldiers in accordance with the spirit of the humanitarian ceasefire, the Armenian side ignored the appeal.

Information on the treatment of wounded Armenian servicemen in hospital, as well as telephone conversations with their parents living in Armenia, was broadcast on television, and information was provided to the ICRC on the conditions of detention of prisoners of war.

Videos shared on social networks about the criminal acts committed by the Armenian military by insulting the bodies of the killed Azerbaijani servicemen have been spread on social networks. This is evidence of a serious violation of Articles 16 and 17 of the 1st Geneva Convention.

Illegal transportation of weapons to the occupied territories

After Georgia and the Islamic Republic of Iran banned the transportation of military cargo to Armenia, the Armenian government resorted to various tricks and illegalities to bring weapons to the country. It has been confirmed by various sources that civilian planes are also used for this purpose.

At the same time as the fighting was going on, it became clear that Armenian leaders were transporting military cargo by planes. Zohrab Mnatsakanyan, who returned from a meeting with Sergey Lavrov in Moscow on October 10, was found to have brought 300 Cornet anti-tank missiles on a government plane. Deputy Prime Minister Mger Grigoryan and Deputy Foreign Minister Shavarsh Kocharyan, who had to visit Moscow for various reasons, tried to use similar methods.

It has been observed that Armenian Diaspora organizations in other countries have become more active in order to carry out arms talks with Armenia on civilian planes. There were reports that these groups were carrying weapons to Armenia under the guise of "humanitarian aid" or "charter flights."

In particular, arms shipments from Russia were curated by Armenian Defence Minister David Tonoyan, Pashkina's illegal business partner and well-known arms smuggler David Galstyan, and Russia's richest Armenian billionaire Samvel Karapetyan. The President of the Republic of Azerbaijan expressed his views on these issues in an interview with international television and agencies, as well as those interested in the illegal arms smuggling in the Russian establishment.

Illegal armed groups in the occupied territories

"Before and after this battle, we had information that PKK terrorists had set up camps there. Because Nagorno-Karabakh was an uncontrolled territory," said President Ilham Aliyev. The president said in an interview with foreign media that among those killed were people with Canadian and Lebanese passports, as well as people who could not be identified.

The Prosecutor General's Office of Azerbaijan has announced that the Prosecutor General's Office of the Republic of Azerbaijan has credible evidence that Armenia has committed various crimes against the civilian population of the Republic of Azerbaijan and the involvement of foreign mercenaries in these crimes.

Armenian President Armen Sargsyan said in an interview with Al Jazeera that Armenians from different countries fought in Nagorno-Karabakh. "Although they are ethnic Armenians and citizens of different countries, there is nothing wrong with fighting in Nagorno-Karabakh. We accept the participation of

Armenians from different countries in military operations," Sargsyan said, confirming the participation of various terrorist groups in military operations.

The concept of mercenary is enshrined in Article 47 of Additional Protocol I (1977) to the 1949 Geneva Convention for the Protection of Victims of International Armed Conflict. According to this article, a mercenary has no right to receive the status of a combatant or prisoner of war.



The International Convention on the Recruitment, Use, Financing and Training of Mercenaries, adopted by the 44th session of the UN General Assembly on 4 December 1989 (44/34), criminalizes their use and training.

Unlike Armenia, the Republic of Azerbaijan acceded to the Convention in 30 September 1997. In order to combat the involvement of mercenaries in military conflicts under the Convention, States Parties shall provide for criminal liability in national law for such offences.

Clearing the unexploded remnants of war

In total, the Agency carried out 829 operational and urgent operations in September-October 2020. As a result, in Aghdam, Aghdash, Aghjabadi, Barda, Beylagan, Bilasuvar, Jabrayil, Goranboy, Naftalan, Kurdamir, Fuzuli, Tartar, Tovuz, Shamkir, Hajigabul, Zardab, Khizi, Oguz, Gabala regions, Ganja and Mingachevir cities, houses and yards, 301 unexploded ordnance (UXO), 1,627 anti-personnel mines, 276 tanks were inspected near the oil pipeline, the territory of Mingachevir TPP, near the South Caucasus Pipeline, arable lands and pastures, roadsides, forests, schools. anti-personnel mines, 460 anti-tank mine explosives (from recently liberated areas), 76 detonators, 1,150 9N235 bombs, 1,180 rounds of ammunition of various calibres, 1 gas grenade, 17 meteorological radio direction finders, 6 drones, 2 rocket chips and 550 exploded rocket parts were found and neutralized.

Prohibited military ammunition

The IEPF Community Mine Action Team, which was involved in clearing the unexploded remnants of the war on behalf of ANAMA, was involved in operations in Tartar, one of the main target areas of the enemy, as well as in Barda and Goranboy. The team found and neutralized phosphorous artillery shells in Duyerli and Askipara villages of Tartar region.



ANAMA specialists found and neutralized cluster bombs in a few meters of the Baku-Tbilisi-Ceyhan pipeline, as well as in the areas of Goranboy and Barda.

Remains of an S 300 ballistic missile fired by Armenian military units and destroyed by the Azerbaijani Air Force were found in the Sitalchay area nearby the Baku-Novorossiysk oil pipeline.

Cassette shells were fired at SMERCH and ELBRUS missiles in Ganja, Gabala and Kurdamir. As a result of ANAMA's research, the facts about the banned ammunition were confirmed due to the radius of the explosion area and the indicators on the identified remains. Ammunition, bombs and long-range missiles

fired by Armenian forces at Azerbaijani civilians and settlements and major cities far from the front line are contrary to the Geneva Protocol on the Limitation and Prohibition of the Use of Weapons, adopted on October 10, 1980. "It is against the Oslo Convention on the Prohibition of the Use of Weapons."

The use of prohibited military ammunition by the Armenian military has been approved and condemned by international organizations.

Amnesty International says "the use of cluster munitions against civilian areas is cruel and irresponsible. This causes many casualties," he said.

"The use of cluster munitions in all conditions is prohibited under international humanitarian law. Ballistic missiles and cluster bombs used by Armenia against civilians have been banned by international law. With this statement, we condemn such criminal acts of the Armenian Armed Forces. We condemn Armenia's rocket fire on civilian infrastructure in the Barda and Tartar regions of Azerbaijan on October 27-28" GUAM Organization for Democracy and Economic Development said. The General Secretariat of the Parliamentary Assembly of Turkic-Speaking Countries (TURKPA) strongly condemns the continuing inhumane actions of the Armenian Armed Forces against civilians in the Azerbaijani cities of Barda and Tartar.

"Armenia must immediately stop using cluster bombs or equipping Nagorno-Karabakh with military forces," Human Rights Watch said in its statement.

The result and outcomes

The ongoing large-scale military operations between Armenia and Azerbaijan in September-October 2020 can be considered as the failure of the Armenian leadership to implement the accepted international terms and principles, as well as provocative attempts of Armenian government to change international legal agreements and principles. Agreements on the liberation of the occupied territories, the return of refugees and internally displaced persons, the determination of the status of Nagorno-Karabakh have not been implemented by the Armenian political leadership, and the escalation has continued. As a result, large-scale military operations were launched, and a large number of military officials and civilians were killed and wounded. Various sectors of the economy and social infrastructure have been severely damaged. A difficult humanitarian situation has arisen. Azerbaijan, the executor of major infrastructure projects and transnational programs, has no choice but to carry out peacekeeping operations to resolve the conflict. We believe that no matter how difficult it is, the two peoples, who have lived together for hundreds of years, still have the opportunity to live together again, to maintain the principles of neighbourliness, peace and stability in the region, to establish mutual relations. Therefore, there is an urgent need to take decisions and reach agreements, such as strengthening the peacekeeping mission of the OSCE Co-chairing countries, liberating the occupied territories of Azerbaijan, to be in unconditional compliance with the agreed principles of international law.