



OCTOBER-2020

ANALYSIS

WAR CRIMES COMMITTED AGAINST THE CIVILIAN POPULATION OF AZERBAIJAN AND ATTACKS AGAINST CRITICAL INFRASTRUCTURE BY ARMENIAN ARMED FORCES

27/09/2020- 28/10/2020

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Introduction

Since its gross violation of the ceasefire on September 27, Armenia has been continuously and intentionally targeting civilian settlements of Azerbaijan, along and outside the conflict zone. By deliberately targeting civilian settlements, the Republic of Armenia grossly violates its obligations under international humanitarian law, including the Geneva Protocol of 1925 and the Geneva Conventions of 1949. Disrespect to international law is endemic to Armenia's foreign policy and its neglect to four UN Security Council resolutions (822, 853, 874 and 884 demanding withdrawal of all occupying forces from Azerbaijani territories) for about 30 years is a vivid proof to that statement. By conducting indiscriminate shelling of Azerbaijani civilian settlements and critical infrastructure using tactical ballistic missile systems of great destructive capacity, multiple rocket launchers (Tochka-U, SCUD, Smerch) and cluster munitions Armenia is committing war crimes and is in gross violation of international humanitarian law.

Among the civilian targets of Armenian occupying forces are: Tartar, Tovuz, Mingachevir, Shamkir, Dashkesen, Ganja, Goranboy, Yevlakh, Barda, Agdam, Aghjabadi, Beylaqan, Gabala, Kurdamir, and Khizi (see Appendix Map 1). As a result of Armenian shelling, 84 civilians have died (including 11 children), 368 injured, 2338 houses fallen in despair, 92 apartment residential complexes fallen in despair, and 415 civil facilities have been damaged as of 11 a.m., October 28.¹ The most recent attacks on Barda, committed on October 28, bring the civilian death toll to 90.²

The following report will focus on three regions located far away from the conflict zone- Ganja, Barda, and Mingachevir, in order to demonstrate war crimes committed by armed forces of Armenia against Azerbaijani civilians as well as its critical infrastructure.

Missile attacks on Ganja City

Ganja became the most frequent target of Armenia's missile attacks. It is the second largest city of Azerbaijan with a population of more than 300,000 people, located 100km (62 miles) from the frontlines of Nagorno-Karabakh region. Three missile attacks on Ganja were launched by Armenian armed forces, on October 4, 11, and 17. The first attack with Smerch missiles killed one civilian and wounded 32.³

The second attack, committed in less than 24 hours after the first agreed upon humanitarian ceasefire, took place on October 11th, at 2 a.m. in the night. The attack using TOCHKA-U tactical

missile damaged more than 10 apartment buildings, leaving 10 killed and more than 40 injured.⁴

The third attack on Ganja city, committed at 1 am on October 17 with SCUD missiles, was the deadliest. The attack led to a total death toll of 15 (including 4 men, 5 women and 5 children) and 57 injuries

¹Latest news for 11:00 a.m; 28.10.2020 - crimes committed against the civilian population of Azerbaijan. (2020). Retrieved 28 October 2020, from <https://genprosecutor.gov.az/az/post/3111#gallery>

² @HikmetHajiyev "Act of genocide by Armenia against Barda city of Azerbaijan: number of deaths reaching to 20.Number of wounded more than 40. All are innocent civilians. Cluster Smerch missiles have been used. We invite @hrw and @amnesty to conduct on site assessment of such crimes of #Armenia" Twitter, 28 October 2020, from <https://twitter.com/HikmetHajiyev/status/1321410768517140485>

³ Baghirova, N., Hovhannisyan, N. (2020) Azerbaijan's leader says no end to fighting until Armenia sets pullout timetable Retrieved 27 October 2020, from <https://www.reuters.com/article/uk-armenia-azerbaijan/azerbaijans-leader-says-no-end-to-fighting-until-armenia-sets-pullout-timetable-idUKKBN26P08K>

⁴ Hours after truce agreed, children became orphans in Azerbaijan. (2020). Retrieved 27 October 2020, from <https://www.aljazeera.com/news/2020/10/15/ganja-attack>

(including 25 men, 23 women, and 9 children).⁵ Among civilian casualties was also a 13 year old Russian citizen, Mayakov Artur.⁶ Reporters in Ganja witnessed “rows of houses turned to rubble by the shelling and a rescue team remove black bags containing body parts from the scene. The strike shattered the walls and ripped the roofs off buildings in the surrounding streets”.⁷ Moreover, journalists reporting from the scene also claimed to find “no evidence of any military target there”.⁸ The so-called president of the so-called Republic of Nagorno-Karabakh, Arayik Harutyunyan, has taken responsibility for the attacks on Ganja, stating “Come to your senses. We will continue striking other cities and if we have to, we will strike facilities in larger cities. The strike on Ganja was a warning.”⁹



Ganja, after the first attack on October 4

⁵ Report of the Fact-Finding Mission concerning the mass human loss, injuries and destructions occurred as a result of ballistic missile attack on Ganja by Armenia’s armed forces. (2020). Retrieved 27 October 2020, from

https://ombudsman.az/upload/editor/files/Report_Fact-Finding%20Mission_Ganja_17-18_October_2020.pdf

⁶ @embrus_az (Посольство России в Азербайджане) “24 октября с.г. в больнице города Гянджи от полученных в результате ракетного обстрела 17 октября с.г. ранений скончался гражданин России Маяков Артур Васильевич 2007 г.р. Посольство находится в контакте с родными и близкими погибшего и выражает им глубокие соболезнования.” Twitter, 24 October 2020, from https://twitter.com/embrus_az/status/1319975831125438464

⁷ Nagorno-Karabakh: Azerbaijan says 12 civilians killed by shelling in Ganja. (2020). Retrieved 27 October 2020, from <https://www.theguardian.com/world/2020/oct/17/nagorno-karabakh-azerbaijan-says-12-civilians-killed-by-shelling-in-ganja>

⁸ Armenia Azerbaijan: Reports of fresh shelling dent ceasefire hopes. (2020). Retrieved 27 October 2020, from <https://www.bbc.com/news/world-europe-54488386>

⁹ Artsakh President: The strike on Ganja was a warning (2020). Retrieved 28 October 2020, from <https://mediamax.am/en/news/karabakh/39851/>



Sevil Aliyeva, 16, carries the portraits of her parents Anar Aliyev and Nurchin Aliyeva who were killed in the Ganja attack as her brother Huseyin Aliyev, 8, cries on the shoulders of a relative during their funeral ceremony in the city of Shamkir, Azerbaijan [Umit Bektas/Reuters]¹⁰



Result of the attack on Ganja on October 11. [Orla Guerin/BBC]¹¹

¹⁰ Hours after truce agreed, children became orphans in Azerbaijan. (2020). Retrieved 27 October 2020, from <https://www.aljazeera.com/news/2020/10/15/ganja-attack>

¹¹ @OrlaGuerin "Damage spread over a wide area in #Ganja #Azerbaijan in and around the city centre. Azerbaijan claims this attack came from #Armenia not forces in dispute enclave #NagornoKarabakh. Conflict appears to be escalating to a dangerous new phase". Twitter, 11 October 2020 from <https://twitter.com/OrlaGuerin/status/1315196895107723264>

THIS IS MADINA.

SHE WAS ONE YEAR OLD.

ARMENIAN TERRORISTS KILLED HER BY ATTACKING CIVILIANS IN GANJA (AZERBAIJAN) ON OCTOBER 17, 2020. HER PARENTS WERE ALSO KILLED. HER ELDER SISTER IS THE ONLY SURVIVOR.



Timur Xaligov carries his 10-months-old daughter, Narin, who was killed with five other relatives, including her mother Sevil, when a rocket hit their home in the city of Ganja [Umit Bektas/Reuters]¹²

¹² Fighting rages as Armenia, Azerbaijan engage in talks: Live news. (2020). Retrieved 27 October 2020, from <https://www.aljazeera.com/news/2020/10/21/nagorno-karabakh-fighting-enter-fourth-week-live-news>



Rescue teams work on the blast site hit by a rocket, October 17, Ganja City. [Reuters]¹³

Attacks on Barda City

Barda city is the recent victim of the attack on civilians committed by armed forces of Armenia on October 27. Having violated the third humanitarian ceasefire, this time agreed upon in Washington D.C., armed forces of Armenia launched a rocket attack using cluster munitions on the densely populated areas of the city of Barda. The Smerch MLRS missile attack left 4 civilians dead (including a toddler and a 7-year-old girl) and seriously injured 17.¹⁴

On October 28, second day in a row, Armenia shelled Barda City. As a result of the attack using Smerch missiles, 20 civilians were killed, around 70 wounded.¹⁵ Among the victims of the there was a 39-year-old volunteer of the Red Cross and Red Crescent Society.¹⁶

¹³ Baghirova, N., Hovhannisyan, N. (2020) Armenia and Azerbaijan agree new Nagorno-Karabakh ceasefire. Retrieved 27 October 2020, from <https://www.reuters.com/article/instant-article/idUSKBN27206B>

¹⁴ 4 Azerbaijani civilians killed in Armenia missile attack (2020). Retrieved 28 October 2020, from <https://www.aa.com.tr/en/azerbaijan-front-line/4-azerbaijani-civilians-killed-in-armenia-missile-attack/2021101>

¹⁵ @HikmetHajiyev "Act of genocide by Armenia against Barda city of Azerbaijan: number of deaths reaching to 20.Number of wounded more than 40. All are innocent civilians. Cluster Smerch missiles have been used. We invite @hrw and @amnesty to conduct on site assessment of such crimes of #Armenia" Twitter, 28 October 2020, from <https://twitter.com/HikmetHajiyev/status/1321410768517140485>

¹⁶ "Volunteer of the Red Cross and Red Crescent Society also killed during Armenian rocket attack on Barda", https://apa.az/en/nagorno_garabagh/Volunteer-of-the-Red-Cross-and-Red-Crescent-Society-also-killed-during-Armenian-rocket-attack-on-Barda-334174



Scenes from Barda after second day shelling of the City by Armenian forces.



20 dead as a result of shelling of Barda, 28 October 2020



A young boy injured as a result of Armenian shelling of Barda, 28 October 2020¹⁷

¹⁷ @DTX_Azerbaijan. Twitter, 28 October 2020. Retrieved from https://twitter.com/DTX_Azerbaijan/status/1321187640343990275
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info@aircenter.az



Isgandarova Aysu, a second-grader who became victim of Armenian shelling [Ministry of Education of Azerbaijan]¹⁸

Attacks against Azerbaijani cities and civilians stand as a grave violation of international humanitarian law and Armenia have committed war crimes. As noted above, protection of civilians is provided by the Geneva Conventions (1949) and Additional Protocols. These Conventions that regulate the conduct of armed conflict and considered the cornerstone of international humanitarian law, have established protections for vulnerable groups in armed conflict—the wounded and sick on land and at sea, prisoners of war, and civilians, including civilians living under occupation. These international documents specify the necessity of protecting civilians and the relevant infrastructure in the times of war. Article 33 of the Fourth Geneva Convention states that “No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited”.¹⁹ Having committed war crimes against Azerbaijani civilians Armenia violated these and all other relevant provisions of Geneva conventions.

Attacks Against critical infrastructure of Azerbaijan in Mingachevir

Mingachevir city is also among those that have been among the most targeted civilian areas by Armenia. The infrastructure and settlements in this direction have come under three ballistic missile attacks in just October 2020^{[20][21][22]}.

Both Ganja and Mingachevir cities are located in a critically important 100 km-wide area known as “Ganja Gap”, where tens of billions of dollars trade between Europe and Asia going through Azerbaijan (Appendix Map 2)²³. Azerbaijan’s three major energy pipelines Baku-Tbilisi-Ceyhan,

Baku-Supsa and Southern Caucasus Pipeline pass through this narrow area. These oil and gas pipelines, among other things, provide Europe with alternative sources of energy thus contributing to its energy

¹⁸ Daha bir şagirdimiz düşmən təcavüzünün qurbanı olub (2020) Retrieved 28 October 2020, from <https://edu.gov.az/az/page/9/19243>

¹⁹ “Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.” <https://ihl-databases.icrc.org/ihl/385ec082b509e76c41256739003e636d/6756482d86146898c125641e004aa3c5>

²⁰ Nailia Bagirova, N. (2020). Nagorno-Karabakh truce frays as both sides allege attacks. Retrieved 23 October 2020, from <https://uk.reuters.com/article/uk-armenia-azerbaijan-idUKKBN26W06E>

²¹ Nagorno-Karabakh: Azerbaijan says 12 civilians killed by shelling in Ganja. (2020). Retrieved 27 October 2020, from <https://www.theguardian.com/world/2020/oct/17/nagorno-karabakh-azerbaijan-says-12-civilians-killed-by-shelling-in-ganja>

²² Missile attack launched on 424-MW Mingachevir hydroelectric - Hydro Review. (2020). Retrieved 25 October 2020, from <https://www.hydroreview.com/2020/10/12/azerbaijan-prosecutor-general-missile-attack-launched-on-424-mw-mingachevir-hydroelectric/#gref>

²³ Coffey, L. (2018). Why the West Needs Azerbaijan. The Heritage Foundation. Retrieved 24 October 2020, from <https://www.heritage.org/asia/commentary/why-the-west-needs-azerbaijan>.

security. The area also hosts critical infrastructure pieces like Baku-Tbilisi-Kars railway line “that plays and important role in sending supplies to Afghanistan” as also acknowledged by current and former NATO officials [²⁴][²⁵], E60 route, the second longest European highway, and fiber-optic cables linking Europe with the Caspian basin.²⁶

Moreover, Mingachevir is home to the largest water reservoir in the South Caucasus with surface area of 605 sq. km and hydropower plant that supplies electricity to over 40 cities and districts of Azerbaijan,²⁷ and accounts for almost 20% of gross electricity production in the country²⁸ (Appendix Map 3). If hit by Armenia, the consequences might be devastating for the entire region, as the water from the reservoir will flood central lowlands of Azerbaijan stretching up to capital Baku. It will lead to environmental and humanitarian disaster, causing mass casualties in hundreds of thousands among civilian population. It could also seriously damage and disrupt the critical infrastructure pieces mentioned earlier.²⁹

Armenia’s attacks against critical infrastructure of Azerbaijan could endanger the livelihoods of hundreds of thousands of innocent people, lead to environmental and humanitarian disaster and threaten energy security of the countries in the region and beyond.^[30]^[31] The current attacks in this direction, none of which can be justified with the military necessity, have usually been conducted simultaneously and *en masse* with an obvious purpose to overwhelm air defense systems of Azerbaijan and increase the likelihood of penetration. On 6 October 2020, after another attempt by Armenia to hit critical infrastructure in Mingachevir direction, “SMERCH” projectiles fell 120 meters from the Southern Caucasus Pipeline and around 100 meters from the BTC oil pipeline³².

²⁴ Breedlove, P. (2020). NPR Choice page. Npr.org. Retrieved 23 October 2020, from <https://www.npr.org/2020/10/24/927219056/opinion-the-u-s-cant-afford-to-ignore-the-nagorno-karabakh-conflict?t=1603775030302>.

²⁵ Press conference by NATO Secretary General Jens Stoltenberg following the first meeting of the North Atlantic Council in Foreign Ministers’ session. NATO. (2019). Retrieved 23 October 2020, from https://www.nato.int/cps/en/natohq/opinions_165234.htm?selectedLocale=en.

²⁶ Coffey, L. (2020). Azerbaijan and Armenia: A Regional Conflict with Global Implications. Retrieved 26 October 2020, from <https://www.heritage.org/global-politics/report/azerbaijan-and-armenia-regional-conflict-global-implications>

²⁷ Armenia Threatens To Strike Azerbaijan's Largest Dam, Paving Way For Catastrophic Disasters. (2020). Retrieved 24 October 2020, from <https://caspiannews.com/news-detail/armenia-threatens-to-strike-azerbaijans-largest-dam-paving-way-for-catastrophic-disasters-2020-7-22-0/>

²⁸ Renewable Energy Renews Azerbaijan’s Energy Strategy - Georgetown Journal of International Affairs. (2019). Retrieved 25 October 2020, from <https://gjia.georgetown.edu/2019/12/26/renewable-energy-renews-azerbaijans-energy-strategy/>

²⁹ Ibid,11.

³⁰ Attacks by Armenia against Azerbaijani civilians and critical infrastructure should not be overlooked. (2020). Retrieved 26 October 2020, from <https://www.euractiv.com/section/azerbaijan/opinion/attacks-by-armenia-against-azerbaijani-civilians-and-critical-infrastructure-should-not-be-overlooked/>

³¹ Baku reports missile attack on its Mingachevir Hydro Power Plant. (2020). Retrieved 27 October 2020, from <https://tass.com/world/1210919>

³² Criminal case launched in connection with bombing Baku-Ceyhan oil pipeline. (2020). Retrieved 27 October 2020, from <https://report.ge/en/world/criminal-case-launched-in-connection-with-bombing-baku-ceyhan-oil-pipeline/>



An unexploded rocket near Migachevir power station in Azerbaijan on October 5, 2020³³

Despite of the recent denials, Armenian officials publicly acknowledged on a number of occasions in the past that Azerbaijani critical infrastructure assets, including Mingachevir dam are included and being considered as “legitimate targets” in its military-operation plans. In July 2018, immediately after Armenian Prime Minister Nikol Pashinyan voiced its maximalist position on the Armenia-Azerbaijan conflict³⁴ and called for “detering Azerbaijan from provocations”, Armenia’s General Levon Mnatsakanian said that “Armenian military could paralyze Azerbaijan’s economy with missile strikes if Baku provokes renewed hostilities in Nagorno-Karabakh”, while speaking at the news conference in the occupied Khankendi city.³⁵ He stressed that “it is definitely part of our tactical plans and the art of warfare requires strikes on these facilities as well as military targets in case of a resumption of hostilities, which will damage the adversary’s economy and won’t allow appropriate supplies to the armed forces. Armenian commander added that “he doesn’t see any need for that, yet in case of need, they will not hesitate for a second”³⁶. General Mnatsakanian noted that Minghachevir dam is among such potential targets. [37][38]

³³ Kramer, A. (2020) ‘Then I Heard a Boom’: Heavy Weapons Take Toll on Civilians in Armenia-Azerbaijan Clash. Retrieved 23 October 2020, from <https://www.nytimes.com/2020/10/05/world/europe/armenia-azerbaijan-nagorno-karabakh.html>

³⁴ Harutyunyan, A. (2018). *Armenia’s PM rules out NK conflict settlement without Artsakh people’s participation*. armenpress.am. Retrieved 26 October 2020, from <https://armenpress.am/eng/news/941371/pashinyan-bacarec-lx-khndri-lutsumn-aranc-arcakhi-zhoxovrdi.html>.

³⁵ *I don’t exclude possibility of using Mingachevir as target, Artsakh defense minister says*. Artsakhpress.am. (2018). Retrieved 25 October 2020, from <https://artsakhpress.am/eng/news/90487/i-dont-exclude-possibility-of-using-mingachevir-as-target-artsakh-defense-minister-says.html>.

³⁶ Gabrielian, S. (2018). *Karabakh Army Chief Warns Of Missile Strikes On Azerbaijan*. Azatutyun.am. Retrieved 25 October 2020, from <https://www.azatutyun.am/a/29388040.html>.

³⁷ *Azerbaijan Raises Military Vigilance in Response to Armenia’s Unclear Karabakh Policy - Jamestown*. Jamestown. (2018). Retrieved 25 October 2020, from <https://jamestown.org/program/azerbaijan-raises-military-vigilance-in-response-to-armenias-unclear-karabakh-policy/>.

³⁸ *Армия обороны НКР предупреждает: Если надо, ударим и по Мингечаурской ГЭС: EADaily*. EADaily. (2018). Retrieved 25 October 2020, from <https://eadaaily.com/ru/news/2018/07/24/armiya-oborony-nkr-preduprezhdaet-esli-nado-udarim-i-po-mingechaurskoy-ges>.

Tactic of intimidation of civilian population

The mentioned attacks on civilians and critical infrastructure in the area far from the conflict zone are not only done in response to the Azerbaijani army's success on the battleground and liberation of the occupied territories. This is also a continuation and revival of the old tradition of Armenian terrorism³⁹. On October 15, the State Security Service of Azerbaijan already issued an alert of the potential terrorist attack. On October 21 and 24, the US Embassy in Baku also announced that it received credible reports of potential terrorist attacks.⁴⁰ The monitoring of the Armenian social media platforms demonstrate that the Armenian users are actively discussing the new possible ways of terrorist attacks against Azerbaijan⁴¹. Just like in 1990s, the country is again on alert, fearing new attacks against the civilians.

The current war crimes committed by Armenian armed forces resemble past war crimes taking place during the first Nagorno-Karabakh war of 1990s. The Khojali massacre of 1992, perpetrated by the Armenian military, is still fresh on the minds of Azeris- nighttime shelling of the sleeping city of Ganja brings back the memories more vividly. Against this backdrop, it is more urgent than ever to call upon Armenia to halt its military aggression, refrain from expanding the conflict zone and targeting civilian and critical infrastructure of regional and global importance.

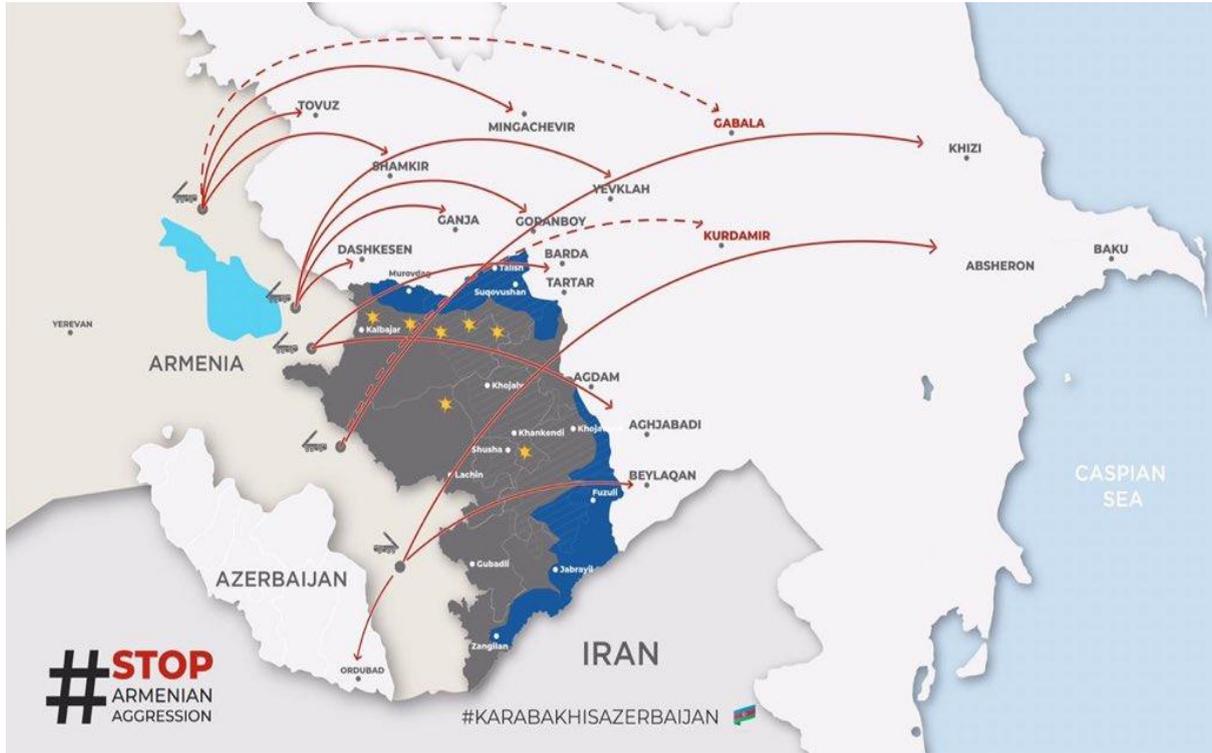
³⁹ Secret Armies and Revolutionary Federations: The Rise and Fall of Armenian Political Violence, 1973-1993, Retrieved 28 October from <https://fsu.digital.flvc.org/islandora/object/fsu%3A253616>

⁴⁰ Security Alert for U.S. Citizens. (2020). Retrieved 28 October 2020 from <https://az.usembassy.gov/security-alert-for-u-s-citizens/>

⁴¹ Jafarov, B., "Терроризм возвращается!" Facebook update, Retrieved 28 October 2020 from <https://www.facebook.com/balagha.jafarov/posts/1564028003783832>

Appendices

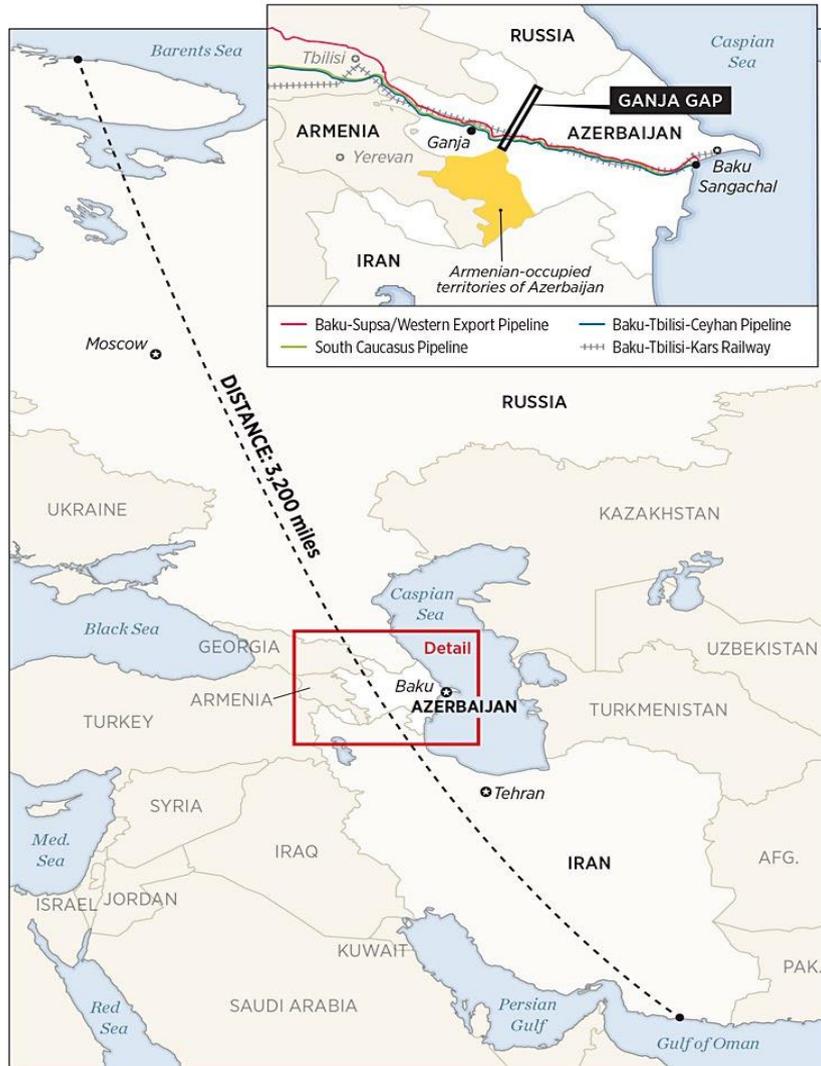
Appendix Map 1 Civilian Targets Under Armenian Fire



Appendix Map 2

The Ganja Gap

To bypass Russia or Iran for overland trade between Asia and Europe there is only one option: Azerbaijan. Armenia's occupation of almost 20 percent of Azerbaijan's territory means that there is only a narrow 60-mile chokepoint for trade. This is the Ganja Gap.



NOTE: Pipeline locations are approximate.
SOURCE: Heritage Foundation research.

SR216 ■ heritage.org

Appendix Map 3

