

# **Center for Truth and Justice Report on Extrajudicial Summary or Arbitrary Executions**

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## **1.0 Introduction**

**1.1** On September 27, 2020, Azerbaijan launched a large-scale military offensive against ethnic Armenians in Nagorno-Karabakh. The war lasted 44 days and ended with a ceasefire in November 2020. During these 44 days (the 44-Day War) and since then, Azerbaijan committed grave violations of international law, including torture, arbitrary detention, and extrajudicial killings, as well as causing the displacement of thousands of Armenians and the loss and destruction of their properties. In an effort to preserve evidence of these human rights violations, the Center for Truth and Justice (“CFTJ”) has recorded over 430 testimonies from victims and witnesses of war crimes committed by Azerbaijan. In this report, CFTJ has summarized eyewitness and victim testimonies that specifically pertain to the extrajudicial killings committed by the Azerbaijani military. Due to the highly sensitive nature of these accounts and to protect the identities of these victims, CFTJ does not publish the names of witnesses but rather identifies them by their Key Card Numbers.<sup>1</sup>

**1.2** CFTJ is a US-based human rights non-governmental organization that documents human rights violations and war crimes in conflict zones. CFTJ has recorded over 430 eyewitness and victim testimonies, corroborated by exhibits and forensic evidence, which speak to the grave human rights violations and war crimes committed by the Azerbaijani armed forces during and since the 44-Day War. CFTJ preserves such evidence and makes it available for educational purposes, advocacy, and potential legal actions. CFTJ’s mission is to amplify the voices of victims of human rights violations, including discrimination, ethnic cleansing, displacement, war crimes, mass atrocities, and genocide.

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<sup>1</sup> “Investigations Methodology” (*Center for Truth and Justice*, last accessed March 20, 2023), <https://www.cftjustice.org/investigations-methodology/>.

## 2.0 Background

**2.1** The roots of the Nagorno-Karabakh conflict and Azerbaijan's state-sponsored attacks on ethnic Armenians can be traced back to July 1923,<sup>2</sup> and the pogroms against ethnic Armenians during the late 1980s and early 1990s in Sumgait,<sup>3</sup> Baku,<sup>4</sup> and Maragha.<sup>5</sup>

**2.2** During the 44-Day War, Azerbaijan committed grave violations of international law, including extrajudicial, arbitrary executions of civilians and prisoners of war (POWs). On October 11, 2020, the Nagorno-Karabakh Government Ombudsman's office stated that at least five civilians were killed in Hadrut when Azerbaijani units penetrated the town. Several videos have been posted online, showing Armenian POWs or civilians killed, beheaded, or mutilated. Videos were also routinely published on Azerbaijani Telegram channels and later deleted.<sup>6</sup> Two such videos emerged on social media on October 15, 2020 showing Azerbaijani soldiers capturing and executing two Armenian men, one of whom was an elderly man who had difficulty moving. The open source intelligence non-governmental organization Bellingcat geolocated the videos to the town of Hadrut in Nagorno-Karabakh,<sup>7</sup> a finding confirmed by the Human Rights Ombudsman of the Republic of Artsakh,<sup>8</sup> the BBC,<sup>9</sup> and CFTJ. The execution took place in a town park in Hadrut between October 9 and 15, 2020. The two men executed in the videos were identified as a civilian from Hadrut and a

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<sup>2</sup> Ohannes Geukjian, *Ethnicity, Nationalism and Conflict in the South Caucasus: Nagorno-Karabakh and the Legacy of Soviet Nationalities Policy* (Routledge 2016) 74–84.

<sup>3</sup> On the Sumgait Pogrom, a massacre that targeted the Armenian population of the seaside town of Sumgait in the Azerbaijan Soviet Socialist Republic in late February 1988, see Pete Kenez, *A History of the Soviet Union from the Beginning to the End* (2nd edn, Cambridge University Press 2006) 272.

<sup>4</sup> On the Baku Pogrom, a massacre directed against the ethnic Armenian inhabitants of Baku, Azerbaijan in January 1990, lasting seven days during which Armenians were beaten, murdered, and expelled from the city, see Thomas de Waal, *Black Garden: Armenia and Azerbaijan Through Peace and War* (New York University Press 2003) 175–76; Robert Kushen, *Conflict in the Soviet Union: Black January in Azerbaidzhan* (Human Rights Watch 1991) 7.

<sup>5</sup> On the Maraga massacre, the mass murder of Armenian civilians in the village of Maragha by Azerbaijani troops, who had captured the village on April 10, 1992 in the course of the First Nagorno-Karabakh War, where Armenian fighters, upon retaking the village, reported finding the bodies of 43 civilians, most of whom were mutilated, see de Waal (n 4) 175–76; Rachel Denber and Robert K. Goldman, *Bloodshed in the Caucasus: escalation of the armed conflict in Nagorno Karabakh* (Helsinki Watch 1992) 29; Jacques Derrida et al., “An Open Letter on Anti-Armenian Pogroms in the Soviet Union” (*New York Review of Books*, September 27, 1990), <https://www.nybooks.com/articles/1990/09/27/an-open-letter-on-anti-armenian-pogroms-in-the-sov/>.

<sup>6</sup> Human Rights Ombudsman of the Republic of Artsakh, *Updated Second Interim Report on the Azerbaijani Atrocities Against the Artsakh Population in September-October 2020* (2020) <https://artsakhombuds.am/en/document/735>.

<sup>7</sup> Nick Waters, “An Execution in Hadrut” (*Bellingcat*, October 15, 2020), <https://www.bellingcat.com/news/rest-of-world/2020/10/15/an-execution-in-hadrut-karabakh/>.

<sup>8</sup> Artsakh / Nagorno-Karabakh Human Rights Ombudsman (@ArtsakhOmbuds) (*Twitter*, October 11, 2020, 9:48 AM), <https://twitter.com/ArtsakhOmbuds/status/1315333462879019011>.

<sup>9</sup> Grigor Atanesian and Benjamin Strick, “Nagorno-Karabakh conflict: ‘Execution’ video prompts war crime probe” (*BBC*, October 24, 2020), <https://www.bbc.com/news/world-europe-54645254>.

serviceman from a neighboring village. Other published videos showed Armenian POWs who were then killed and decapitated by Azerbaijanis. After the ceasefire agreement of November 10, 2020, a number of videos have been posted online that show Armenian POWs and civilians being tortured, humiliated, mutilated, killed, or decapitated.

### 3.0 Legal Framework

**3.1** The right to life is an established norm of customary international law as enshrined in Article 3 of the Universal Declaration of Human Rights and Article 6 of the International Covenant on Civil and Political Rights (ICCPR),<sup>10</sup> to which Azerbaijan is a party. Article 6(1) of the ICCPR provides that no one shall be arbitrarily deprived of life and that this right shall be protected by law.<sup>11</sup> A deprivation of life that lacks a legal basis or is otherwise inconsistent with laws and procedures is arbitrary in nature. Any deprivation of life based on discrimination in law or in fact is *ipso facto* arbitrary in nature.<sup>12</sup>

**3.2** Any state party of the ICCPR must respect the right to life. This entails the duty to refrain from engaging in conduct resulting in the arbitrary deprivation of life. Any deprivation of life which itself violates international law is considered arbitrary for the purposes of the ICCPR.<sup>13</sup> State parties must also take positive measures to ensure the right to life and exercise due diligence to protect the lives of individuals against deprivations caused by persons or entities whose conduct is not attributable to the State. State parties are expected to take all necessary measures to prevent arbitrary deprivation of life by their law enforcement officials, including soldiers charged with law enforcement missions.<sup>14</sup> These measures include mandatory reporting as well as the review and investigation of lethal incidents and other life-threatening incidents.<sup>15</sup> States should support and cooperate in good faith with international mechanisms of investigation and prosecutions addressing possible violations of Article 6. States parties also have a particular duty to investigate allegations of violations of Article 6 whenever State

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<sup>10</sup> International Covenant on Civil and Political Rights (adopted December 16, 1966) 1057 UNTS 407 (ICCPR) art 6; Universal Declaration of Human Rights, UNGA Res 217(III) A (December 10, 1948) (UDHR) art 3.

<sup>11</sup> ICCPR (n 10) art 6(1).

<sup>12</sup> UN Human Rights Committee, “General Comment No. 36: The Right to life” (2019) UN Doc CCPR/C/GC/36, para 61.

<sup>13</sup> *ibid*, para 12.

<sup>14</sup> *ibid*, para 13.

<sup>15</sup> *ibid*; UN Human Rights Council, “Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies” (February 4, 2016) UN Doc A/HRC/31/66, para 54.

authorities have used or appear to have used firearms or other potentially lethal force *outside the immediate context of an armed conflict*.<sup>16</sup>

**3.3** Torture and ill-treatment, which may seriously affect the physical and mental health of the mistreated individual, could also generate the risk of deprivation of life.<sup>17</sup> Furthermore, a particular connection exists between Article 6 and Article 20, which prohibits any propaganda for war and certain forms of advocacy constituting incitement to discrimination, hostility, or violence.<sup>18</sup> As a result of the state education policy, there is a prevailing negative attitude towards Armenians and Armenia in Azerbaijani society which contributes to the tendency to think that the enemy should be treated harshly and the conflict solved by force. Thus, failure to comply with these obligations under Article 20 may also constitute a failure to take the necessary measures to protect the right to life under Article 6.<sup>19</sup>

**3.4** Furthermore, State parties must respect and protect the lives of individuals located in places that are under their effective control, such as occupied territories.<sup>20</sup> Along with the other Articles in the ICCPR, Article 6 continues to apply also in situations of armed conflict to which the rules of international humanitarian law (IHL) are applicable, including to the conduct of hostilities.<sup>21</sup>

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<sup>16</sup> *ibid*, para 29; *Umetaliev v. Kyrgyzstan*, Communication No. 1275/2004, UN Human Rights Committee (October 30, 2008) UN Doc CCPR/C/94/D/1275/2004, para 9.4; *Olmedo v. Paraguay*, Communication No. 1828/2008, UN Human Rights Committee (March 22, 2012) UN Doc CCPR/C/104/D/1828/2008, para 7.5.

<sup>17</sup> UN Human Rights Committee, “General Comment No. 36” (n 12) para 54; *Aboufaied v. Libya*, Communication No. 1782/2008, UN Human Rights Committee (March 21, 2012) UN Doc CCPR/C/104/D/1782/2008, paras 7.4, 7.6; *El-Megreisi v. Libya*, Communication No. 440/1990, UN Human Rights Committee (March 23, 1994) UN Doc CCPR/C/50/D/440/1990, para 5.4. See also ICCPR (n 10) art 7.

<sup>18</sup> UN Human Rights Committee, “General Comment No. 36” (n 12) para 59. Cf *Prosecutor v. Ruggiu* (Trial Judgment) ICTR-97-32-T (June 1, 2000) para 22.

<sup>19</sup> Anahit Hakobyan, “State propaganda through public education: Armenia and Azerbaijan” (*Caucasus Edition*, April 4, 2016), <https://caucasusedition.net/state-propaganda-through-public-education-armenia-and-azerbaijan/>.

<sup>20</sup> UN Human Rights Committee, “General Comment No. 36” (n 12) para 63; UN Human Rights Committee, “General Comment No. 31, Nature of the General Legal Obligation on States Parties to the Covenant” (2004) UN Doc CCPR/C/21/Rev.1/Add.13, para 10; *Saldías de López v. Uruguay*, Communication No. 12/52, UN Human Rights Committee (July 29, 1981) UN Doc CCPR/C/13/D/52/1979, paras 12.1–13; *Celiberti de Casariego v. Uruguay*, Communication No. R.13/56, UN Human Rights Committee (July 29, 1981) UN Doc CCPR/C/13/D/56/1979, para 10.1–11; *Domukovsky v. Georgia*, Communication No. 623/1995, UN Human Rights Committee (April 6, 1998) UN Doc CCPR/C/62/D/623/1995, para 18.2.

<sup>21</sup> *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136, para 106; *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* (Merits) [2005] ICJ Rep 168, para 216; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Georgia v. Russian Federation)* (Provisional Measures) [2008] ICJ Rep 353, para 112; UN Human Rights Committee, “General Comment No. 36” (n 10) paras 63–64; UN Human Rights Committee, “General Comment No. 31” (n 20) para 11; UN Human Rights Committee, “General comment no. 29, States of emergency” (2001) UN Doc CCPR/C/21/Rev.1/Add.11, para 3; William A Schabas, ‘*Lex Specialis? Belt and Suspenders? The Parallel Operation of Human Rights Law and the Law of Armed Conflict, and the Conundrum of Jus ad Bellum*’ (2007) 40 *Israel Law Review* 592, 598.

**3.5** Common Article 3 to the Geneva Conventions, considered the “minimum yardstick” of IHL,<sup>22</sup> provides that the civilians, prisoners of war (POWs), and others *hors de combat* are to be treated humanely and specifically prohibits the following action directed against such persons: violence to life and person, in particular murder of all kinds, mutilation, cruel treatment, and torture, taking of hostages, outrages upon personal dignity, in particular, humiliating and degrading treatment, and the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.<sup>23</sup> The protections of common Article 3 “appl[y] to all detained individuals, irrespective of whether their detention is explicitly sought in order to use them as hostages and irrespective of their prior status as combatants.”<sup>24</sup> Moreover, violations of common Article 3 constitute war crimes under customary international law.<sup>25</sup>

**3.6** As “combatant[s] .... who [have] fall[en] into the power of an adverse Party,” the individuals in question qualify as POWs under Article 44 of Additional Protocol I to the Geneva Conventions.<sup>26</sup> Article 45(1) of the Protocol further states that any individual who falls into the power of an adverse party must be *presumed* to be a POW.<sup>27</sup> Article 13(1) of the Third Geneva Convention thus provides that “[p]risoners of war must at all times be humanely treated.”<sup>28</sup> The obligation of humane treatment “goes beyond abstaining from inhumane treatment and may require positive action ... pervades all aspects of the treatment of prisoners of war; it is relevant in a myriad of circumstances and it would be impossible and even unduly restrictive to attempt a comprehensive definition of it.”<sup>29</sup> The principle of

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<sup>22</sup> *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States)* (Merits) [1986] ICJ Rep 14, para 218. See also *Prosecutor v. Karadžić* (Decision on Hostage-Taking) IT-95-5/18-AR72.5 (July 9, 2008) paras 23–26; *Prosecutor v. Delalić* (Appeal Judgment) IT-96-21-A (February 20, 2001) para 150.

<sup>23</sup> Geneva Conventions (adopted August 12, 1949) 75 UNTS 31, common art 3(1).

<sup>24</sup> *Prosecutor v. Karadžić* (Decision on Denial of Judgement of Acquittal) IT-95-5/18-AR73.9 (December 11, 2012) para 12.

<sup>25</sup> *Prosecutor v. Tadić* (Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction) IT-94-1-AR72 (October 2, 1995) para 134; *Prosecutor v. Akayesu* (Appeal Judgment) ICTR-96-4-A (June 1, 2001) para 443; *Prosecutor v. Kunarac* (Appeal Judgment) IT-96-23 & IT-96-23/1-A (June 12, 2002) para 67.

<sup>26</sup> Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (adopted June 8, 1977) 1125 UNTS 3 (Additional Protocol I) art 44(1). See *ibid*, art 43 for the definition of a “combatant.” This definition supersedes the slightly more restrictive version contained in the Third Geneva Convention, see Geneva Convention relative to the treatment of prisoners of war (adopted 12 August 1949) 75 UNTS 135 (Geneva Convention III) art 4(A).

<sup>27</sup> Additional Protocol I (n 26) art 45(1).

<sup>28</sup> Geneva Convention III (n 26) art 13(1).

<sup>29</sup> Knutt Dörmann et al. (eds.), *Commentary on the Third Geneva Convention* (International Committee of the Red Cross/Cambridge University Press 2020) para 1571, 1572.

humane treatment in IHL is largely analogous to international human rights law instruments requiring humane treatment and respect for the human dignity of persons deprived of their liberty.<sup>30</sup> Moreover, “Geneva Convention III invests all agents of a Detaining Power into whose custody prisoners of war have come with the obligation to protect them by reason of their position as agents of that Detaining Power.”<sup>31</sup> Article 13(1) goes on to specifically prohibit any “unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody,” classifying such an act as “a serious breach of the present Convention.”<sup>32</sup> The term ‘health,’ as used here, applies not only to physical health but also to mental health.<sup>33</sup> Article 130 of the Third Convention additionally provides that grave breaches of the convention consist of the following acts when directed toward POWs: “wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.”<sup>34</sup>

**3.7** As a state party to the ICCPR and the Geneva Conventions, Azerbaijan is bound by its obligations, including that of Article 6(1) of the ICCPR to respect and ensure the right to life (see paragraphs 3.1–3.4 above); the protection of POWs and those hors de combat under common Article 3 to the Geneva Conventions (see paragraph 3.5 above), and the prohibition of inhumane treatment and willful killing of POWs under Article 13 of the Third Geneva Convention (see paragraph 3.6 above). An important element of the protection afforded to the right to life by the ICCPR is the obligation, where the state party knows or should have known of potentially unlawful deprivations of life, to investigate and, where appropriate, to prosecute the perpetrators of such incidents (see above). Azerbaijan not only failed to investigate numerous incidents of extrajudicial, arbitrary executions of civilians and POWs by Azerbaijani members of the armed forces and special units but also denied any involvement of Azerbaijan in these crimes. Thus, Azerbaijan is in breach of its obligations under the ICCPR and the Geneva Conventions.

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<sup>30</sup> See, e.g., ICCPR (n 10) art 10(1). See Dörmann et al. (n 29) para 1572 fn 9.

<sup>31</sup> *Prosecutor v. Mrkšić* (Appeal Judgment) IT-95-13/1-A (May 5, 2009) para 73.

<sup>32</sup> Geneva Convention III (n 26) art 13(1).

<sup>33</sup> See, e.g., *Prosecutor v. Blaškić* (Trial Judgment) IT-95-14-T (March 3, 2000) para 156; *Delalić* Appeal Judgment (n 22) para 424; *Prosecutor v. Kordić* (Trial Judgment) IT-95-14/2-T (February 26, 2001) para 245; *Prosecutor v. Naletilić* (Trial Judgment) IT-98-34-T (March 31, 2003) para 339.

<sup>34</sup> Geneva Convention III (n 26) art 130.

## 4.0 The Case Overview: Crimes Against POWs and Captured Civilians

4.1 This report is based on the eye-witnessed testimonies of indigenous people of Nagorno-Karabakh, as well as other victims of crimes committed by Azerbaijan who CFTJ interviewed, identified herein as 23LC-0004, 22LC-NK0003, 21LC-NK0017, 22LC-0049, 22LC-NK0018, AUA0030, 22LC-0037, 21LC-0064, 21LC-0023. This report aims to show a systematic pattern of pogroms against Armenians. CFTJ is willing to provide the videotaped testimonies of these witnesses upon request.

### 4.2 Witness 23LC-0004

This witness is a 74-year-old woman who was born and raised in the Village of Maragha in the Martakert Region of Nagorno Karabakh (NK). She was forcibly displaced twice. She fled her home in Maragha and started her life anew in New Maragha because of the massacres of the Armenian population by Azerbaijanis in April 1992. Because of the loss of her own home, she had to change more than 6 places of residence.

On April 10, 1992, Azerbaijani troops invaded the village after a long period of shelling. The small squad of local self-defense forces managed to evacuate most of the population. However, over 118 people, mainly elderly and disabled persons, women, and children, remained in the village. Over 50 people, 30 of which were women, were killed. The bodies were later found dismembered, mutilated, and burned.<sup>35</sup> Over 50 people, including 9 children and 29 women, were taken hostage. Subsequently, the children were rescued; however, the fate of the 19 women, who were taken hostage, remains unknown.

Witness 23LC-0004 details the brutal murders that took place in her village. Her mother-in-law and a 2-year-old little girl were captured by the Azerbaijani forces. She states that to this day, there is no information as to the fate of her mother-in-law. However, through negotiations, the 2-year-old was returned, but she had already forgotten how to speak Armenian.

23LC-0004 states that her sister-in-law (her husband's brother's wife) was killed by Azerbaijanis forces in her own home. Also, her uncle's son (her mother's brother's son) was

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<sup>35</sup> As witnessed by human rights activist Baroness Caroline Cox of Queensbury, member of the British House of Lords and the body's former Deputy Speaker, who visited the village with a group of representatives of the organization Christian Solidarity Worldwide right after the tragedy. Lady Cox called Maragha a "contemporary Golgotha many times over." Caroline Cox, "Survivors of the Maraghar massacre: It was truly like a contemporary Golgotha many times over" (*Christianity Today*, April 1998), [http://karabakhrecords.info/english\\_publication\\_articles\\_maragha.html](http://karabakhrecords.info/english_publication_articles_maragha.html). "Golgotha" is another name of Calvary Hill, the supposed site of Christ's crucifixion, popularized as a term for the Armenian Genocide by a 1922 book of the same name. See Grigoris Balakian, *Armenian Golgotha* (Vintage Books 1922).



killed and buried in the cemetery. She also recounted that three of her neighbors were murdered. She describes seeing the bodies of those who were killed piled into a box with 15–20 corpses. Thrown in the box was her sister-in-law. 23LC-0004 describes how Azerbaijani forces killed her husband's friend by gauging his eyes out. She also describes the killing of a boy under a tree. The witness also saw the bodies of mutilated Armenian female soldiers by Azerbaijanis. One of the girls had her chest cut out, as well as her leg.

On September 27, 2020, she was also forced to flee from her own home in New Maragha due to the Azerbaijani aggression. She lives in Stepanakert, NK. At the moment, she is in Armenia and cannot return home due to the blockade of the Lachin Corridor by Azerbaijanis, which has already lasted more than 91 days.

#### **4.3 Witness 22LC-NK0003**

This witness is a 49-year-old woman who was born and raised in the small village of Chaylu in the Martakert Region of Nagorno-Karabakh. She was forced to flee from her home because of the massacres of the Armenian population in April 1992.

The witness lived in Maragha until April 10, 1992, when the pogroms began. Until that time, when she was still a student in school, she spoke about how her teacher studied in Baku. One day when she was on a bus to Baku, the bus was searched by Azerbaijani authorities, looking for Armenians. She was the only Armenian on the bus. They pulled her out of the bus and beat her up, and threw her on the side of the road. She was hospitalized in severe condition. The witness also retells the sad story of how her neighbor in Maragha went mad after Azerbaijani forces threw her children out of the window, killing them.

Her son was killed during the 44-Day War. The witness notes the constant fear of war, insomnia, great emotional stress, terror, and hopelessness, which have accompanied her since childhood and to this day. She lost her two-story house, car, and gold in Stepanakert during the 44-Day War. This witness now lives in Stepanakert, Nagorno-Karabakh.

#### **4.4 Witness 21LC-NK0017**

The witness 21LC-NK0017 is a 50-year-old woman who was born and raised in Askeran, NK. She has been forcibly displaced four times from Askeran in NK due to the massacres of the Armenian population by Azerbaijanis in 1992, the Azerbaijani Aggression in April 2016 and September 2020 and the behavior of Azerbaijanis, which put a lot of emotional stress and fear on the Armenian in her village in February 2022.

The witness says: “We have lived with fear from Azerbaijanis over the years.” She tells the story of how her grandmother sent food to the fields with her then-14-year-old brother-in-law on a horse. They heard the horse come back snorting. Azerbaijanis had shot the 14-year-old. She states that on November 15, 1990, Azerbaijanis shelled Khramort and killed the village nurse, Roza Harutyunyan, who had saved her life and the neighbors’ children’s lives by covering them with her body. On December 31, 1990, Azerbaijanis entered the village and stayed there for two years. Before December 31, 1990, the residents hid in the basement of the school because Azerbaijanis were shooting. Her father tried to move their grandmother from the basement, but the grandmother would not leave. She said, “Rashti, you are young, take your children and family and leave. I’m an old woman, they are not going to do anything to me.” 21LC-NK-17 states: “They killed my grandmother and not only killed her but also burned her in the basement. When my grandfather went to save her, she was already burnt. They wrapped her in a blanket and threw her in the water. Only a few remnants of her body were left.” The witness’s father and the villagers searched for 40 days for her grandfather and another elderly man. They found the body of Hairapet but not the grandfather. The witness states: “Many older people stayed behind in the village, and Azerbaijanis killed them brutally. Ms. Satenik, our neighbor from the village, was crucified.”

After the 44-Day War, in December 2020, she and her family returned to their village in Khramort. But on February 24, 2022, while she was teaching in school, they heard the Azerbaijani military making announcements over loudspeakers. They said: “You are in the territory of Azerbaijan. Leave the area. Do not do any agricultural work or else there will be an attack. Leave in order to save your children.” These announcements lasted a month. On March 7, 2022, Azerbaijanis climbed over the mountains and started shooting at people in the village. The witness took her children and moved out of Khramort. The witness states that she now visits Khramort only a few hours every few days. That there are no children left there. Some people go there to collect their harvest, but they get shot at. The witness is angry. She says: “Khramort is not their land. This is the land of the people. It belongs to us. Who gives them authority to enter our land and tell us what to do?” She states that Azerbaijani military is 700-800 meters from her village. They cannot return to their village to visit their cemeteries or harvest their lands. She now lives and teaches in Stepanakert, NK.

#### **4.5 Witness 22LC-0049**

This witness is a 70-year-old man who was born and raised in the Village of Maragha, in the Martakert Region of NK. He was forcibly displaced three times. He fled his home in

Maragha and started her life anew in Aghavno because of the massacres of the Armenian population by Azerbaijanis on April 10, 1992.

The witness stated that the street he used to live on in Maragha had a lot of elderly people. He fled Maragha during the attacks by Azerbaijani forces. When he returned, he found the village covered in smoke, burning. He found the dead bodies of 4 civilians. Among them was his father. 22LC-0049 said, "My father's head was cut in two with an ax. Another corpse was beheaded. The other corpse was completely boneless; they drove over it with a tank. An elderly woman was brutally killed," he said with tears in his eyes. The witness lost his son during the 44-Day War and has a brother that is missing in action. He had been living in Aghavno, NK, but he was displaced from his home in August 2022 because the Lachin Corridor where he lived was turned over to Azerbaijan. The witness is currently displaced and lives in Armenia.

#### **4.6 Witness 22LC-NK0018**

This witness is a 75-year-old woman who was born and raised in the village of Mets Tagher in the Hadrut region, NK. Witness 22LC-NK0018 has lived in Hadrut since the 1960s when NK was under Soviet Rule. She recalls stories of how life was difficult while NK was under Soviet Azerbaijan. She is a journalist as well as a former member of Parliament in the late 1990s when NK was liberated from Azerbaijan. She has been a resident of Hadrut<sup>36</sup> for over 57 years. She states, "Since we were children, we have always been scared of Turks and Azerbaijanis. We've always been afraid and tried to be careful." She recalls when in 1990, she and her friends came face-to-face with an Azerbaijani who warned them to flee before they killed her and the people she was with. She recounted her experiences during the 44-Day War. She and her family fled to Yerevan, Armenia, due to the shelling and bombing that was happening when Azerbaijan attacked and invaded Hadrut. She, like most, had no time to gather belongings and left with just the clothes they were wearing. On October 20, 2020, she watched a video posted on social media by Azerbaijani soldiers that showed them sitting in her house. Then on October 30, 2020 she saw a similar video; this time, it showed her house burning. See excerpt from testimony [part one](#) and [part two](#).

Then worse news followed: the killing of civilians in Hadrut that had stayed behind, including her neighbor's son, age 30. She says she dreams of her home in Hadrut. She states,

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<sup>36</sup> As a result of the 44 Day War, Hadrut was lost to Azerbaijan. It is now entirely devoid of Armenians.

“I’d rather live in a tent in Hadrut than a house in Yerevan.” She currently lives in Stepanakert and teaches.

#### **4.7 Witness AUA0030**

The witness AUA0030 is a 54-year-old woman who was born and raised in the Hadrut region of NK. She lived in the Hadrut region, NK, which is now under Azerbaijani control. The house of the witness was the first at the entrance to Hadrut. The witness left Hadrut during the 44-Day War and went to Armenia due to safety concerns. Her husband and the head of the village had tried to convince her parents, an 82-year-old woman, and an 86-year-old man, to leave as well, but they had refused. October 2020 was the last time she spoke to her parents over the phone. She states: "We didn't think that the same thing was possible in our times as it was in the 1990s. We didn't believe it." Later in December 2020, the search party found her mother’s body on the balcony. She had been shot in the head, and her earrings had been pulled off. The witness’s father was also found shot and dead in the backyard. According to the autopsies, her parents were murdered in October 2020.

AUA0030 also stated that in the search party was a man who was looking for his 14-year-old son. The corpse of his son was found in one of the villages buried in the ground.

AUA0030 also spoke about her neighbor, who was killed in her yard while she was peeling onions. She died because Azerbaijanis were shelling the village. The witness noted that her neighbor had already lost an arm because of Azerbaijani shelling in the early 1990s, but that this time, she did not survive.

The witness lost her house and land. AUA0030 showed videos on her phone of Azerbaijanis in her home and the execution of two Armenians. She knew the two who were summarily executed on video in the center of Hadrut, wrapped in the Armenian flag, and shot several times. She added that they were simple people, workers, and civilians who had tried to escape Hadrut, but they were too late. Azerbaijanis had invaded Hadrut, captured them, wrapped them in the Armenian flag, and in the center of the city, they had shot them several times, capturing the entire thing on video and posting it on social media. The witness is currently displaced and lives in Armenia.

#### **4.8 Witness 22LC-0037<sup>37</sup>**

Witness 22LC-0037 is a 42-year-old woman originally from Hadrut region, NK.

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<sup>37</sup> Photographs of father in captivity and brother’s torture, injuries and wounds available.

On August 15, 1992, her grandfather was killed due to a Grad strike in his backyard at his house in Hadrut. During the 44-Day War, in October 2020, the witness and her family had to flee for safety, but her father refused to evacuate and remained home. Her brother drove her out of town, but they returned to Hadrut. The witness stated that Azerbaijani soldiers lived in her house and took her father and brother hostage. The witness showed multiple videos posted on social media by Azerbaijani soldiers whereby her father is forced to kiss the Azerbaijani flag, and her brother is forced to repeat, "Karabakh is Azerbaijan." Her father and brother were both taken as POWs. Her father was tortured and eventually released on December 24, 2020. He has many scars on his body as a result of this treatment. Her brother was also tortured while being held in Azerbaijan, and he was killed whilst in captivity. Her brother's body was found on January 18, 2021, wrapped in cellophane and buried. The autopsy showed that he died due to numerous injuries caused by sharp, piercing objects, stab wounds, as well as bullet wounds to the forehead, shoulder, chest, and injuries to the ear. There were several videos that showed her brother had been taken as a POW by Azerbaijani armed forces, but the Azerbaijani authorities denied this. These events caused severe trauma to her father, who suffered a heart attack following these events. He began to speak very little and closed upon himself. She lost her house and her land in NK. She stated that the graves of her relatives are in Hadrut, but she cannot return to Hadrut to visit them. She is forcibly displaced and lives in Stepanakert, NK.

#### **4.9 Witness 21LC-0064**

The witness 21LC-0064 is a 42-year-old woman who was born and raised in the village of Mets Tagher in the Hadrut region, NK. As a result of the 44-Day War on October 11, 2020 she fled the village. Her 67 years old father-in-law refused to leave the village. She later learned from the International Committee of the Red Cross (ICRC) that he had been killed at his home by Azerbaijanis, and his body was thrown near the gate of his house. A forensic medical examination showed that his death was the result of a gunshot wound, and his body was repeatedly driven over by a car. The witness also noted that in addition to her father-in-law, 2 civilians from the village were killed: a man aged 47-48 and a man aged 81. The witness stated that Azerbaijani soldiers also desecrated the graves of her father, mother-in-law, and brother-in-law. Her brother was also taken as a POW, and she saw videos that Azerbaijani forces had posted on social media showing her brother in captivity. Her brother was captured in Fizuli, a territory that is now under the control of Azerbaijan.

The witness's uncle was killed during the 1990s, during the first war with Azerbaijan. Additionally, her brother-in-law was killed in the 44-Day War, and her father-in-law was tortured and then killed by Azerbaijani soldiers. The Witness adds that her two daughters have now become refugees. She lost her home and garden in Hadrut. She is forcibly displaced and currently lives in Armenia.

#### **4.10 Witness 21LC-0023<sup>38</sup>**

The witness 21LC-0023 is a 48-year-old woman who was born and raised in Gyumri, Armenia. She is the mother of an Armenian soldier. Her son was born in Gyumri, Armenia, where he lived until the age of 6, after which the family moved to Russia in 2012. The Witness's son lived most of his life in Russia and returned to Armenia to perform military service in August 2020. Her last contact with her son was on October 11, 2020, in Hadrut. On December 19, 2020, the witness saw videos airing on social media and immediately recognized her son, who was being held in captivity by Azerbaijan. Azerbaijan denied having her son in custody. She appealed to ICRC, but they did not find him during their visits of other prisoners of war in Baku. In December 2020, the Witness applied to the European Court of Human Rights (ECHR) with a request to Azerbaijan to provide information about the conditions of her son's detention, but there was no response from Azerbaijan. Her son's body was found in December 2020, tortured, and murdered, but it was identified by a witness in April 2021. He had been beheaded and burned so badly that he was unrecognizable. There were two bullet wounds on the legs, 2-3 stab wounds on the chest, and the skin on the right arm was cut out. A forensic medical examination showed that the internal organs were missing and the ribs were broken. The date of death could not be established due to the beheading.

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<sup>38</sup> Photographs available.