

**THE CULTURAL HERITAGE OF ARTSAKH/KARABAKH
AT THE CROSS-HAIRS OF ATTACKS**

Hamlet Petrosyan, Haykuhi Muradyan





**MINISTRY OF EDUCATION, SCIENCE, CULTURE AND SPORTS
OF THE REPUBLIC OF ARTSAKH**

Hamlet Petrosyan, Haykuhi Muradyan

**THE CULTURAL HERITAGE OF ARTSAKH/KARABAKH
AT THE CROSS-HAIRS OF ATTACKS**

YEREVAN 2022

Introduction

The deliberate mass extermination of the Armenian cultural heritage took place throughout the 20th century. Most of the Western Armenian cultural heritage - churches, monasteries, monuments, khachkars, etc. - were vandalized. According to the official list submitted to the Turkish government by the Armenian Patriarchate of Constantinople in 1912-1913, the number of Armenian churches and monasteries throughout the Ottoman Empire exceeded 2000 (including unique early Christian monuments of the 4th-5th centuries). Most of the monuments was looted, burned and destroyed in the early 20th century during the genocide organized by the Turkish authorities. In 1974 UNESCO stated that after 1923, out of 913 Armenian historical monuments 464 have vanished completely, 252 are in ruins and 197 are in need of repair.

The purpose of the ethnic-cultural genocide in Turkey and Azerbaijan is one. Along with the massacre of large masses of the Armenian people, the appropriation of the Armenian territories, to eliminate and assimilate the cultural values created by the Armenian people, the material expressions of the existence of the Armenian civilization, so that they do not remain in those territories as witnesses of the Armenian people. This policy is the part of the genocidal program. There is no ethnic group, there is no cultural trace in those areas.

Preservation of Artsakh's cultural heritage is one of the primary challenges for both Artsakh and Armenia, as well as for Armenians around the world. Since the establishment of the Republic of Azerbaijan, the seizure of the Armenian cultural heritage has been an integral part of the state policy of Azerbaijan, which includes both

physical destruction and transformation, renaming and distortion of historical realities. The ultimate goal of this policy is to legitimize territorial affiliation, to create a myth, according to which Azeris or their various “ancestors” have lived in this region for centuries. The realization of this goal was hindered by the facts of the centuries-old existence of Armenians in the region and the very existence, the cultural heritage, which dates back at least from the 6th century BC to the present day. To date, Azerbaijani policy has not deviated from this goal, using various mechanisms of extortion of cultural heritage in both peacetime and wartime.

This introductory review presents the Azerbaijani policy during the Soviet and Independence years, with particular emphasis on the dangers of preserving the educational and cultural heritage under Azerbaijani control as a result of the aggression unleashed by Azerbaijan on September 27, 2020, the cases of vandalism registered so far and the current challenges of the Artsakh Republic aimed at the protection of cultural heritage.

The introductory review consists of six parts, which include:

- A brief historical-cultural overview.
- Soviet ideology as the main tool of Azerbaijani policy of persecution of Armenians: atheism, internationalism and Soviet “national” policy in the 20th century.
- Preservation and restoration of the cultural heritage of the Artsakh Republic after the first (liberation) war in Artsakh.
- Cultural vandalism during and after the 44-day war.
- Issues of protection of Artsakh’s cultural heritage in the light of international conventions.
- The response of international cultural organizations.

Part 1: A brief historical-cultural overview

Artsakh and its adjacent Utik are the northeastern provinces of historic Greater Armenia. If Artsakh occupies the most mountainous and foothill lands of this part of the Armenian Highland, then Utik is more steppe, stretching to the Kura River. Artsakh is a country of river valleys enclosed in the mountains (ill. 1-2)¹. To the east, where Utik begins, the mountains rise into the foothills and join the steppe (ill. 3). Two different geographical and natural-climatic environments have conditioned the dual historical-cultural image: a strong sedentary population in the mountainous zone and constant movements in the steppe.



ill. 1 The valley of Tartar.

¹ Ill. 1-34 by Hamlet Petrosyan, ill. 35-50 by <https://monumentwatch.org/>, ill. 45: <https://www.panorama.am/am/news/2021>



ill. 2 The valley of Amaras.



ill. 3 Artsakh steppe.

Artsakh and Utik are the northeastern provinces of the historical Greater Armenia. These provinces according to the available data were a close part of the history of the Armenians for at least from the 6th century BC, when they were the frontier provinces of the Armenian Yervanduni Kingdom. At the beginning of the 2nd century, Artashes 1st re-established this frontier by fighting the Caucasian tribes. Tigran the Great (95-55 BC) developed a new strategy against the Caucasian tribes by erecting fortresses in the valleys as they reached the steppe, keeping the steppe under control until the Kura River. This situation persists until the fall of the already Christian Arshakunys in Armenia (428 AD). The Sasanians, trying to create a separate administrative unit from the invasions of the Caucasian tribes in the middle of the 5th century, united the left and right sides of the Kura into a kingdom, (then into a province), which is named Ran (in Armenian sources, Aghvank), to which they attach Artsakh and Utik separated them from Armenia. In the new administrative-political union, which already includes the Christian right and the left of the Kura River, in the 5th-6th centuries, probably with the efforts of King Vachagan the Pious, with the support of Jerusalem, a new Church was established under the name of unity – Albanian Church, the most educated Armenian-speaking part of which were the population of Artsakh and Utik. Albanian Church, as a rule, accepted the supremacy of the Armenian Apostolic Church, had the same confessional ideology and rituals. Armenian nobility of Artsakh and partly of Utik maintained their independent or semi-independent political status until the beginning of the 19th century, before the conquest by the Russian Empire, and until the dissolution of Albanian Church and including its dioceses to the Armenian Apostolic Church. The people of Artsakh, thanks to Christianity, have mastered the Armenian script and literature. Since

the 5th century, they have created thousands of Christian structures—monasteries, churches, chapels, tombs, various monuments, left about three thousand Armenian inscriptions, hundreds of manuscripts, which are the Armenian testimony of these lands.



ill. 4 Tigranakert of Artsakh, general view.



ill. 5 Tigranakert of Artsakh, fortified district, part of the northern wall.



ill. 6 Amaras monastery.



ill. 7 Vankasar.



ill. 8 Monastery of Yeghisha the Apostle



ill. 9 Dadivank Monastery.



ill. 10 Gandzasar Monastery.



ill. 11 Handaberd Monastery.



ill. 12 Charektar Monastery.



ill. 13 Chapni Monastery, bell tower.



ill. 14 Tsitsernavank Monastery.



ill. 15 Gtchavank Monastery.



ill. 16 Horekavank monastery.



ill. 17 Spitak khach (White cross) Monastery.



ill. 18 Yerits mankants (Three Children) Monastery.



ill. 19 Khadar Monastery.



ill. 20 Amaras, khachkar (cross-stone) St. Astvatsatsin, 1091.



ill. 21 Dadivank, Khachkar, 1283.



ill. 22 Paravadzor, khachkar sculpture, end of the 12th century.

Tigranakert provides the earliest information on the materialized evidence of Armenians and Armenian culture in Artsakh (ill. 4-5). Most of the material heritage of Artsakh is of course Christian monuments, several dozen of which are well-known landmarks of the world scientific and cultural community: Amaras Monastery (ill. 6), Vankasar Church (ill. 7), Apostle Yeghisha Monastery (ill. 8) Dadivank (ill. 9), Gandzasar Monastery (ill. 10), Handaberd Monastery (ill. 11), Charektar Monastery (ill. 12), Chapni Monastery (ill. 13), Tsitsernavank (ill. 14), Kataro Monastery, Gtchavank (ill. 15), Horekavank (ill. 16), Spitak Khach (White Cross) Monastery (ill. 17), Yerits Mankants (The Three Children) Monastery (ill. 18), Khadar Monastery (ill. 19), thousands of khachkars (ill. 20-22), tombstones, etc.

Part 2: Soviet ideology as the main tool of Azerbaijani policy of persecution of Armenians: atheism, internationalism and Soviet “national” policy in the 20th century.

The official list of monuments in the territory of the Republic of Artsakh includes more than 4,000 monuments, ten percent of which are pre-Christian, about 1.5 percent are Muslim, about 20 of which are from the 14th-16th centuries. The rest are Armenian Christian monuments dating back to the 4th-19th centuries. The existence of a huge Armenian Christian heritage is in itself the most essential indicator of the historical-legal affiliation of the area.

The usurpation of the Armenian cultural heritage by the Azerbaijani authorities began in the 1920s and 1930s (which was significantly facilitated by the Soviet atheistic ideology). But it became an organized and coordinated policy only in the late 1950s, when Khrushchev’s “Thaw” policy allowed the Republics of the Soviet Union to interpret and assimilate the cultural heritage of the republic in the interest of their national goal. Since the 1960s, the “conquest” of Artsakh’s cultural heritage has become an integral part of the Azerbaijani government’s policy of persecuting Armenians. The extortion of cultural heritage of Artsakh took place through a rather complex mechanism on the outside but a flexible mechanism on the inside. At the intellectual level, it took on a pseudoscientific character, moreover, two main levers were used for this purpose:

- a. Since the contradiction between the Armenian-Christian and Tatar-Muslim cultures is more than obvious, one of the levers of appropriation was to reveal the “kinship”, “common

origin” and “similarity” of these cultures under the pretext of internationalism and the equality of peoples.

- b. The other lever was the creation of an intermediate link, the aim of which was to attribute the Armenian cultural heritage of Artsakh to the Caucasian Albanians (Aluank), and from the Aluanks to the Azeris. The mediated mechanism of usurpation of cultural heritage made it possible to maintain apparent neutrality and false objectivity.

As recent decades have shown, the joint use of these two levers, under appropriate conditions, can give the defalcation of cultural heritage a purely academic, say, civil dispute, which, of course, is a great success of the “conqueror”.

But in all cases, this achievement was of an elite nature. It mainly involved the administrative bodies and the scientific intelligentsia. In general the attitude of the Azerbaijani common people towards that heritage remained half-indifferent (which can be defined as the attitude towards heritage in general in the Soviet reality) - half-hostile (which can be defined as an attitude towards a specific opposite culture).

The Azerbaijani policy itself had a secret, non-public component, the destructive activities of which could only be validated in the liberated territories. In the Azerbaijani regions outside the NKAO, even in the Azerbaijani villages in the NKAO, the immovable monuments of the Armenian cultural heritage were destroyed, demolished and reused. Here are just a few examples:

- The monasteries of St. Sargis of Tsar and Getamej have been completely disappeared. Their sculpted and inscribed stones were fragmented and inserted in the walls of
- Azerbaijani school buildings and houses (ill. 23-24).



ill. 23 The fragmented stones of St. Sargis Church in Tsar inserted in the school building.



ill. 24 The broken carved stones of St. Sargis Church in Tsar inserted in the school building.



ill. 25 Charektar Monastery turned into a barn.



ill. 26 The inscription of the church of Ghaybalu village.

- The Charektar Monastery in the Tartar Valley was transformed into a barn (ill. 25).
- The cross-sculptures of the rock cut Christian complex of Tigranakert have been smoothed, as well as the the cross composition on the lintel of the western entrance of the Vankasar church and the khachkar were scratched and erased.
- The inscriptions of the mill and the church of Ghaybalu village were also erased (ill. 26).
- The khachkars of the newly created Azerbaijani village of Lesnoy near the village of Ptretsik were destroyed, etc., etc.

In fact it can be stated that the illegal appropriation and destruction of Artsakh's cultural heritage is a state policy of Azerbaijan which aimed not at turning someone else's ethnocultural heritage into a means of subsistence, but at alienating it from the owners by creating false attributions, reusing and destroying this heritage.

Part 3: Preservation and restoration of the cultural heritage of the Artsakh Republic after the first (liberation) war in Artsakh.

The non-recognition of the Independent Artsakh Republic, the situation of war and the security concerns arising from it, moreover, being cut off from international cooperation, barriers to membership in international organizations and difficulties have always posed serious problems for the preservation and internationalization of cultural heritage in Artsakh. Nevertheless, the Republic of Artsakh, since the 1994 ceasefire, has undertaken to organize the protection

of tangible and intangible cultural heritage in relatively peaceful conditions. This principle was enshrined in the legislative system of the Artsakh Republic in the form of relevant laws *(In particular, it should be mentioned the NKR Law on the Fundamentals of Cultural Legislation, June 18; NKR Law on Intangible Cultural Heritage-October 26, 2011; NKR Government Decision No. 748-N of November 29, 2010 “On Approval of the Concept of Art Education”; Law of the Nagorno-Karabakh Republic “On Museum Fund” February 12, 1999; Law of the Nagorno Karabakh Republic “On Libraries” HO-36-N of June 27, 2013; NKR Government Resolution No. 890-N “On Approval of the Concept of Preservation of Intangible Cultural Heritage and Protection of Its Viability” HO-36-N of June 27, 2013; Decision of the NKR Government of June 18, 2013 380-A “On approving the program of cultural development in the NKR regions” etc.):*

Before the 44-day Artsakh war, the following operated in the Artsakh Republic:

- State Theater-2
- State Chamber Orchestra-1
- Chamber State Choir-2
- Children and Youth State Choir-1
- State Orchestra of National Instruments-1
- State ensembles -3
- ensemble of folk instruments (Berdzor) -1
- State Jazz Orchestra -1
- Music school - 1:
- Art school - 11
- Culture and Youth Palace-1

- Sports and Cultural Palace-1
- Cultural center - 1:
- Culture and Youth Center - 6
- Art Union - 1:
- Cultural clubs - 183, of which 113 had a building.

The list of the historical-cultural immovable heritage of the Artsakh Republic has been compiled, the passports of most of them, which include more than 4000 units, protection zones of about 1500 monuments.

In the recent years, the government of Artsakh has implemented many measures aimed at preserving tangible and intangible cultural values, improving the quality of staff and their social status, and ensuring access to cultural heritage. In the field of protection of heritage, during 1994-2020, the Artsakh authorities initiated research and restoration works of religious and secular structures and complexes (churches, monasteries, monuments, castles, palaces, bridges, etc.). Archaeological excavations were carried out in the cave of Azokh village of Hadrut region, in the “Shmanek” cave of Mets Tagher village of the same region, in the “Karin Tak” cave (Alexana Ghuze) in the territory of Karin Tak village of Shushi region, in the area of Keren mausoleum, in the fortress of Mirik village of Kashatagh region, etc.

The discovery of the city of Tigranakert in Artsakh, founded by Armenian King Tigranes II the Great (95-55 BC) by the Artsakh expedition of the Institute of Archeology and Ethnography of the National Academy of Sciences of the Republic of Armenia in 2005, is a particularly significant event. The excavations and studies in

Tigranakert lasted for about 15 years and were interrupted only in 2020 because of the 44-day Artsakh war. The ancient Armenian city appeared under the occupation of Azerbaijan, and at present the most important task is to preserve the city which has an international resonance.

Serious research works have been carried out especially in Christian monuments, such as Amaras Monastery, Dadivank, Horekavank, Hakobavank, Tsitsernavank, Handaberd Monastery, Vaghuhas “Mayraqaghak” (Capital) Monastery, the melik mansion of Togh (ill. 27), Berdashen, St. Stepanos Monastery of Vachar (ill. 28), etc.



ill. 27 The general view of the melik mansion of Togh after the excavations and restoration.



ill. 28 St. Stepanos Monastery of Vachar, general view after the excavations.



ill. 29 Pirumashen church, general view after restoration.



ill. 30 Juhar Agha Mosque in Shushi after restoration.

Research and restoration works have been carried out in the monuments of Karmrakuch, Karaglukh, Chankatagh, Karmir village and other settlements. A new church was built in Karaglukh village of Hadrut region, the old church of the community was partially restored. Restoration works were carried out in Gtchavank, Dadivank, Amaras, Ptkesberk monastery, Kusanats monastery, Pirumashen church (ill. 29), Dizapayt Kataro monastery. The mosque of Juhar agha in Shushi was completely restored (ill. 30).

The restoration and construction works of the monuments were carried out both with the means allocated from the state budget of the Artsakh Republic, as well as with the donations of various philanthropists and benefactors.

In the field of museum and library development, steps have been taken to acquire new exhibits, replenish museum and library collections, improve the quality of provided services, and develop building, property and logistics conditions. The opening of new museums is especially noteworthy: Tigranakert (ill. 31), Kashatagh, Shushi, etc.



ill. 31 One of the exhibition halls of Tigranakert Archaeological Museum.

Annual events dedicated to International Museum Day, Museum Night, European Heritage Day and Librarian's Day have been organized in the field of cultural heritage conservation as part of international processes and cooperation.

It can be stated that the educational and cultural life of Artsakh was slowly stabilizing, creating a certain basis for development, which was interrupted as a result of the war that started in 2020.

Part 4: Cultural vandalism during and after the 44-day war.

The war launched by Azerbaijan on September 27, 2020 was clearly directed not only against the local population but also against the cultural heritage of the area. During the war, specific cultural objects were targeted by the Azerbaijani army. It should be noted that the deliberate destruction of cultural values during hostilities and later by a number of international conventions and declarations, is qualified as a war crime.



ill. 32 The Church of Holy Saviour Ghazanchetsots in Shushi after the Azerbaijani missile attack.

The most visual example is the bombing of the Holy Savior Ghazanchetsots Church in Shushi, on which two shells exploded on October 8, 2020. (ill. 32): Earlier, during the war, the Culture and Youth Center of Shushi was bombed (it was reopened in 2017 after renovation). During the war, the Palace of Culture in Martuni city was also shelled (ill. 33): The residents of Hadrut, who had to leave their homes, state that the patriotic museum after A. Mkrtchyan in Hadrut was burned down. On November 5, 2020, the field camp of Tigranakert archeological expedition was shelled (ill. 34):



ill. 33 Culture Palace of Martuni after the shelling.



ill. 34 Field Camp of the Tigranakert archaeological expedition after the Azerbaijani missile attack.

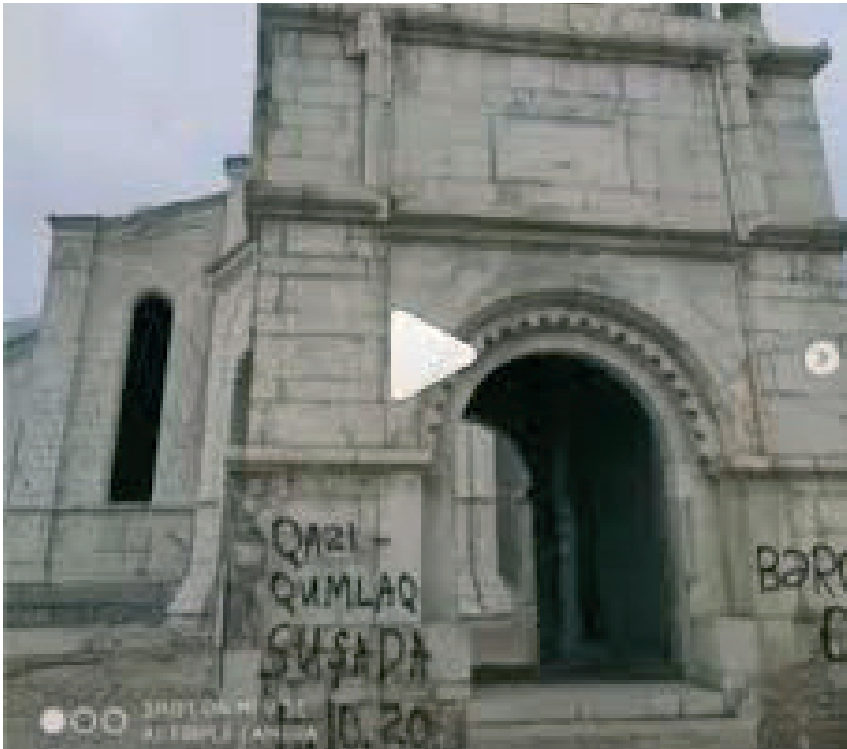
According to the data provided by the Artsakh Ministry of Education, Science, Culture and Sports, after the signing the ceasefire agreement on November 9, 2020, the following came under the control of Azerbaijan:

- 12 museums with 19485 exhibits: Those are:
 - ✓ “Tigranakert” Historical-Archaeological State Reserve
 - ✓ “Geographical Museum of Kashatagh Region”
 - ✓ “Patriotic Museum after Hadrut A. Mkrtchyan in Hadrut”
 - ✓ “A. Khanperiyants House-Museum in Mets Tagher”
 - ✓ “Tevan Stepanyan House-Museum in Tum”
 - ✓ “History Museum of Shushi City” subdivision
 - ✓ “State Museum of Geology after the name of Prof. G. Gabrielyants” subdivision
 - ✓ “ Gallery of Shushi ”
 - ✓ “The melik mansion of Togh”

- ✓ “Carpet Museum Shushi”
- ✓ “Armenian Dram Museum in Shushi”
- ✓ “State Museum of Fine Arts”
- Circa 2000 monuments, including:
 - ✓ Monasteries and churches
 - ✓ Khachkars
 - ✓ Tombstones
 - ✓ Mausoleums, cemeteries, sanctuaries
 - ✓ Castles, palaces, mansions
 - ✓ Other monuments
- About 230 educational institutions, including:
 - ✓ Schools
 - ✓ Art and sport schools
 - ✓ Houses of culture and cultural clubs
 - ✓ Other educational institutions



ill. 35 Saint John the Baptist Church of Shushi known as Kanach Zham (Green church) after the 2020 explosion.



ill. 36 The All Saviour Ghazanchetsots church of Shushi, tortured.



ill. 37 The destruction of Zoravor Surb Astvatsatsin church in Mekhakavan (Jebrayil).

After the signing of the ceasefire agreement on November 9, 2020, the vandalism of cultural monuments and educational institutions in the territories under Azerbaijani control has become more intense. Evidence of this are the videos regularly posted on social media by Azerbaijani users, where the Azerbaijani side destroys, distorts and desecrates Armenian cultural values. The number of such videos and Internet publications already exceeds 50 (more details: <https://monumentwatch.org/hy/>): One of the well-known examples is the video published by the Azerbaijani user on November 15, 2020, where the Saint John the Baptist Church in Shushi known as Kanach Zham (Green Church) was partially destroyed. From the video it becomes clear that the dome and the bell tower of the church were completely destroyed (ill. 35). Another video posted on the Internet clearly shows that Holy All Savior Ghazanchetsots Church in Shushi was also tortured (ill. 36). It was cleaned up due to the criticism and pressure of the international community.





ill. 38 The destruction of the cross-shaped monument in Shukurbeyli village of Mekhakavan (Jebrail) region.

Since the announcement of the ceasefire, the church of St. Astvatsatsin in Mekhakavan (Jebrayil) was vanished (ill. 37), a cross-shaped monument in the village of Shukurbeyli in the same region (ill. 38) and the khachkar of Araqel villiage in the region of Hadrut were destroyed (ill. 39).

In the occupied territories of Artsakh, the Azerbaijanis are committing special atrocities against the Armenian monuments, memorials and complexes dedicated to the Artsakh Liberation War and its heroes. As a result of this policy, a monument to the victims of

the Armenian Genocide was demolished in Shushi (ill. 40).



ill. 39 Khachkar in Arakel village of Hadrut does not exist anymore

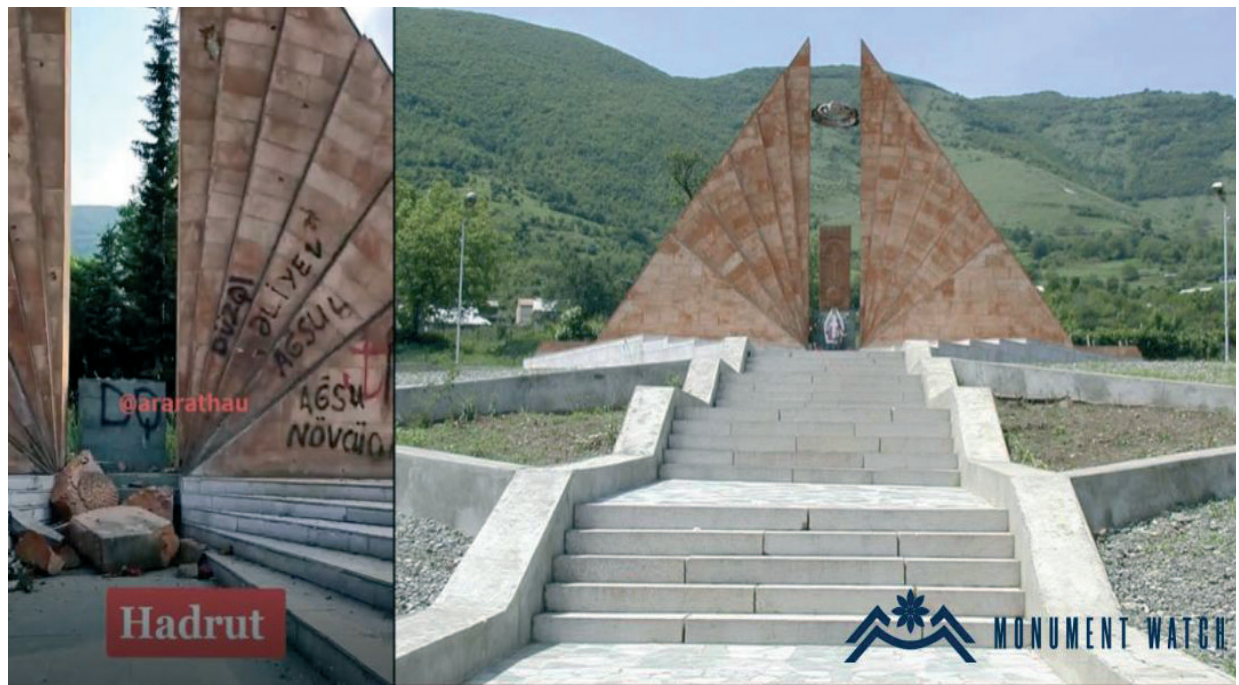


ill. 40 Monument to the victims of the Armenian Genocide demolished in Shushi.



ill. 41 Destruction of monuments dedicated to the Great Patriotic War, the first

Artsakh war and the victims of the Armenian Genocide in the village of Azokh, Hadrut.



ill. 42 The destruction of the monument devoted to the freedom fighters of Hadrut.

In the occupied village of Azokh in Hadrut region, Azeris destroyed three separate monuments dedicated to the memory of the victims of the Great Patriotic War, the First Artsakh War and the Armenian Genocide (ill. 41), the monument devoted to the freedom fighters of Hadrut was also destroyed (ill. 42) the khachkar dedicated

to the first Artsakh liberation war in Vorotan (Kubatlu) was completely demolished (ill. 43).



ill. 43 The khachkar dedicated to the first Artsakh liberation war in the city of Vorotan (Kubatlu).

Azeris have destroyed the bust of USSR aviation Marshal Armenak Khanperyants (Sergey Khudyakov) in the village Mets Tagher of Hadrut region (ill. 44), In Shushi, the bust of USSR state-political figure Hovhannes (Ivan) Tevosyan (ill. 45), the bust of the national hero, military leader Tevan Stepanyan in Tum village of the occupied

region of Hadrut (ill. 46). The statue of Vazgen Sargsyan, the national hero of Armenia and Artsakh, located in the city of Shushi, was also vandalized. The monuments dedicated to the Artsakh liberation war in Talish, Qarin Tak, Mokhrenes, Zardanashen and Avetaranots villages were destroyed.

Under the guise of “construction works”, Azerbaijan is purposefully eliminating the Armenian historical settlements near the road, which are the proof of the millennial existence of Armenians in the region. Satellite images made it possible to document the destruction of the historic cemetery of Shushi (ill. 47). The cemetery of Mets Tagher village of Hadrut (ill. 48) and Sghnakh cemetery of Shosh community of Askeran region were also demolished (ill. 49):

After the war, the Kataro church in the village of Togh in Hadrut was turned into a military shelter by the Azerbaijani armed forces.

The mechanism of “Albanization” of the Armenian cultural heritage by Azerbaijan continues to operate even today. Vivid examples of this are the proclamation of the Dadivank and Tsakuri village church as Caucasian Albanian and the falsification of Armenian inscriptions and khachkars, the “orthodoxy” of the Holy All Savior Ghazanchetsots Church in Shushi, and its illegal “restorations” on that false basis. (ill. 50), “construction” works carrying out near the “Tukhnakal” mansion complex, etc. Unfortunately, such examples are numerous, their number is growing day by day.



ill. 44 The destruction of the bust of USSR aviation Marshal Armenak Khanperiyants (Sergey Khudyakov) in his native village Mets Tagher of Hadrut region.



ill. 45 The bust of USSR state-political figure Hovhannes (Ivan) Tevosyan destroyed in Shushi.



ill. 46 The destruction of the bust of the National hero, statesman and military leader Tevan Stepanyan in the villiage of Tum, region of Hadrut.



ill. 47 Destruction of the historical cemetery of Shushi.



ill. 48 Destruction of the cemetery of Mets Tagher village, Hadrut region.²

²

ill. 48: <https://twitter.com>.



ill. 49 The destruction of the Armenian cemetery of Sghnakh of Shosh community of Askeran region.



ill. 50 Distortion of the original image of the Holy Savior Ghazanchetsots Church in Shushi.

Part 5: Issues of protection of Artsakh's cultural heritage in the light of international conventions

There are various international conventions, declarations, laws and code of ethics which are regulating and formulating legal systems for the protection of cultural heritage. The main legal bases for the protection of Artsakh's cultural heritage are derived from the Hague convention for the protection of the cultural property in the event of Armed conflict adopted on 14th of May, 1954. It is important also to mention Convention's implementing regulations, and the first and second protocols (adopted in 1954 and 1999). Article 1 of the Convention defines cultural value: “ movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above”. Article 4 of the convention undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, cultural property. The first Additional Protocol (1954) of the Convention sets out the mechanisms for the protection of cultural heritage in the Occupied Territories and the conditions for the illegal removal or return of heritage. Second Protocol to the Hague Convention (1999), particularly, Article 9 (1) proposes provisions on the protection of cultural heritage in

the occupied territories. The second part of Article 21 of the same document requires states to prevent such violations.

Numerous cases of distortion, destruction and misappropriation of cultural heritage show that the Azerbaijani side violates its obligations under the 1954 Hague Convention for the Protection of Cultural Property during the Armed Conflict, ratified in 1993, and its two protocols, which specifically state (Article 4): “The High Contracting Parties undertake to respect cultural property situated within their own territory as well as within the territory of other High Contracting Parties by refraining from any use of the property and its immediate surroundings or of the appliances in use for its protection for purposes which are likely to expose it to destruction or damage in the event of armed conflict; and by refraining from any act of hostility directed against such property”.

The Geneva Conventions and their Additional Protocols also have some points regarding the protection of cultural heritage during armed conflicts. Article 85 (4) of the first protocol prohibits “Targeting historical monuments, works of art or places of worship that are considered the cultural or spiritual heritage of the peoples”.

Principles of protection of cultural heritage in the occupied territories are also offered by a number of other UNESCO conventions. “Declaration on the Deliberate Destruction of Cultural Heritage” adopted in 2003, Convention on the Protection of the World Cultural and Natural Heritage in 1972, Convention on the Prohibition of the Illegal Import and Export of Cultural Property and the illegal Transfer of Ownership of Cultural Property (1970). Defamation of monuments, vandalism is a discriminatory attitude towards the heritage of the

Armenians of Artsakh, which is also protected by Article 5 of the UN Convention on the Elimination of All Forms of Racial Discrimination.

The basic premise of these conventions is that the targeting or deliberate destruction of cultural heritage should be viewed as an act against world heritage and should be criticized by the international community. The main disadvantage of the above-mentioned conventions is that they are intended to be addressed to internationally recognized states. In the case of Artsakh, these conventions do not seem to be effective, as Artsakh is an internationally unrecognized state. In this case, the issue of realization of the cultural rights of the indigenous peoples should be given priority. In this sense, it is more expedient to study the Roman law (status) of the International Criminal Court, which considers the premeditated destruction of cultural values a war crime.

Part 6. The response of international cultural organizations.

In order to prevent the cultural genocide of Artsakh and to organize the preservation of cultural heritage during and after the war the Ministries of Foreign Affairs and Education, Science, Culture and Sports of Armenia as well as Artsakh Republic have regularly applied to international organizations, such as UNESCO, the International Council of Museums (ICOM), the World Monuments Fund (WMF), the International Council for the Preservation of Monuments (ICOMOS), Blue Shield International (BSI), International Research Center for the Preservation and Restoration of Cultural Property (ICCROM), European Association of Archaeologists (EAA), International Alliance for the Protection of Heritage in Conflict Zones (ALIPH) to respond, intervene and prevent Destruction, desecration and distortion of

cultural heritage.

The most famous example of the targeting of Armenian cultural monuments by the Azerbaijani armed forces during the war is the Church of the Holy Savior Ghazanchetsots in the city of Shushi (ill. 27). The bombing of the church was strongly condemned by the RA Ministries of Education, Science, Culture and Sports. The RA Ministry of Education and Science officially appealed to international organizations to strongly condemn the cultural vandalism in Artsakh, to take preventive measures to protect the cultural heritage of Artsakh. The official statement particularly mentioned. “Today, the non-targeted appeals of the international organizations again lead to the targeting of Armenian historical and cultural monuments in Nagorno Karabakh. On October 8, 2020, the Church of the Holy Savior Ghazanchetsots in the city of Shushi was targeted and shelled by the Azerbaijani armed forces. With this step, Azerbaijan brutally violates the norms of the international law, as well as its commitments within the framework of the UN and the Council of Europe”. The official statement states that international community and international authorities to strongly and sternly condemn the ongoing Azerbaijani aggression, during which the Armenian cultural heritage is highly endangered and is under the threat of destruction. By keeping silent, we are paving the way for new cultural atrocities around the world. In response to the statement of the Ministry of Education, Science, Culture and Sport of the Republic of Armenia, on October 9, 2020, UNESCO issued a statement expressing deep concern over the escalation of violence in the Nagorno-Karabakh conflict zone. In the statement UNESCO urges all sides to comply with their obligations under international

humanitarian law, notably under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two (1954 and 1999) Protocols, to ensure the prevention of damage to cultural heritage in all its forms. It should be noted that, as before, in this case, the UNESCO statement did not have a specific addressee, but was addressed to both parties to the conflict, while it is obvious that the targeting of the cultural heritage was organized by the Azerbaijani authorities.

The World Monument Fund (WMF) also addresses the bombing of Artsakh's St. Ghazanchetsots church, calling the deliberate destruction of any cultural heritage site absolutely unacceptable.

The "Art Newspaper" periodical also referred to the rocket fire on the Holy Savior Cathedral in Shushi. It is stated in the article that though Azerbaijan has denied its targeting of historical, cultural, religious structures, monuments, but it is an obvious fact that the cultural heritage which has Armenian identity is clearly targeted.

On October 16, 2020, a number of famous and great scientists, including N. Chomsky, G. Spivak, T. Ali, V . Berberyan, Ju. Herman, Q . West, S. Benhabib and others, published an open letter, in which they call for an end to the human-cultural massacre, in particular mentioning the issue of preserving endangered cultural heritage of Artsakh and the imperative of the international community to protect that heritage:

It is an obvious fact that after the signing of the November 9 ceasefire agreement, the vandalism of monuments and cultural institutions in the territories under Azerbaijani control has become more intense. Evidence of this are the videos regularly posted in the

Azerbaijani press, where the Azerbaijani side destroys, distorts and insults the Armenian cultural values. The increase in the number of such cases has worried international organizations and institutions who are concerned on cultural preservation issues.. On November 20, 2020, General-Director of UNESCO Audrey Azoulay issued a statement expressing readiness to send technical assistance and a mission to Artsakh to get acquainted with the historical, cultural and religious heritage and to outline the necessary steps for its preservation, to which Azerbaijan has not given his agreement yet:

A number of Armenian civil society organizations have applied to UNESCO for the protection of Armenian cultural values in Artsakh and the prevention of cultural genocide. The announcement states: “We, a group of civil society organizations, referring to the 2003 UNESCO Declaration concerning the Intentional Destruction of Cultural Heritage, the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols, and the UN Security Council resolution 2347 (2017), condemn the deliberate damaging and destruction of Armenian cultural and religious heritage by Azerbaijan in Nagorno Karabakh during and after the 44-day war in September-November 2020, and alert UNESCO with regard to the flagrant violations of international law, aimed at eradicating Armenian historical roots to the region and appropriating the Armenian cultural and religious heritage. We believe that the conduct of the Azerbaijani authorities demonstrates not only clear violations of international obligations, but a continuous torture and humiliation for the Armenian people and it is nothing short of fueling another conflict at a time when formally the state of Azerbaijan is negotiating peace”.

The activity of civil society is noticeable outside Armenia as well, particularly in France, where Armenian scholars and intellectuals raise the issue of preservation of Artsakh's cultural heritage.

The state bodies, the civil society, the scientists, the intellectuals of Armenia and Artsakh Republics regularly raise the existing problems of the Armenian cultural heritage to the international community and the cultural preservation organizations, but mainly it can be stated that the international structures neither take certain political steps or seek any solutions for preservation of Armenian cultural heritage of Artsakh.

The extortion of Artsakh's cultural heritage is an internationally implemented policy developed by the Azerbaijani authorities, which includes serious professional and financial resources. The policy pursued against it must have a mutually agreed, serious resource-based policy of the two Armenian states. It is predictable that the situation in this area will not change significantly in the near future. And the elaboration of the concept of a common policy by the Armenian side, the clarification of protection issues, the regulation of international legal-scientific platforms and mechanisms, the consolidation of professional potential are priority strategic issues.

Translated by Haykuhi Muradyan.

