

# HART Visit Report

## Nagorno-Karabakh

Report on visit from 21st – 30th September 2016

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## 1. Executive Summary

The ongoing conflict in Nagorno-Karabakh reached boiling point last April with a breakdown in the 1994 ceasefire. After days of fighting and an estimated 200 soldiers and civilians dead, the ceasefire was reinstated.<sup>1</sup> During our visit the after effects of this recent spike in the conflict were evidently still being felt.

In regards to the ongoing peace process, despite the April hostilities, little had changed compared to our previous visits. Officials from the Nagorno-Karabakh government continue to be excluded from the ongoing peace talks between Armenia and Azerbaijan, in spite of the fact Nagorno-Karabakh is seeking self-determination and Statehood recognition. The Minsk Process itself additionally continues to both fail in progressing toward resolution or getting either side to agree to any significant compromises. This has a negative effect on the perception of the process as it is yet to provide any significant achievements or changes over the last two decades. Many of those to whom we spoke called for the presence of non-partisan international observers to better facilitate fact finding. The call for the recognition of statehood was also unanimous in our various discussions.

We heard worrying reports of extreme brutality from the Azeri forces toward Armenian soldiers. We heard allegations and saw photographic evidence of Azeri soldiers beheading at least one captured Armenian soldier. There were additional concerning claims that the Azeri soldier was awarded for this action. For the first time we were able to speak with conscript soldiers serving on the front line. We were particularly struck with how, contrary to much of the international media's affirmations, the principal attitude toward Azerbaijan was more of incomprehension rather than hostility.

In the area of disability, The Lady Cox Rehabilitation Centre continues to be a pioneering force of changing attitudes toward disability. However, from various conversations it is clear that disability awareness and rehabilitation remains a relatively low priority on the government's agenda. There continues to be the large held perception that disabled people cannot have a full life. However, our local partner Vardan (the director of the centre) was positive about his progress, referring to an increased visibility of the disabled helping to breakdown these stigmas.

## 2. Recommendations

### 2.1 To the OSCE and Minsk Group

- It is imperative that the Minsk peace process includes an official from Nagorno-Karabakh. Limiting negotiations between Azerbaijan and Armenia is a clear failure to recognise Nagorno-Karabakh's desire for self-determination. If this is not adhered to the process will in all likelihood continue to stagnate and consequently fail.
- We strongly argue that the Minsk group acknowledges and respects Nagorno-Karabakh's right to self-determination, and adjusts the peace process to this accordingly.
- The group must also push more strongly for the presence of impartial international observers in the region. This is pivotal to the monitoring and prevention of human rights abuses and to ensure the Minsk Group has more immediate and reliable knowledge of facts on the ground.

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<sup>1</sup> BBC, 'Armenians challenge age-old links to Russia', 10<sup>th</sup> August 2016, <http://www.bbc.co.uk/news/world-europe-37025532>

- Opposition to the presence of impartial international observers should be made aware to the international community.
- HART urges the OSCE to more greatly prioritise the work of the Minsk group. Failure to do this could lead to another two decades of the unresolved conflict or in the worst case scenario its' eruption into full scale war.
- It is vital that the OSCE does everything in its power to prevent this conflict from becoming a proxy conflict between Russia and Turkey.

### 2.2 To the Armenian Government

- HART is heartened by Armenia's recent steps toward recognising Nagorno-Karabakh. We further encourage this progress as a step toward international recognition.
- Armenia should additionally take steps to encourage Nagorno-Karabakh's involvement in the ongoing negotiations.
- There should be an increase in the level of dialogue with Azeri civil society.
- The Armenian forces should commit to a bilateral agreement of withdrawing snipers from the frontline.
- There should be assurances that the violations of the ceasefire are met with severe consequences.

### 2.3 To the Azerbaijani Government

- The government must enforce a desistance at once of the brutal practises employed by soldiers in war and adhere to the Geneva Conventions and customary international law.
- The Azerbaijani forces should commit to a bilateral agreement of withdrawing snipers from the frontline.
- There should be assurances that the violations of the ceasefire are met with severe consequences.
- Civil society groups in Azerbaijan should engage more with the region of Nagorno-Karabakh in order to foster greater understanding and help the community to feel less isolated. This is also with special regards to health and engagement with the wonderful work of the Lady Cox Rehabilitation centre.

### 2.4 To Europe and the British Government

- International recognition of Nagorno-Karabakh is vital to moving the peace process forward.
- Europe should take a more active role in brokering an end to the conflict. One such way to achieve this could be arms embargoes enforced on both sides; in order to discourage the main arms suppliers.
- Civil society groups in Europe should engage more with the region of Nagorno-Karabakh in order to foster greater understanding and help the community to feel less isolated. This is also with special regards to health and engagement with the wonderful work of the Lady Cox Rehabilitation centre.
- The British Government should engage more actively in the conflict and abandon their commitment to Soviet borders that have thus far failed to ensure stability, and which have not been adhered to consistently.

### **3. About HART**

The Humanitarian Aid Relief Trust works with fourteen local partners across eight countries in the spheres of education, environment, health, human rights, women's empowerment and more. We strongly feel that local people are best placed to identify, understand and fulfil their own needs. Therefore, all of our projects are locally led from vision through to implementation, by our inspirational and highly proficient local partners. On top of this, as our work is primarily in locations in which there is little awareness of, we believe that advocacy must go hand in hand with aid which is why we engage regularly with the British Parliament, in campaigning and awareness raising. We have worked in Nagorno-Karabakh for over a decade with the pioneering Lady Cox Rehabilitation Centre (named after our founder Baroness Caroline Cox). The centre works to rehabilitate disabled individuals with specially formulated care.

#### 3.1 Terminology

The enclave's formal name is the Nagorno-Karabakh. This is the name used by our partners and associates in the region, as well as the internal community, with this in mind this is the name we shall use in the report.

### **4. Itinerary and Purposes**

HART visited Nagorno-Karabakh from 21<sup>st</sup> until 30<sup>th</sup> September. We visited the Lady Cox Rehabilitation Centre, meeting with the director of the Centre, Varden Tadevosyan. Vardan took us to meet three of his patients in the duration of this visit. We also made a trip to the frontline to meet soldiers stationed there. We met with the Archbishop Parkev Matirosyan in Step Hankert, and then met the director of the government's Human Rights Department in Shushi. We also had an official meeting with the Chairman of the Parliament. On the final day we met with the UK Ambassador in Yerevan.

The purposes for the visit were:

1. To obtain up-to-date information on the current human rights and humanitarian situation in Nagorno-Karabakh.
2. To discuss advocacy needs and strategy with governmental and civil society representatives.
3. To ascertain the current needs and further plans of aid with our local partner.

### **5. Context**

Nagorno-Karabakh is a mountainous area of about 1,700 square miles in the south west of Azerbaijan. It is currently, and has been historically, inhabited by an Armenian majority population. The secession movement gained pace in 1988 at the dissolution of the Soviet Union (USSR). This movement escalated into full-scale war in 1991 at the collapse of the USSR resulting in the deaths of about 30,000 people until a ceasefire brokered by Russia was agreed upon in 1994.<sup>2</sup> Since this time, the conflict has gone on to be described as a 'frozen' one<sup>3</sup>, yet as our previous reports and advocacy work convey this is a misconception of actual realities. Nagorno-Karabakh has continued its struggle

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<sup>2</sup> The Economist, 'A Frozen Conflict Explodes', 9<sup>th</sup> April 2016, [www.economist.com/news/europe/21696563-after-facing-decades-armenia-and-azerbaijan-start-shooting-frozen-conflict-explodes](http://www.economist.com/news/europe/21696563-after-facing-decades-armenia-and-azerbaijan-start-shooting-frozen-conflict-explodes)

<sup>3</sup> Ibid.

for international recognition of Statehood, which even Armenia is yet to provide, and Azerbaijan has continued to argue the case of its territorial integrity.

The exact nature of this territorial integrity is a subject of fierce debate between Armenia and Azerbaijan, with Armenia historically blaming the decisions of the USSR regarding border lines.<sup>4</sup> Stalin, when in the role of acting Soviet Minister of Nationalities in the 1920s, designated the region as part of Azerbaijan in spite of its largely Armenian population.<sup>5</sup> Ever since Azerbaijan and Armenia respective independence this judgement has been drawn into criticism.

The situation is further complicated by the geopolitical nature of the Southern Caucasus. Traditionally, Russia is firmly allied to Armenia whereas Turkey has repeatedly affirmed its support for Azerbaijan.<sup>6</sup> The recent deterioration of the relationship between Turkey and Russia has raised concerns that the conflict could become a proxy war.<sup>7</sup> In addition to this, the changing nature of Russia and Azerbaijan's relationship is also cause for concern. Russia supplied both sides with arms in the April breakdown of the ceasefire and has been seen moving closer to Azerbaijan, leaving Armenia largely isolated in the region.<sup>8</sup>

In April 2016 Nagorno-Karabakh experienced its worst clashes for decades with the 1994 ceasefire breaking down between Azeri and ethnic Armenian forces. The conflict resulted in an alleged death toll of 200 (soldiers and civilians).<sup>9</sup> Tensions reached boiling point, with Azerbaijan threatening a major scale attack on the country's capital Stepanakert – which is home to some 50,000 people - until eventually after nearly four days of fighting a ceasefire was agreed upon by both sides.<sup>10</sup> However, tensions still remain high in the disputed region with success yet to be achieved in the ongoing peace negotiations.



*BBC Map of Nagorno-Karabakh*

After the 1994 ceasefire, the Minsk Group institution of the OSCE was established in order to negotiate and broker a peace agreement. Thus far, none of the co-chairs of the group (Russia, France and the U.S) have managed to ease hostilities and move toward peace. Nevertheless, the co-chairs continue to push for a peaceful resolution, with France recently proposing it hosts talks between

<sup>4</sup> Robert Fisk, 'Echoes of Stalinism abound in the very modern Azerbaijan-Armenia conflict' 9<sup>th</sup> April 2016, [www.independent.co.uk/voices/echoes-of-stalinism-abound-in-the-very-modern-azerbaijan-armenia-conflict-a6976421.html](http://www.independent.co.uk/voices/echoes-of-stalinism-abound-in-the-very-modern-azerbaijan-armenia-conflict-a6976421.html)

<sup>5</sup> Ibid.

<sup>6</sup> AlJazeera, 'Nagorno-Karabakh is not a localised conflict', 6<sup>th</sup> April 2016, <http://www.aljazeera.com/indepth/opinion/2016/04/nagorno-karabakh-localised-conflict-armenia-azerbaijan-160406081258222.html>

<sup>7</sup> Shaun Walker, 'Nagorno-Karabakh: Azeri-Armenian ceasefire agreed in disputed region', 5<sup>th</sup> April 2016, <https://www.theguardian.com/world/2016/apr/05/nagorno-karabakh-azeri-armenian-ceasefire-agreed>

<sup>8</sup> BBC, 'Armenians challenge age-old links to Russia', 10<sup>th</sup> August 2016, <http://www.bbc.co.uk/news/world-europe-37025532>

<sup>9</sup> Ibid.

<sup>10</sup> BBC, 'Nagorno-karabakh: Azeri-Armenian Ceasefire agreed', 5<sup>th</sup> April 2016, <http://www.bbc.co.uk/news/world-europe-35964213>

Armenia and Azerbaijan.<sup>11</sup> Nagorno-Karabakh representatives have thus far been excluded from participating in these talks. This is in spite of the fact that the region has now expressed its desire for self-determination rather than unification with Armenia.

Additionally, in our visit we found that there was a certain atmosphere of readiness for war, presumably provoked by the recent April breakdown of the ceasefire. The failures of the Minsk peace process and dramatic breakdown of the ceasefire have exacerbated an already incredibly tense atmosphere.

The Soviet Union's treatment of disability was known for its politics of exclusion and social distancing, with an official once even denying the very existence of disabled persons in the USSR.<sup>12</sup> In the aftermath of the conflict in the early 1990s Nagorno-Karabakh has a considerable disabled population. Our local partner, The Lady Cox Rehabilitation Centre, has been working tirelessly to change ingrained attitudes but faces significant obstacles with regard to the Nagorno-Karabakh Government's apathy toward the issue.

## **6. Reaction to the April hostilities and continued feeling of Isolation**

We met with a number of individuals to discuss these issues and were left with the impression that there is an increased awareness in the military capacities of Azerbaijan. We believe this, coupled with the clear and present continued feeling of isolation from the international community, has fostered a readiness for war. It could be said however that the recent events have also promoted a greater sense of identity and a strengthening of civil society as the conflict forced people together. Those we spoke to also seemed largely unconcerned with the loss of territory, stating the land lost was not of strategic importance. Encouragingly, in spite of the recent spike in hostilities the Minsk Process is still seen largely as the only way forward to resolution. However, there is of course considerable frustration at the slow process of this.



*A soldier looking out on the Azerbaijani front line*

### 6.1 Meeting with Hray Tevesyan, Commander of the Ardan region

<sup>11</sup> Azernews, 'France ready to host Azerbaijani, Armenian presidents for Karabakh talks', 21<sup>st</sup> September 2016, <http://www.azernews.az/karabakh/102557.html>

<sup>12</sup> Sarah D. Phillips, "'There Are No Invalids in the USSR!': A Missing Soviet Chapter in the New Disability History", 2009, <http://www.dsqsds.org/article/view/936/1111>



The commander alleged that Azerbaijan fired 18,000 missiles during the conflict. He also reaffirmed the widely held belief that this can no longer be considered a frozen conflict. He stated that an Armenian soldier had been beheaded by an Azeri soldier, whom he believed had been honoured for this. He also stated that there was a serious need for more observant, non-governmental organizations as well as greater diplomatic engagement in order to facilitate more fact finding.

## 6.2 Meeting with the Archbishop Parkev Martirosyan

In this meeting the Archbishop discussed the ongoing peace process and its failures:

*“If it is not recognition, then it will be wars and wars and wars. It is time to recognize Karabakh. And it is time to recognize our Genocide”.*

The Archbishop also made a request for prayer and gave a statement on the current morale in Nagorno-Karabakh:

*“As for prayer, we have one request: always, pray for Peace.*

*Our spirit is in a good condition”.*

These words from an individual so closely in tune with the local population are encouraging, and also highlight the unrelenting desire for international recognition of Statehood. This meeting conveyed the continued belief that the Minsk process is the only path to resolution, but treating Nagorno-Karabakh as a recognised independent state needs to be part of this.



*Our meeting with Archbishop Parkev Martirosyan*

## **7. Allegations of Brutality from the Azeri Forces**

In our interviews and discussions we heard worrying allegations regarding the behaviour of the Azeri armed forces, with special regard to the occurrences during the April breakdown of the ceasefire. We heard accusations of general ill treatment of captured Armenian soldiers, beheadings, torture & mutilation, the sharing of this on social media and awards being given out for this behaviour. In our meeting with Hray Tevesyan, the Military commander referred to the beheading of an Armenian soldier. This allegation was reaffirmed by the Human Rights director in Shushi. Although there were numerous individuals that stated many other examples of such brutality, these allegations could not be corroborated and thus shall not be discussed in this report.



*The point just before the Azerbaijani front line*

### 7.1 Meeting in Shushi with the Government's Human Rights Director

In this meeting the director stated the situation had become worse, sighting that there was evidence of at least one captured Armenian soldier being beheaded by Azeri soldiers.<sup>13</sup> He also shared some words on the current situation as it stands with regards to Azerbaijan's policy towards Nagorno-Karabakh.

The director shared with us a report that his office had compiled to take to the European Court of Human Rights. In the report there were images of a beheaded soldier being held from the ears by an Azeri soldier. The images were obtained from a social media platform in which the director showed concern that the beheading had been shared as a mark of pride. He also stated, as was in the report, that the Azeri soldier who had carried out the beheading had received a promotion and decoration for his actions. However, the link between his action and promotion could not be proved with the same substantial evidence. This is an area that urgently needs greater investigation and action if these allegations prove to be legitimate.

*"I found the situation to be worse than I expected. The aim of my office is to speak loudly about Human Rights abuse in order to prevent such abuse in the future. Especially as there are no reactions*

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<sup>13</sup> We were shown photographic evidence of this allegation.

*from the International Community. The policy of the Azerbaijan Government could be described as Armeno-phobia.”*

However, the director acknowledged that international organisations such as Amnesty International are in a difficult situation. If they base themselves in Nagorno-Karabakh they could compromise their ability to operate in Azerbaijan, where there are numerous ongoing human rights abuses.

The director also shared information regarding the program he is running in schools on the topic of human rights and why they are essential. He cited this as an example of the government’s strong desire to engage with communities. He also lamented the alleged targeting of a school in Talesh which was hit seven times and is now totally unusable.

He also commented on bodies that had been found of mutilated soldiers:

*“I am doubtful of the capacity of our forensic evidence to know if those mutilated were dead or alive. But, the forensic evidence I think can prove that one of those beheaded was beheaded alive.”*

*“All I will say is that, next time, if [there is] a next time, we will be better prepared to collect evidence for such abuses.”*

The director stated the limitations to his resources for conducting fact finding was furthermore evidence of the vital importance of more impartial international observers based in the region. Again, such allegations demonstrate the severe need for increased involvement from the international community.

## **8. Progress Made at the Lady Cox Rehabilitation Centre and Continued Difficulties for the Disabled**

In the area of disability, the director of the centre Vardan Tadevosyan continues to pioneer vast improvements in the lives of the disabled in Nagorno-Karabakh. At present, the Centre has 1,000 registered patients every year. Vardan is also running an education program which already trained four nurses to become rehabilitative therapists in hospitals, caring for an additional 400 patients.

### 8.1 Achievements and figures of the Centre:

- Vardan ran last year an education programme which has already trained four nurses to become rehabilitative therapists in hospitals, and another four for the centre.
- He intends to run another course next year and funding for the support of these therapies is needed for 2017.
- The Centre has 50 staff including rehabilitative doctors, therapists, psychologists, and speech therapists.
- 15,000 USD to the Centre monthly is from the government. This covers most of medical treatment for patients, but is not sufficient for their activities in the Centre focused on rehabilitation and development.

## 8.2 Meeting with Vardan Tadesvosyan, Lady Cox Rehabilitation Centre President:



Vardan commented on the essential role the Centre plays in reintegrating the disabled into society and changing the perceptions of disability:

*“We are able [to do this] by treating them and giving them hope, being independent and we do our best to integrate them [in]to the community”*

*“Some people asked me why you are doing this if the person will still be in a wheel chair. I know that. But with rehabilitation I can change their quality of life, they become independent, they can care for themselves in their activities and this is the maximum we can do. Sometimes people say that this is very expensive, if they are disabled, let them stay disabled. This is not normal and it’s not okay. In this case I explain to people one thing - No one has the warranty that until tomorrow he can become disabled too.”*

## 8.3 Meetings with three of the Centre’s patients

We were privileged to meet with three individuals whom had benefitted from the work of Vardan and the Centre:

Name	Story of treatment
<p><b>Mkhitar Stepanyan</b></p> 	<p>Mkhitar Stepanyan is 44 years old. In 1992 he was shot with a bullet in his spine during the war at the young age of 21. This left him paralyzed. The culture of the Soviet Union was one with no concept of how to treat people with disabilities and a bed bound Mkhitar was forced to live with a lethal pressure sore. This immense physical pain and emotional isolation caused a deep depression, and left Mkhitar in a critical physical and mental health condition.</p> <p>Vardan and his nurse Marietta found him and treated his pressure sore. Vardan promised to come back to see him every two days and asked Mkhitar to promise him he would start to do something with his days and because he was good with his hands they suggested he started working on wood carvings. Soon Mkhitar started to sell his artwork locally and internationally and Vardan healed the pressure sore. Mkhitar regained his independence, restoring his self-dignity and confidence as well as returning to him the opportunity of financially supporting his family.</p>
<p><b>Mariam</b></p> 	<p>Miriam is 32 years old, she was formerly a chemistry teacher. She was diagnosed with muscular dystrophy, a genetic disorder that causes progressive weakening and wasting of the muscles.</p> <p>Vardan has been helping her during what are expected to be her last years. He treats her pressure sores, reducing the pain and improving her quality of life. This attention and care has helped to extend her life and allow her to live with dignity at home.</p>

**Vladimir**



Vladimir is sixty five years old. He was bedbound for a long period after an accident that injured his back. He used to be a college principal. Vardan managed to get him a wheelchair. This has had a transformative effect on his livelihood, recovering not only his independence but also giving him hope.

*“Before I needed my wife to transfer me to places, I couldn’t do anything by myself but now I am independent and I am very happy”*

He drove his new wheelchair with enthusiasm and shared with us his plans to develop a new more accessible home.

In spite of these successes Vardan still faces a significant struggle in getting the Nagorno-Karabakh government to appreciate and act on the value of the Centre. When we spoke with government officials about the Centre they acknowledged that especially since the conflict in April the disability issue remained important, but there was a certain level of apathy when discussing this issue. It seems evident that the work of the Centre continues to contend with the longstanding Soviet era notions regarding disability. With the chief concern of these notions being that the disabled are incapable of leading independent lives and contributing to the community.

It is therefore vital that Vardan continues the work in breaking down these stigmas. HART would emphasise the work of Vardan should be something the government is immensely proud of and should be used to demonstrate their high commitment to the human rights of all. Vardan’s work additionally could be used as ample proof the region is a highly developed society.

## **9. Conclusions**

Although the ceasefire has been reinstated after its breakdown in April there is little to feel reassured about when considering the Nagorno-Karabakh conflict. The country is now evidently faced with both a failing peace process and concerning levels of brutality from opposing forces. All of these findings and testimonies demonstrate that it is now more than ever that the region requires impartial international observers in order to monitor the volatile human rights conditions. There remains to certainly be a very real possibility that another spike in the conflict could occur in the near future, and there is now an even greater likelihood that it would be all the more volatile, with consequences stretching beyond the Southern Caucasus.

Nevertheless, it is important to recognise and build upon the successes that are evident in the region. The work of the Lady Cox Rehabilitation Centre should be celebrated and utilised to demonstrate the forward thinking nature of the region. Additionally, the continued wide held belief that the Minsk Process is the only way to proper resolution needs to be appreciated. As previously stated, the predominant emotion towards Azerbaijan was one of more incomprehension than hatred. After all, these individuals were once neighbours and friends and more should be done by the Minsk group and international community in general to foster reconciliation.

Above all, however, remains the important issue of respecting and recognising the wishes of the ethnic Armenian majority of the region. This undoubtedly would be some international recognition

coupled with the presence of permanent impartial international observers. Until movements are made toward this it is unlikely that the peace process will be able to progress. Even more worryingly the failure to act on these widely held desires runs the increased risk of greater apathy towards the peace process and consequently could increase the likelihood of more dangerous hostility and war.