

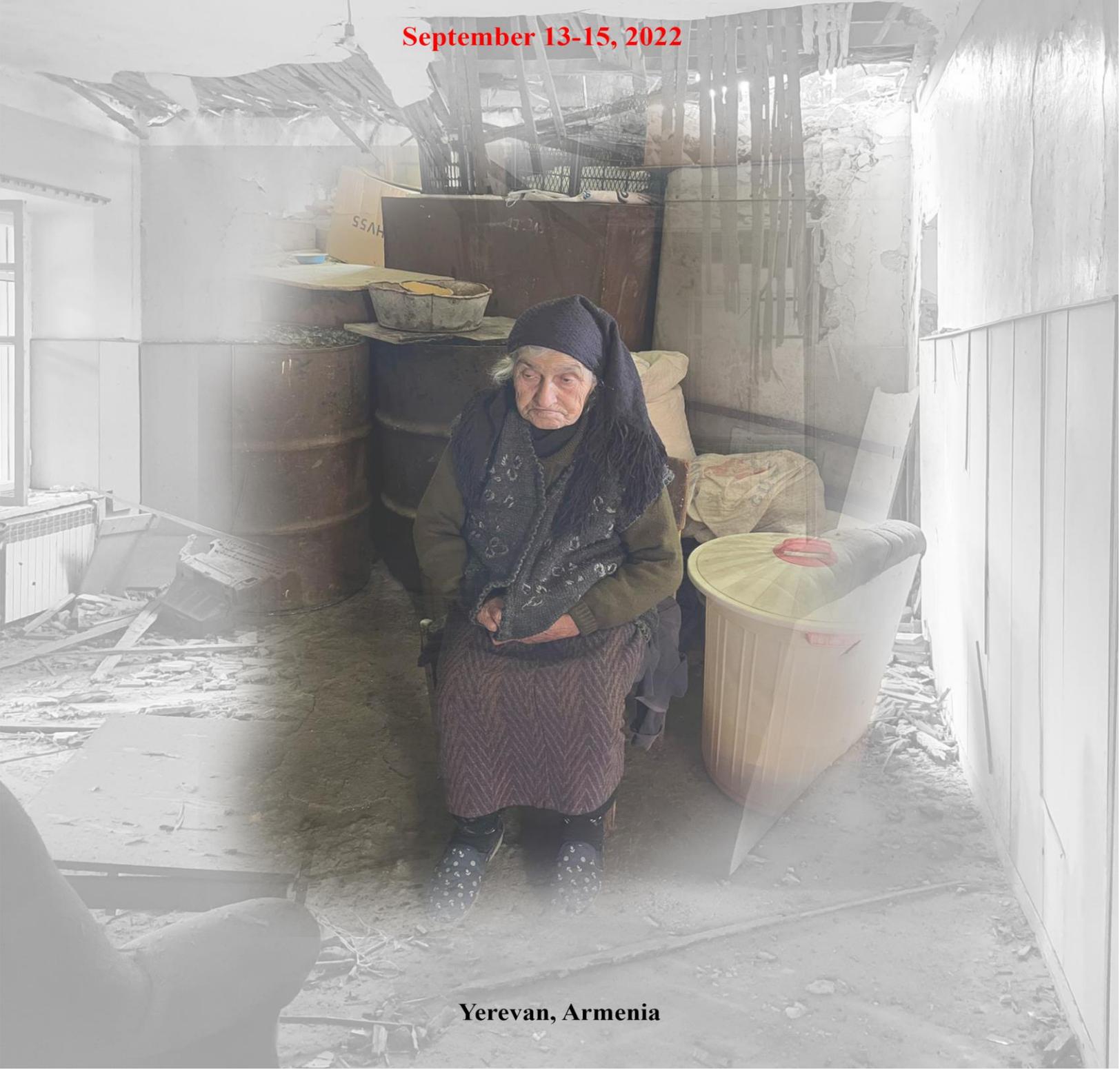


The Human Rights Defender of the Republic of Armenia



AD HOC PUBLIC REPORT ON CONSEQUENCES OF AZERBAIJANI MILITARY ATTACK ON THE REPUBLIC OF ARMENIA

September 13-15, 2022



Yerevan, Armenia

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I. BACKGROUND INFORMATION

1. In the early hours of September 13, 2022, according to HRD's hotline call information, some local and other sources the Azerbaijani military forces launched a large-scale coordinated attack against the sovereign territory of the Republic of Armenia, along the eastern and south eastern line of contact, deliberately targeting the peaceful borderline communities of Kapan, Goris, Qarashen, Verishen, Khnatsakh, Kornidzor, Khoznavar, Ishkhanasar, Tchakaten, Nerqin Hand, Tsav, Davit Bek, Artanish, Srashen, Jermuk, Vardenis, Sotk, Norabak, Kut, Geghamasar and other borderline communities in the provinces of Gegharkunik, Vayots Dzor and Syunik of Armenia. The Azerbaijani armed forces used different types of weapons including heavy artillery, mortars of different calibers, UAVs, large-caliber guns, and Grad multiple rocket launchers (MRLs).

2. The Azerbaijani military attack was accompanied by gross violations of International Humanitarian Law and human rights. This is the direct consequence and result of the state-sponsored policy of Armenophobia and ethnic hatred of the highest authorities of Azerbaijan, and its public propaganda of animosity against Armenians.

3. In this regard, the Committee on the Elimination of Racial Discrimination, in its concluding observations on the combined tenth to twelfth reports of Azerbaijan Expressed its concern regarding the incitement to racial hatred and the propagation of racist stereotypes against ethnic Armenians on social media platforms, including by public figures and governmental officials (Para. 4(c)) , and recommend the Azerbaijani authorities to adopt measure to monitor and combat hate speech and the incitement of racial hatred and discrimination by its officials and public officials which are aimed at ethnic Armenians (Para. 5(d)).¹

4. The media monitoring conducted by the HRD Office clearly demonstrates that Azerbaijani officials continue to use violent and hateful Armenophobic rhetoric, promoting hostility towards Armenians. On September 13, several Members of the Parliament and other officials voiced threats and insults towards Armenians thus justifying the acts of aggression being committed by the Azerbaijani Armed Forces ². One of the MPs, Fazail Agamali, not only called Armenians “a

¹ Available at:

https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/AZE/CERD_C_AZE_CO_10-12_49770_E.pdf (Accessed 16 September, 2022)

² Available in Azerbaijani at: <https://telegraf.com/news/siyaset/340649.html> and <https://demokrat.az/az/news/122769/texribatlar-ermenistanin-sonunu-yaxinlasdirir-deputat> (Accessed 16 September, 2022)

barbaric, fascist tribe” but also explicitly called for the destruction of the Armenian state.³ Notably, many of these officials refer in their speeches to the President of Azerbaijan, especially recalling his words on the “iron fist” forcing Armenia into military capitulation and “teaching Armenians a lesson”.⁴

5. This kind of hateful rhetoric coming from high-level state officials which normalizes and even praises violence towards Armenians is one of the underlying causes of inhumane and degrading treatment of Armenian PoWs by Azerbaijani servicemen. The previous observations of HRD during and after the 44-day war have shown that the demonstration of brutalities towards Armenian PoWs and other detained persons to the wider public receives public praise on social media. Moreover, during the same period, many Azerbaijani servicemen, while committing atrocities toward Armenians, used the same words and expressions as the President of Azerbaijan.⁵

6. Contents proving the acts of torture and other inhuman and degrading treatment committed by the Azerbaijani armed forces against Armenian servicemen are being posted on Azerbaijani social media platforms, which is being praised and encouraged by the users. In this regard, the spreading of a videos of the treatment of the bodies of killed Armenian servicepersons, and in particular the torture of an Armenian servicewoman, and the insults and degrading expressions against her by users of social media, targeting her gender, and in parallel normalizing and encouraging such acts against Armenians, deserves special attention. See details in the relevant non-public part of this Report.

7. The military attack of the Azerbaijani armed forces has violated the territorial integrity and sovereignty of the Republic of Armenia. This is a clear violation of Article 2(4) of the Charter of the United Nations which provides that “*All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.*”. Moreover, Article 51 of Chapter VII of the Charter of the United Nations provides that “*Nothing in the present*

³ Available in Azerbaijani at: <https://www.bakupost.az/qisasa-benzer-antiterror-emeliyati-aporilmalidir-deputat> (Accessed 16, September, 2022), see also the statement of the President of Azerbaijan, BBC Monitoring via twitter.com, 10 October, 2020, Available at: <https://twitter.com/bbcmonitoring/status/1326064785885192194> (Accessed 16 September, 2022)

⁴ Available at <https://pravda.az/news/92392> (in Azerbaijani), accessed at 16.09.2022, see also see also the statement of the President of Azerbaijan, BBC Monitoring, 10.09.2020, available at <https://twitter.com/bbcmonitoring/status/1326064785885192194> (in English), accessed at 16.09.2022

⁵ Ad hoc public report “The Azerbaijani Policy of Hatred and Animosity towards Armenians as Root Causes of Ethnically Motivated Violations of Human Rights: Evidence-based Analysis of Post-War Developments”, Human Rights Defender of Armenia, Yerevan, 2022, Available at <https://ombuds.am/images/files/3101f60c869b0f378dbc737b002e5054.pdf> (Accessed 16 September, 2022)

Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations until the Security Council has taken measures necessary to maintain international peace and security.”

8. The fact that the border between the states are not officially delimited and demarcated does not give states the right to derogate from its international obligation from the threat or use of force against the territorial integrity or political independence of any state as enshrined in the Charter of the United Nations, and launch a military attack on the sovereign territory of a neighboring state, endangering the rights and life of the residents of borderline communities.

9. It is of particular concern that during the attack the Azerbaijani side is targeting the civilian population and vital civilian infrastructure in gross violation of IHL and international human rights law.

10. Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the UN Charter (Declaration 2625) recalled the “*duty of states to refrain from the military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any state*”.

11. Besides, the Azerbaijani attack on the sovereign territory of the Republic of Armenia is a violation of the trilateral ceasefire statement of November 9, which states that the parties to the agreement shall remain at their current positions (the positions they were occupying at the moment of the statement).⁶

II. METHODOLOGY

12. The purpose of this Report is to digest, analyze and present the gross violations of International Humanitarian Law and International Human Rights Law by the Azerbaijani armed forces during its military attack against Armenia between September 13 and 15, 2022.

13. The factual data illustrated in this report covers the timeline between September 13-15.

14. According to HRD’s NPM mandate this report also covers the issues relating to the facts of torture and ill-treatment done by Azerbaijani military towards Armenian PoWs. According to usual practice of the institution, those respective Parts of this report which refers to the inhuman and degrading treatment of Armenian PoWs, and the mistreatment and conducting of acts that violate the treatment of the bodies of dead Armenian servicemen are published in the closed format of this report, considering the sensitivity of the topic, and the gruesome nature of the images and videos.

⁶ Available at: <https://www.primeminister.am/en/press-release/item/2020/11/10/Announcement/>

15. The Report, inter alia, is based on the fact-finding activities of the Human Rights Defender's Office (HRDO), during which representatives of the Defender's Office conducted visits to Sotk, Kut and Norabak communities of Gegharkunik province as well as to Verishen, Akner communities of Syunik and to Jermuk city of Vayots Dzor province. During the visits, the representatives of the Defender's Office conducted private interviews with the heads of the communities, the residents, the evacuated and displaced persons, as well as persons who had received various injuries and were receiving or have received relevant medical care in the medical centers. HRDO visited the injured civilians in Yerevan hospitals as well.

16. The representatives of HRD regional offices in Gegharkunik and Syunik, and Tavush provinces, have carried out extensive fact-finding activities on the ground of affected communities and in cooperation with the local self governing bodies and territorial administrations, local civil society organizations and other actors.

17. The HRDO has conducted monitoring of media publications, has analyzed the alarming-calls addressed to the HRDO and its regional offices, including through the 24/7 hotline. Media monitoring also covers the regular and social media of Azerbaijan.

18. The Human Rights Defender has prepared and sent daily Communiqués on the violations of International Humanitarian Law and human rights to international organizations mandated with the protection of human rights, international partners, and diplomatic missions accredited in the Republic of Armenia. HRD has established a dedicated communication channel related to potential questions on these events by the side of the international partners.

III. HUMANITARIAN ISSUES

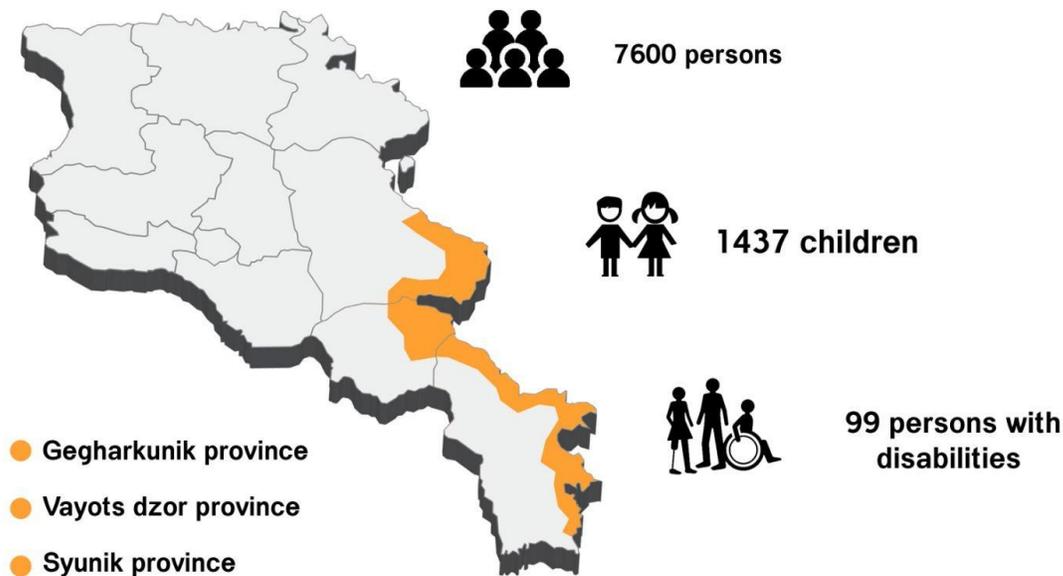
1. Displaced persons, the most vulnerable persons not being evacuated from the active zones

19. As a result of the continuous monitoring activities of the HRDO it was recorded that during 13-15 September at least 7600 persons were displaced from Gegharkunik, Syunik and Vayots Dzor provinces. The majority of them were women, children, elderly people, and persons with disabilities, among them 1437 children and 99 persons with disabilities.



DATA ON DISPLACED CIVILIANS

(September 13 to 15)



20. In addition to the fact-finding activities of the HRDO, the Human Rights Defender, within the context of her mandate, continues undertaking measures to protect and restore the violated rights of the displaced persons that had to flee or were evacuated from their borderline communities as a result of the direct targeting of their communities by the Azerbaijani armed forces.

21. The HRDO has mapped the areas/communities where the elderly and/or persons with disabilities haven't been evacuated from their homes and remained in the active shelling zones. Mapping was done based on intensive exchanges with local heads of communities and other local actors. Next, this information was shared with the ICRC and national competent authorities.

22. The private interviews held by the representatives of the Defender's Office, which have been double-checked with the Administrative Head of the Community, proved that 2 elderly women, one of which is a woman with a disability (MSD), as well as a man remained in Sotk village on September 13-14 under the unstopped attacks of the Azerbaijani armed forces.

23. Displaced persons enjoy all the human rights guaranteed by international and regional human rights treaties, and the Governments have the obligation of guaranteeing these rights. The Guiding Principles on Internal Displacement of 1998⁷, reflecting international human rights and International Humanitarian Law, provides a clear structure for States to ensure the rights of

⁷ Available at: <https://www.unhcr.org/43ce1cff2.pdf>

internally displaced persons are protected and realized, including the rights to adequate shelter, dignity and physical, mental and moral integrity, to security, etc.

2. Targeting medical personnel and media representatives

24. On September 13, according to the fact-finding activities of the HRDO, in the Syunik region, in the direction of Tchakaten village, the Azerbaijani armed forces targeted two ambulance vehicles with distinctive emblem one of which was shot first then broken down by the Azerbaijani armed forces near Chakaten and was abandoned on the same spot. The health care personnel of one of the ambulance vehicles were able to evacuate the vehicle on time.⁸ As to the other vehicle, according to the information received by the HRDO, the driver of the vehicle was killed.



Medical vehicle shelled

25. Targeting of medical transportation is prohibited both under Customary International Humanitarian Law and Geneva Conventions of 12 August 1949. According to the Article 35(1) of the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (hereinafter “First Geneva Convention”), transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units.⁹ This provision applies to the military means of transportation, however, the scope of the protection of medical transportation was expanded by Article 8(f)-(h) and Article 21 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (hereinafter Additional Protocol I).¹⁰

⁸ “The Human Rights Defender’s Office is carrying out fact-finding activities on the targeting of civilian infrastructure during the September 13 aggression of the Azerbaijani armed forces in the Republic of Armenia”, Human Rights Defender of Armenia, September 13, 2022, Available at: https://ombuds.am/en_us/site/ViewNews/2341 (Accessed September 15, 2022)

⁹ Available at: https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.30_GC-I-EN.pdf

¹⁰ Available at: https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf



26. In particular, Article 21 states that medical vehicles shall be respected and protected in the same way as mobile medical units under the Conventions and this Protocol, and under Article 8(g), "medical transport" is defined as any means of transportation, whether military or civilian,

27. It should be noted that while Additional Protocol I was not ratified by Azerbaijan, the provisions of Article 21 granting civilian medical transportation the same level of protection as the military ones, are considered to be a customary norm and hence are applicable notwithstanding the ratification of Additional Protocol I.

28. Furthermore, on September 14, it was reported by several media outlets that the Azerbaijani armed forces opened fire in the direction of Armenia's Sotk community where Armenian reporters from Armenpress (personal data: K.K., H.M. and H.M.), Radar Armenia and the Public Television Company of Armenia, as well as foreign journalists were conducting their professional activities. As reported by the journalists themselves, 2 shells fell in their directions; there were no casualties¹¹.

¹¹ "Azerbaijani armed forces targeted a group of journalists in Sotk", Radar Armenia, September 14, 2022, Available in Armenian at: <https://radar.am/hy/news/social-2526323813/> (Accessed September 15, 2022)

29. A video was published by Armenpress where the sound of shell explosion can be heard and several persons - some of them wearing vests with the inscription “PRESS” – run in the opposite direction¹².

30. Such attacks and targeting of journalists constitute a gross violation of Customary International Humanitarian law under which civilian journalists engaged in professional missions in areas of armed conflict are protected as long as they are not taking a direct part in hostilities.

31. Moreover, Additional Protocol I provides:

“1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.

2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in 4 A 4) of the Third Convention.

(...)”.

32. Accordingly, Article 51 (2) of the Additional Protocol I states: “The civilian population as such, as well as individual civilians, shall not be the object of attack”. Moreover, under Article 85(3)(a), making the civilian population or individual civilians the object of attack is considered a grave breach of the Additional Protocol I.

IV. RIGHTS OF THE CHILD

33. Children are the most vulnerable group in armed conflicts, therefore the fundamental rights of children, including their right to life, the right to live in a family and community, the right to health, the right to individual development, the right to education and the right to protection, require special attention.

34. The monitoring of the HRDO and the study of current facts prove that on September 13-14, 2022, in Syunik, Gegharkunik and Vayots Dzor provinces, the civilian population and vital public infrastructures, including educational institutions, were under indiscriminate targeting by the Azerbaijani armed forces, violating the rights guaranteed by international legal instruments of the civilian population, including children.

35. Residents of the affected settlements, fearing especially for the lives of their children, were forced to leave their homes with their families or displace their children to safer places with other

¹² “Armenian and foreign reporters were targeted in Sotk”, Armenpress, September 14, 2022, Available at: <https://www.youtube.com/watch?v=dFfcTqvsuW4&t=3s> (Accessed September 15, 2022)

accompanying persons while staying in the communities themselves. According to the data collected by the Office of the Human Rights Defender, as a result of the war operations of the Azerbaijani armed forces, at least 276 children in Syunik province, at least 851 in Vayots Dzor province, and at least 300 children in Gegharkunik province were displaced from their places of residence, in total, at least 1427 children were displaced from their places of residence and fundamental rights of the latter were violated.

36. It should be emphasized that the use of various military equipment by the Azerbaijani armed forces was more intense, especially during the hours when children attended school and kindergarten. In addition, in the current situation, especially displaced children, are deprived of the opportunity to realize their right to education.

37. In some cases, schools and kindergartens were under direct fire and targeted by the Azerbaijani armed forces. The information collected by the HRDO proves the use of various types of weapons by the Azerbaijani armed forces in the direction of educational institutions. For instance, the educational institution of the Sotk community of Gegharkunik province was damaged.¹³



*Educational
institution targeted
in Sotk community*



13

<https://www.facebook.com/KristinneGrigoryan/posts/pfbid02iHtBqW5uBLPkB8zzbFgwXgiGXhk5KPLaq4MRSpnmw8h8boWVNsBdjZJCv3ujjya9l>

38. The data collected as a result of the media monitoring by the Defender's office also proves that some residents of the affected settlements did not even manage to leave the conflict zone and had to hide with their children in the nearby caves as a result of the indiscriminate targeting of the civilian population by the Azerbaijani armed forces. For example, one of the families of the Verishen community of Syunik province took shelter with their children in a nearby cave from artillery fire.

39. In this context, it is important to emphasize once again that the rights of children who do not



participate in military operations in an armed conflict or military situation are guaranteed by the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 (hereinafter “Fourth Geneva Convention”) and Additional Protocol I.

40. Customary International Humanitarian Law indicates the special respect and protection due to children affected by armed conflict, in particular: protection against all forms of sexual violence; separation from adults while deprived of liberty, unless they are members of the same family; access to education, food and health care; evacuation from areas of combat for safety reasons; reunification of unaccompanied children with their families.

41. The documents adopted by the Committee on the Rights of the Child, the UN Security Council, the General Assembly, and the Parliamentary Assembly of the Council of Europe emphasized not only the inadmissibility of the violation of children's rights during military operations but also the consequences preventing imperative that is necessary for guaranteeing children's daily life, their mental and physical development. These organizations have repeatedly condemned the attacks and targeting of educational, child care, and protection institutions.

42. In this regard, it should be noted that the UN Convention on the Rights of the Child clearly stipulates that all feasible measures must be taken to ensure the protection and care of children affected by an armed conflict. Moreover, Article 38(1) of the Convention requires the States Parties to respect and ensure respect for rules of international humanitarian law applicable to children in armed conflicts.

43. Taking into consideration the above mentioned the Defender finds that continuous military attacks of Azerbaijan directly affects the regular life of children grossly violating fundamental rights of children guaranteed by international law. In particular, the data recorded by the HRDO shows that children's rights to life, health, a safe and healthy environment, living in family and community, individual development and protection, and many other rights were violated in Syunik, Vayots Dzor and Gegharkunik provinces.

V. RIGHTS OF PERSONS WITH DISABILITIES

44. The study of the results of monitoring conducted by the Office of the Human Rights Defender, as well as the collected data as of now, evidence that the civilian population and vital public infrastructures in Syunik, Gegharkunik, and Vayots Dzor provinces were under indiscriminate targeting by the Azerbaijani armed forces on September 13-14, 2022 violating several rights of civilians, including people with disabilities guaranteed by international legal acts. According to the information collected by the HRDO, at least 46 people with disabilities from villages in the Gegharkunik province, including Kut and Sotk, and at least 22 people with disabilities from some villages in the Syunik province, including Nerkin Hand, Chakaten, and Davit Bek, and at least 31 people with disabilities from some communities of Vayots Dzor, including Jermuk, Gndevaz were displaced as a result of the actions of the Azerbaijani armed forces.

45. It should be specifically mentioned that due to the indiscriminate targeting of the Azerbaijani armed forces and the intensity of the use of various weapons, people with disabilities and the elderly from several communities of the mentioned provinces were practically deprived of the opportunity of displacement. For example, in Chakaten, Syunik, and Srashen communities of the Syunik province, some people with disabilities or various health issues, as well as their caregivers were not displaced. Some non-displaced people with disabilities are bedridden, which makes it even more difficult to ensure their safety and security, as well as care in the community. Although the medical personnel on duty have tried to ensure the medical supervision for those people in the communities, however, in the context of the protection of human rights and international humanitarian law, the fact that the mentioned persons are not provided with the necessary opportunities to exercise their rights in practice is itself problematic.

46. The indiscriminate targeting of Vardenis city of Gegharkunik province by the Azerbaijani armed forces directly threatened rights to life, safety and health of over 450 people with mental and intellectual disabilities living in Vardenis neuropsychological boarding house, as well as created

additional obstacles for provision of medical, social and other services. This was recorded also by the European Disability Forum and Mental Health Europe¹⁴.

47. In this regard, it should be highlighted that as early as 1949, people with disabilities were recognized as subjects of special protection due to disruption of access and accessibility to services by international humanitarian law.

48. It should be specifically highlighted that the requirements for respect for people with disabilities and their protection, including the use of special measures for evacuation, are defined by the Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949 (hereinafter “Third Geneva Convention”) and Fourth Geneva Convention (Articles 16, 30, 40, 45 of the Third Geneva Convention, Articles 16, 17, 21, 22, 27, 85, 119 and 127 of the Fourth Geneva Convention), other international legal acts and Customary International Humanitarian Law. In addition, special protection measures for the elderly and people with disabilities may differ depending on the situation in which they find themselves. Thus, according to Articles 14 and 17 of the Fourth Geneva Convention, as an opportunity for the proper fulfillment of the stated obligation, the establishment of evacuation safety zones for the elderly, people with disabilities from encircled or besieged areas, as well as the achievement of special agreements between the conflicting parties are considered. At the same time, it is important to note that the conflicted parties, as a matter of priority, are obliged to create and ensure the real necessary facilities and opportunities for the provision of medical assistance, including humanitarian assistance for people with disabilities, as well as for any person in need of immediate medical assistance or care.

49. The armed conflict, war, hostilities, emergencies, or martial law create additional challenges for people with disabilities, requiring the establishment of special conductions. At the same time, issues with access to living conditions and services, including obstacles to the unhindered provision and provision of water, sanitation, food, shelter, and health services, can cause a humanitarian disaster. In this context, people with disabilities are doubly vulnerable due to their special needs and health issues. Therefore, both international humanitarian law and the UN Convention on the Rights of People with Disabilities aim to create additional guarantees for the realization of the rights of people with disabilities during armed conflicts, war actions, and dangerous or emergency humanitarian situations. Hence, Article 11 of the UN Convention of Rights of People with Disabilities states that States Parties shall take, by their obligations under international law,

¹⁴ Joint statement about the attacks on the Armenian border, European Disability Forum, Disability Rights Agenda and Mental Health Europe, 15 September 2022, Available at: <https://www.edf-feph.org/joint-statement-about-the-attacks-on-the-armenian-border/> (Accessed 16 September, 2022)

including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of people with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters. The application of this provision also includes ensuring access to basic services necessary for the life, dignity, and safety of people with disabilities on an equal basis with others. In addition, according to the resolution 2475 (2019), the UN Security Council calls upon all parties to armed conflict to allow and facilitate safe, timely and unimpeded humanitarian access to all people in need of assistance. It further urged them to prevent violence and abuses against civilians in situations of armed conflict, including those involving in killing and maiming, abduction and torture, as well as sexual violence in conflict and post-conflict situations.

50. Thus, the monitoring and examination of the facts evidence that numerous rights of persons with disabilities are being violated, including the right to life, the right to safety, the right to health, by the indiscriminate targeted military attacks against the Republic of Armenia in gross violation of international humanitarian law and Geneva Conventions.

VI. TARGETING CIVILIANS AND VITAL CIVILIAN INFRASTRUCTURES

1. Killed and injured civilians

51. Starting from the night of September 12 and early morning of September 13, 2022, several Armenian communities in Gegharkunik, Vayots Dzor and Syunik provinces were subjected to intensive shelling by the Azerbaijani armed forces using various weapons, including anti-aircraft guns and heavy artillery weaponry.

52. The civilian population and vital civilian infrastructures were directly targeted as well.

53. On September 14, one civilian (personal data: G.H., born in 1994) engaged in agricultural/husbandry work in Noravan community of Syunik province was killed in the result of a shell explosion fired by the Azerbaijani armed forces.

54. Throughout September 13-14, 7 civilians were injured, one of whom was an elderly woman. One of the civilians is in critical condition. 4 injured civilians are from Gegharkunik province, 1 from Syunik province and 2 from Vayots Dzor.

55. In order to examine the humanitarian and other problems caused by the Azerbaijani attack, representatives of the HRDO visited the border settlements under attack, and noted that heavy artillery was used, air force attacks, including the use of UAVs, on communities on September 13

and 14 at all hours of the day. Shelling continued during the fact-finding visit of the representatives of HRDO to Gegharkunik province.

2. Civilian houses, vital civilian infrastructures, and other objects

56. During its military attack on Armenia, the Azerbaijani armed forces were deliberately targeting peaceful civilians and civilian infrastructures, including houses of the border communities in Gegharkunik, Syunik, and Vayots Dzor provinces. The indiscriminate attacks pose a real danger to the rights to life and health of the civilian population.

Civilian houses and vehicles

57. On September 13-14, the Azerbaijani armed forces opened fire in the direction of civilian communities in the vicinity of Goris. In particular, one of the residents of the Verishen community informed the representatives of the Office of HRD that the basement and the walls of their house were destroyed; the house belonging to Mr. G.H. was damaged (see Appendix 1).

58. In Akner village a house was bombed on September 14 (around 12:30) (see Appendix 2).

59. A missile shot in the direction of Karashen village in Syunik province fell on a house and seriously damaged it (see Appendix 3).

60. Due to the indiscriminate shelling of Azerbaijani armed forces in the direction of the Vaghatur community of Syunik province, the roofs of three houses were demolished.

61. In Verin Shorzha community of Gegharkunik province the car of one of the residents and 1000 bales of hay (animal feed) (video available via Telegram). In the same community, 8 houses and adjacent buildings.

62. On September 13-14, 4 houses, a garage, other household buildings, as well as cars, were damaged in Kut community of Gegharkunik province^{15 16}(See Appendix 4).

63. On September 13-14, 200 houses and household buildings were damaged, 50 of which were totally demolished in the Sotk community of Gegharkunik province (See Appendix 5).

64. In Geghamasar community civilian houses have suffered damage due to UAV strikes (See Appendix 6).

65. Due to the constant targeting of roads, the rights of the Armenian population to freedom of movement and to the use of vital services was unlawfully restricted. In particular, a civilian vehicle was damaged and was left abandoned on the Sisian-Noravan highway (See Appendix 7).

¹⁵ <https://drive.google.com/file/d/18Hmjy2aGvbWT6Y2wsoWqstcjDjChJSL/view?usp=sharing>

¹⁶ <https://drive.google.com/file/d/1jzZoAHIZ0MZJz7M6ZGQJiqnREuyIXwVV/view?usp=sharing>

66. On September 14, the Azerbaijani armed forces targeted a civilian vehicle in Jermuk community of Vayots Dzor province, as a result of which the driver was hospitalized with serious injuries (See Appendix 8).

67. The residents of the Verin Shorzha community, who were evacuated and were in Vardenis city, informed the representatives of the Defender that the Azerbaijani armed forces directly targeted civilian vehicles, as a result of which several vehicles were damaged.

Administrative infrastructure

68. As a result of the attack of Azerbaijani armed forces in the early hours of September 13, the building of the municipality of Sotk village of Gegharkunik province was subjected to artillery shelling and was seriously damaged.

69. One of the missiles launched in the direction of Karashen village of Syunik province fell on the banquet hall which is located in the center of the village.

70. In Kut community of Gegharkunik province, the municipality building, a part of which served as a medical center, was shelled.

71. In the Ayrk community of Gegharkunik province, the windows of the school building were damaged.

72. On September 13, as a result of the military attack of Azerbaijan, civil infrastructures were shelled in Jermuk, the building of the Ministry of Emergency Situations in Jermuk was damaged. Moreover, a missile was launched on the sanatorium of Jermuk. Overall, 3 hotels, one sanatorium, the ropeway, one the building in the vicinity of the ropeway, and a cafe were damaged in Jermuk.

73. Several parts of the repaired road were also damaged, residents' vehicles and a combine harvester were damaged, and the building of the "Shepherd's house" was destroyed.

Electricity and gas supply

74. Moreover, according to the information received from local and additional sources, and as a result of the fact-finding activities of the Human Rights Defender, the Azerbaijani armed forces targeted Noravan, Srashen and other nearby communities in Syunik province, damaging vital civilian infrastructure, in particular, gas pipeline and high-voltage power lines. As a result of this,



Electricity lines in Srashen community

8 communities were deprived of electricity. 5. Electricity lines were damaged in the Aghitu village of Sisian community. The village has been deprived of electricity since September 13.

76. According to the fact-finding activities of the HRDO, it was recorded that as a result of the acts of the Azerbaijani armed forces, the gas supply pipes and electricity lines of the Sotk community of Gegharkunik province were also damaged. As a result of the shelling, the electricity lines of Kut, Azat and Norabak communities were damaged. As a result of Azerbaijan's attack, a missile was also launched in

the direction of the Jermuk gas pipeline system.

77. Furthermore, according to the results of fact-finding activities of the HRDO, gas pipelines were also damaged in Vagahakatur village of Tegh community.

78. Attacks against civilian objects violate the very essence and core principles of international humanitarian law:

- Article 51(2) of the Additional Protocol I states: “The civilian population as such, as well as individual civilians, shall not be the object of attack.”

- Article 85(3)(a) of the Additional Protocol I states that “making the civilian population or individual civilians the object of attack” is a grave breach of the Protocol.

Violations of property rights

79. Numerous alarming calls were addressed to the Human Rights Defender in relation to the violation of the property rights of the residents as a result of the Azerbaijani military attack. For example, several shepherds informed that the Azerbaijani armed forces advanced their positions in the direction of Jermuk, in the vicinity of Amulsar, as a result of which 5000 heads of cattle (sheep) went under their control. The shepherds added that they were barely able to escape and not be captured by Azerbaijani servicemen.



Abandoned flock of sheep in Sotk

(photo credit: Gabriel Gavin / The Spectator)

80. In another case, 190 bee colonies were damaged in the Lusakunk community of Gegharkunik province. Moreover, due to the constant targeting of Azerbaijani armed forces, the residents of the same community are unable to transport the agricultural machinery and other transportation, bee colonies, etc, as a result of being under the gun of the enemy in the same community, residents are unable to transport agricultural machines and other vehicles, bee colonies, mobile homes, etc.

81. The members of the fact-finding group of the HRDO held conversations with the residents of Sotk, Norabak, and Kut villages, who reported that they were at home or in the vicinity of their homes during the attacks. People reported that they were forced to leave their homes due to Azerbaijani military attack, leaving behind their personal belongings, documents (for example passport), and domestic animals, and are deprived of the opportunity to return to their homes due to shelling, and their normal lives are disrupted.

82. As a result of the fire of Azerbaijani armed forces, 80 hectares of wheat and barley fields, as well as approximately 80% of meadows and pastures of this community were burnt.

VII. ENVIRONMENT:

83. On September 13, due to continuous shelling towards Jermuk city, a fire¹⁷ broke out in the forested areas on more than 10 hectare area in the vicinity of the city. The firefighters did not manage to effectively respond to the situation and carry out the necessary operations, due to the constant danger of being targeted by the Azerbaijani military forces. The fire was put out in the morning of September 14. Three firefighters were injured.



Jermuk forest in fire 1

84. On September 13, a fire broke out in the fields of Ishkhanasar as a result of the Azerbaijani attacks. Due to security considerations and the constant danger of being targeted by the Azerbaijani forces, no firefighting operations were carried out. The fire went out by itself.

85. A fire has been caused by intensive shelling of Azerbaijani military forces in the mountains of Vardenis¹⁸.



86. The above-mentioned actions have resulted in the violations of a number of obligations established by various international legal documents, in particular Article 2(4) of the Protocol III to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons¹⁹ defines that “It is prohibited to make forests or other kinds of plants cover the object of attack by incendiary weapons except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives”.

¹⁷ Available at: <https://www.youtube.com/watch?v=3iPAbiO0dhY>

¹⁸ Available at: <https://news.5tv.am/news/tshnamou-hretakocoutyan-patcharov-hrdeh-e-brnkvel-vardenisi-sareroum>

¹⁹ Available at: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/385ec082b509e76c41256739003e636d/3a507447d94ad829c125641f002d2729>

87. Article 35(3) of the Additional Protocol I defines that “It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment”.

88. Under the paragraph (c) of Article 6 Convention on the Conservation of European Wildlife and Natural Habitats²⁰, the deliberate disturbance of wild fauna specified under Appendix II, particularly during the period of breeding, rearing and hibernation, insofar as disturbance would be significant in relation to the objectives of this Convention.

89. The attack of Azerbaijani forces on the city of Jermuk, among other challenges, has also created a serious economic hurdle, considering the fact that Jermuk is a popular health tourism center due to its natural mineral springs and well-known health resorts. In the previous parts of this report, the evidence gathered through the fact-finding activities of the Defender reveal that the Azerbaijani armed forces also shelled several health resort complexes, the ropeway, and other civilian infrastructures. The attack on this city, which is an attractive tourist destination, has caused direct economic losses and damage to its tourist rating²¹ (See Appendix 9).

²⁰ Available at: <https://rm.coe.int/1680078aff>

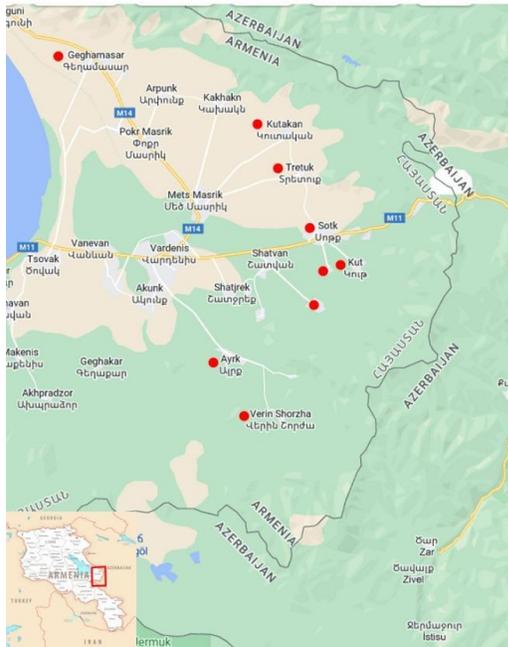
²¹ https://drive.google.com/file/d/111PK0v4vNlnNnK83Y-5gtB3_mp0DLTAI/view?usp=sharing
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THE HUMAN RIGHTS DEFENDER
OF THE REPUBLIC OF ARMENIA



**THE CONSEQUENCES OF AZERBAIJANI MILITARY
ATTACK ON ARMENIA**



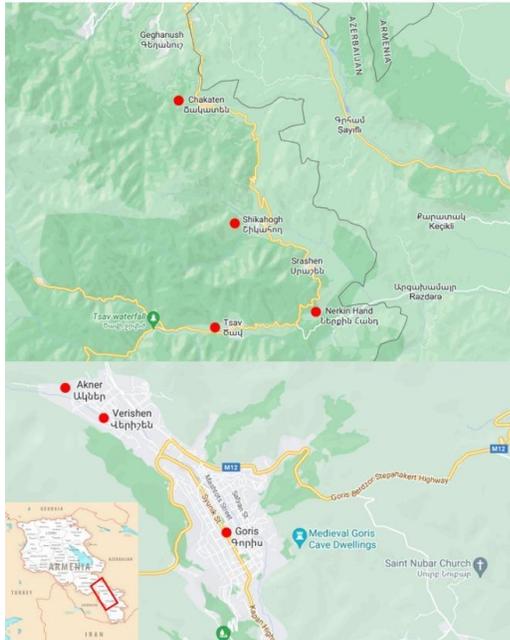
Gegharkunik province

(Data as of September 15)

- From September 13 to 15, at least 7600 persons were displaced from Gegharkunik, Vayots Dzor and Syunik provinces. The majority of displaced people are women, 1437 children, elderly people, and 99 persons with disabilities.
- 3 civilians were injured, one of them seriously in Gegharkunik province
- Azerbaijani military forces deliberately opened fire in the direction of a group of journalists (emblemed "press") from Armenian and foreign media outlets.
- In Sotk 200 houses were damaged, 50 of which totally demolished. The school building was shelled in Sotk.
- In Kut 4 houses, a garage and other household buildings were damaged, the municipality building, the part of which served as medical center, was shelled.
- The administrative buildings of Geghamasar and Sotk were damaged.
- The gas pipeline was destroyed in Sotk. Due to constant targeting the roads the right to freedom of movement as well as access to vital services for civilians is unlawfully restricted in Gegharkunik province.
- Videos and other proves of war crimes committed Azerbaijani military during the attack has been obtained and verified. Ethnically motivated hateful acts to the bodies of dead Armenian soldiers are being proudly filmed and circulated by Azerbaijani military. The bodies of Armenian female military personnel are being subject to extreme humiliation.



THE CONSEQUENCES OF AZERBAIJANI MILITARY ATTACK ON ARMENIA



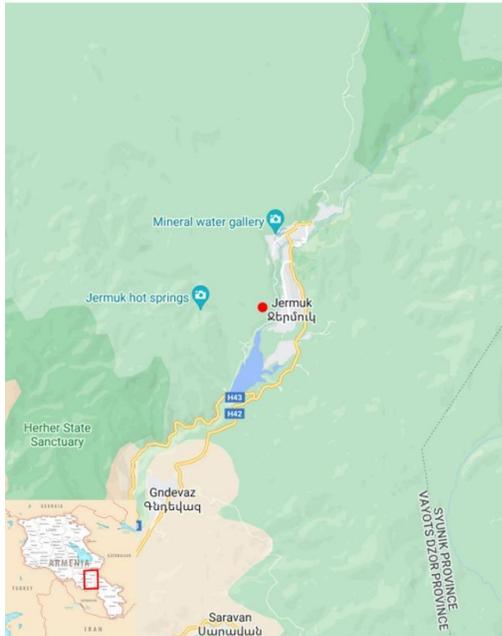
Syunik province

(Data as of September 15)

- From September 13 to 15, at least 7600 persons were displaced from Gegharkunik, Vayots Dzor and Syunik provinces. The majority of displaced people are women, 1437 children, elderly people, and 99 persons with disabilities.
- In the afternoon of September 14, a civilian (G. H.; born in 1994) was killed in Noravan by shooting of Azerbaijani armed forces. 1 civilian was wounded in the head in Tegah. Another civilian was injured in Syunik province.
- Two ambulance vehicles were targeted and shot in Syunik province.
- Civilian houses in Geghamasar were damaged by UAV strikes. In Karashen (the ceremonial hall was shelled; one of the fired projectiles has seriously damaged a civilian house.
- In Verishen 5 civilian houses are bombed, another house was damaged. In Akner a civilian house was shelled. In Vaghatur the administration building was destroyed.
- The gas supply pipelines were damaged in Vagahakatur and Tegah.
- Due to constant targeting the roads the right to freedom of movement as well as access to vital services for civilians is unlawfully restricted. A civilian car was damaged and left abandoned on the Sisian-Noravan Highway.



THE CONSEQUENCES OF AZERBAIJANI MILITARY ATTACK ON ARMENIA



Vayots Dzor province

(Data as of September 15)

- From September 13 to 15, at least 7600 persons were displaced from Gegharkunik, Vayots Dzor and Syunik provinces. The majority of displaced people are women, 1437 children, elderly people, and 99 persons with disabilities.
- A civilian car was shelled in Jermuk city, Vayots Dzor province, as a result one civilian is hospitalized.
- The continuous shelling towards Jermuk city put into the fire more than 6-hectare forest area in the vicinity of the city. 3 firefighters were injured.
- Due to constant targeting the roads the right to freedom of movement as well as access to vital services for civilians is unlawfully restricted.
- Two civilians were injured in Vayots Dzor province.

Syunik province, Verishen community











Video link:

<https://drive.google.com/file/d/1GCcBsiz7wspUVEUbf9jzIh5C4zK2AeD/view?usp=sharing>







Syunik province, Akner village



Syuniq province, Qarashen village

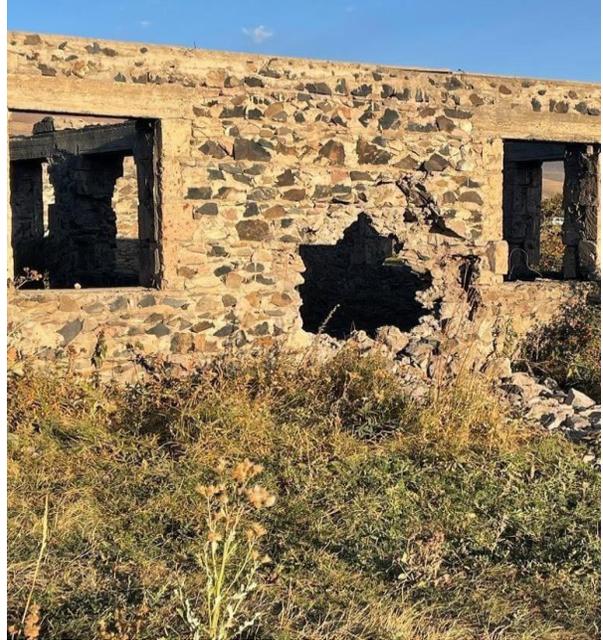


Gegharkunik province, Kut community



Gegharkunik province, Sotk community





Gegharkunik province, Sotk community



Gegharkunik province, Sotk community

In Geghamasar community civilian houses have suffered damage due to UAV strikes.



Civilian vehicles damaged and left abandoned on the Sisian-Noravan highway



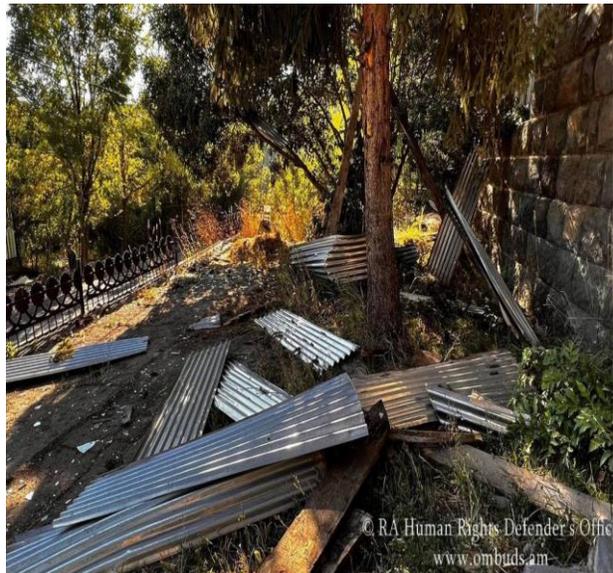
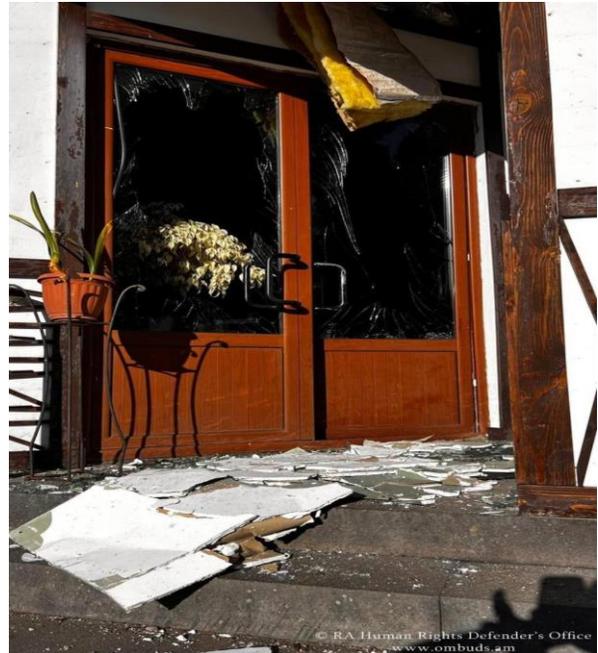
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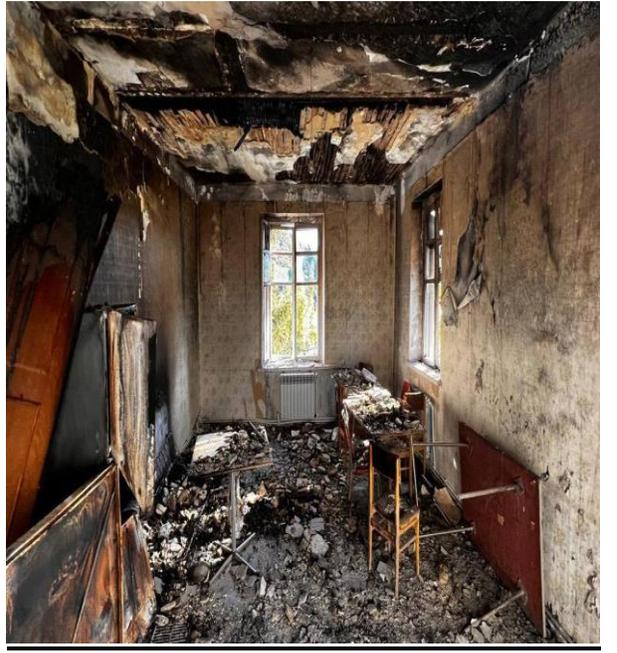
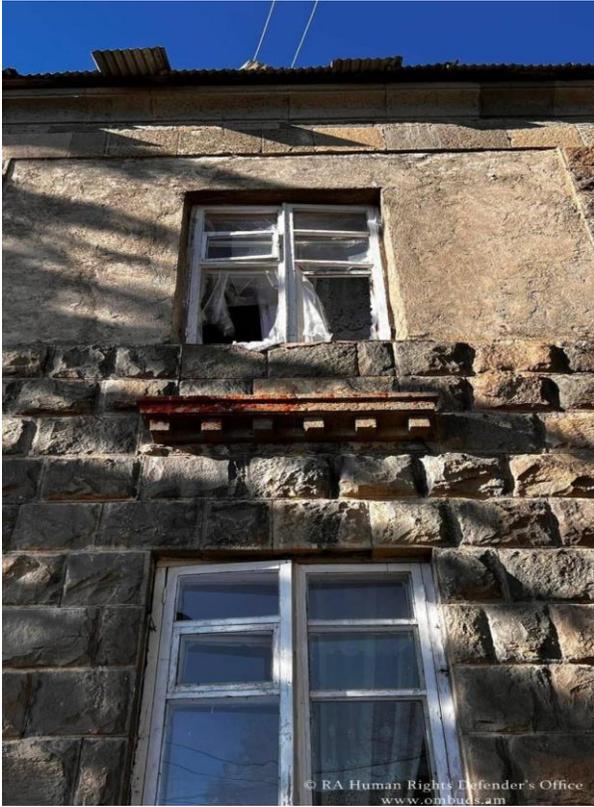
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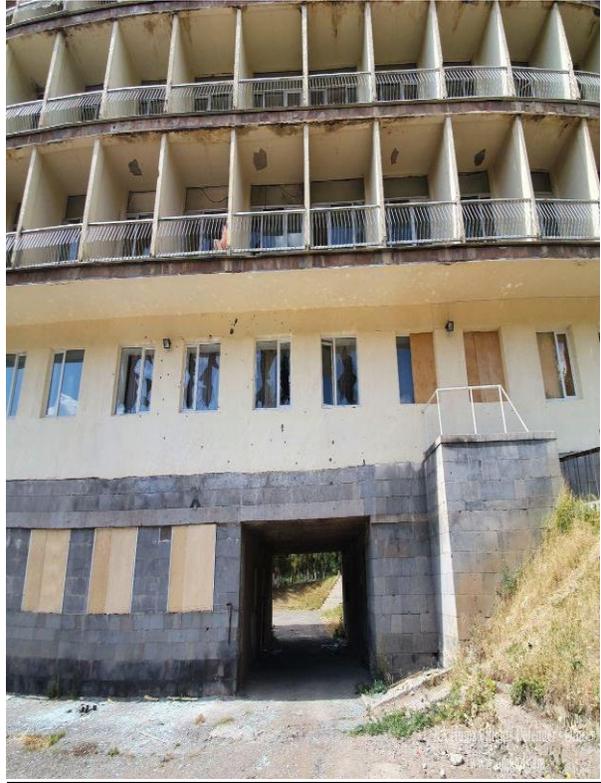
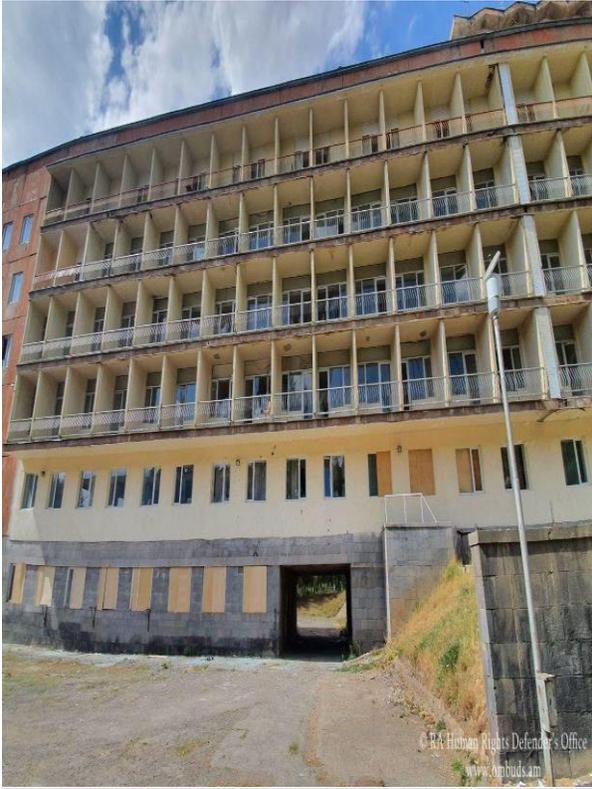
Civilian vehicle targeted in Jermuk community of Vayots Dzor province, as a result of which the driver was hospitalized with serious injuries



Vayots Dzor province, Jermuk community











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