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Geneva, 17 November 2020

H.E. Ms. Michelle Bachelet
United Nations High Commissioner
for Human Rights,
Geneva

Excellency,

Further to the letters by the Minister of Foreign Affairs of the Republic of Azerbaijan dated 17 October 2020 and 7 November 2020 and by the General Prosecutor of the Republic of Azerbaijan dated 3 November 2020 and 9 November 2020 addressed to you with regard to Armenia's renewed large-scale military provocations committed against Azerbaijan since 27 September 2020, I would like to draw your attention to the ongoing deliberate actions of Armenia resulting in destruction and severe damage being inflicted to environment and cultural heritage of Azerbaijan.

Throughout the years of occupation of Azerbaijani territories since 1992, Armenia has consistently conducted policy of destruction of environment in the occupied territories, including through destroying flora, fauna, chemical pollution and contamination of fresh water sources, plundering and illegal exploitation of natural resources, dumping of hazardous and toxic wastes, thus causing the destruction of biodiversity.

In the course of the recent military provocations committed by Armenia against Azerbaijan, the environmental destruction has further exacerbated because of the use by Armenia of internationally prohibited weapons like, *inter alia*, white phosphorus artillery shells and missiles.

Pursuant to the trilateral statement signed by the President of the Republic of Azerbaijan, the Prime Minister of the Republic of Armenia and the President of the Russian Federation on 10 November 2020 on a complete ceasefire and cessation of hostilities, Armenia has undertaken a commitment to withdraw its military from the occupied territories of Azerbaijan. In the meantime, at present the international community is witnessing ongoing acts of deliberate destruction by Armenia of environment of Azerbaijan, including intensive cutting of trees, burning and contaminating forests in the liberated territories of Azerbaijan (the preliminary information is enclosed).

This environmental genocide being committed these days by Armenia as a revenge for its crushing defeat on the battlefield, constitutes a war crime in accordance with the international law, and will severely affect livelihoods and basic human rights of more than 700,000 Azerbaijani internally displaced persons who were ethnically cleansed from their

lands almost 30 years ago, and who have to return to the liberated territories in accordance with the provisions of the above-mentioned trilateral statement.

Another vital issue that I wish to draw your attention to, is the ongoing intentional destruction by withdrawing Armenian military and Armenian illegal settlers deployed in Azerbaijani occupied territories since 1992, of cultural heritage of Azerbaijan, which constitutes a war crime pursuant to international law.

After the recent liberation of Fuzuli, Jabrayil, Zangilan, Khojavand and Gubadly regions of Azerbaijan from the Armenian occupation, the Ministry of Culture of the Republic of Azerbaijan has embarked upon the monitoring of historical, cultural and religious objects in those territories (the preliminary report of the ongoing monitoring is enclosed), which revealed numerous facts of total demolition of Azerbaijani historic, cultural and religious heritage sites and monuments, looting and illicit trafficking of cultural and archeological objects by Armenia.

Excellency,

It is of a particular concern that these actions of Armenia have intensified in recent days on the eve of Armenian withdrawal from the occupied Azerbaijani territories as agreed upon in the above-mentioned trilateral statement. These barbaric acts have been reflected in recent days on numerous occasions by international media, including by Armenian media itself.

In the view of the current drastic situation and referring to your mandate, the Government of the Republic of Azerbaijan urges you in your capacity of a top United Nations human rights official, to take immediate decisive actions, including by strongly condemning the acts of barbarism and vandalism amounting to a war crime which are being presently committed by Armenia, in order to compel this aggressor country to comply with its obligations under international human rights law and international humanitarian law.

Please accept, Excellency, the assurances of my highest consideration.



Ambassador Vaqif Sadiqov
Permanent Representative

Enclosure: as mentioned above.

Preliminary information on the environmental damage perpetrated by Armenia in the territories of Azerbaijan, which have been newly liberated from occupation.

As the result of hostile attitude towards nature and the continuous policy of ecological terror by Armenia in the occupied territories of Azerbaijan in the course of almost 30 years, a serious threat to the environment of the region has emerged. As the result of the occupation of Nagorno-Karabakh and the surrounding regions of the Republic of Azerbaijan by Armenia, biological diversity, including flora and fauna, natural areas under special protection have been severely damaged by Armenia. The ecological balance has been disturbed as the result of the deliberate looting of natural monuments and illegal exploitation of natural resources.

Forests

260,311 hectares of forest area of Azerbaijan (224,792 hectares of which were covered with dense forests) were under occupation as the result of the Armenian military aggression against Azerbaijan, and valuable trees such as oak, beech, hornbeam, pine, maple, bear hazel, walnut, sycamore widely spread in these areas were cut off and used for various purposes. Massive long-term policy of deforestation conducted by Armenia in the occupied territories of Azerbaijan has led to desertification and soil erosion of these territories.

It is not a coincidence that in recent years, Armenia's furniture industry and exports in this area have increased. Undoubtedly, this is by virtue of the forests full with valuable tree species located in the occupied territories of Azerbaijan.

Biodiversity

More than 460 species of wild trees and shrubs used to grow in the territories of Azerbaijan before their occupation. 70 of them were endemic plants that do not grow naturally anywhere else in the world. Hundreds of species of trees and shrubs (berry blackberry, bear hazelnut, Araz oak, Yalangoz, Oriental plane, Hirkan shumshadi, Eldar pine, Soyudyarpaq pear, Velasyarpaq azad, Caucasian khadijagulu, Karabakh mountain tulip, Schmidt mountain tulip, etc.) are almost destroyed and erased from the treasury of the world flora.

As the result of Armenian occupation of Azerbaijani lands, majority of 24 fauna and more than 70 species of flora located in the specially protected area of 43,000 hectares (Basitchay - 107 ha, Garagol - 240 ha, Gubadli - 20000 ha, Dashalti - 450 ha, Arazboyu - 2200 ha and Lachin - 20000 ha) and included in the "Red Book of the Republic of Azerbaijan" have been destroyed.

More than 2,000 species of higher plants used to grow in the newly liberated territories of Azerbaijan before their occupation by Armenia, which represented the 42% of the flora of Azerbaijan. 127 species of fauna and 72 species of flora which are rare and endangered

in the region are included in the List of the International Union for Conservation of Nature and the "Red Book of the Republic of Azerbaijan".

152 trees with the status of natural monuments (oriental plane, oak, azat, pear), 8 specially valuable forest areas (oriental plane, pistachio, hazelnut, juniper, Azat, Araz oak, Chaytikani, Pirkal), 6 geological-paleontological objects ("Azykh", "Taglar", "Khan", "Gakhal" and "Divlar Sarayi" caves, "Columnar separation of basalt") 145 certified Oriental plane trees and other natural monuments aged 120 to 2000 years were left face to face with unimaginable terror.

In the Kalbajar region, the trees included in the "Red Book" covering an area of 968 hectares were also massively cut down by Armenia.

Deliberate acts of setting fires

As a result of deliberate fires in the occupied territories of Azerbaijan, more than hundreds of thousands of hectares were destroyed by fire. As a result of regular fires, the fertile soil, along with grasses and shrubs, were destroyed, and the number of fauna and flora species declined sharply.

In particular, during the recent military escalation, the Armenian military forces have continued their aggressive policy against the nature of Azerbaijan and the destruction of biodiversity, targeting specially protected natural areas outside the frontline. As a result of artillery shelling of Goygol, Dashkasan, Goranboy, Agjabadi regions, a fire broke out in Goygol National Park, which is rich in unique natural lakes and well known for its unique landscape in the South Caucasus, and seriously damaged flora and fauna, natural landscape as well as the Aggol National Park.

Also, continuing environmental terror, the military forces of Armenia deliberately set fire in the forests of Shusha, using banned white phosphorus shells. Destruction of the unique ecosystem created by dense forests consisting mainly of valuable and perennial oak, juniper, beech, hornbeam, pine, walnut trees, serious damage to endemic biodiversity are considered crimes against humanity under all international environmental conventions to which Armenia is a party.

Pollution of water resources

By pursuing aggressive policy Armenia continued to violate all the principles of international law related to the protection and management of water resources in the occupied territories of Azerbaijan and at the transboundary level. As a result of heavy pollution of transboundary rivers by Armenia, there is a great threat to the survival of wildlife in these rivers. Thus, the pollution of the Araz River with wastes of various origins for many years has led to the reduction or extinction of valuable fish species.

7 relict lakes of ecological significance in the newly liberated territories of Azerbaijan (Boyuk Alagol, Kichik Alagol, Zalkhagol, Garagol, Janligol in Kalbajar and Lachin region,

Ishigli Garagol and Garagol in Aghdara region) were seriously affected by anthropogenic impact.

Due to the lack of maintenance throughout the past years, 10 reservoirs with a total volume of 631 million m³ located in territories of Azerbaijan which were under Armenian occupation, including the Sarsang reservoir with a capacity of 560 million m³ and designed to irrigate more than 100,000 hectares of arable land, built on the Tartar River, have become the potential source of danger for the population (400,000 people) living in the surrounding areas.

Throughout the past years, resolution 2085 adopted in 2016 by the Parliamentary Assembly of the Council of Europe on the deliberate deprivation of water to residents of the border regions of Azerbaijan, which calls for the immediate withdrawal of Armenian forces from the region and for on-site investigations by independent engineers and hydrologists, has not been implemented.

Illegal exploitation of minerals

167 deposits of gold, silver, copper, lead, mercury, coal, various types of construction materials and other minerals, including groundwater and mineral water (Shirlan, Turshsu, etc.), located in the territories of Azerbaijan were illegally exploited and exported by Armenia with the participation of legal entities of foreign countries.

It is worth noting, the role the policy of looting the mineral resources in the occupied territories of Azerbaijan pursued by Armenia has played in the increase of the level of the export of mining products in Armenia throughout the recent years.

After 1993, about 300 new mineral deposits were discovered in other areas of the Republic of Azerbaijan, and our state budget received real revenues from the exploitation of a number of fields. The Azerbaijani side has been deprived of conducting geological surveys along its occupied territories and of using its rich mineral resources during the past years.

Hydrometeorological situation

Observations at 10 hydrometeorological and 4 radio-meteorological stations, 15 hydrological and 2 agrometeorological, 1 meteorological, 16 atmospheric active points located in the territories of Azerbaijan occupied by Armenia were suspended and observation bases were destroyed.

The forced suspension of hydrometeorological observations in these areas has created serious problems not only in Azerbaijan, but also at the regional level in the study of hydrometeorological conditions, especially in the preparation of meteorological forecasts.

Burial of wastes

Security issues in the field of nuclear energy production are one of the factors exacerbating environmental problems as well. In this regard, the long overdue Metsamor Nuclear Power Plant, which became operational in Armenia in 1976 poses a serious threat to the environment and public health in the entire region. According to the International Atomic Energy Agency, the measures taken to improve the work of this nuclear power plant do not meet the accepted standards.

One of the most serious threats posed by the Metsamor Nuclear Power Plant is its role as a source for nuclear smuggling. It has been repeatedly stated at various levels that Armenian citizens and persons of Armenian origin are engaged in illicit trafficking of dangerous nuclear materials, including radioactive materials, enriched uranium, plutonium, etc. The recent fact that Armenia has played a special role in the smuggling of nuclear and radioactive materials, as well as nuclear fuel waste, increases the likelihood that it buried the radioactive waste in the territories of Azerbaijan which were occupied.

At the same time, the uncertainty surrounding the management of nuclear waste at the Metsamor NPP remains a serious threat to nuclear security in the region.

Results of ecological monitoring in the liberated territories of Azerbaijan

Pursuant to the instructions given by the Decree of the President of the Republic of Azerbaijan dated October 29, 2020 "On organization of temporary special management in the liberated territories of the Republic of Azerbaijan", relevant information is being collected on the state of the environment and natural resources in the newly liberated territories of Azerbaijan. For this purpose, according to the results of monitoring carried out for several days, it was identified that 8 Oriental plane trees (*Platanus orientalis*) of 1600 years old, 900 years old, 500 years old, 300 years old, which were included in the list of natural monuments with unique special protection status in Gubadli, Zangilan, Fuzuli and Jabrayil regions have been destroyed.

Observations along the Araz River show that valuable forest species (oak, sycamore, pine, beech, hornbeam, hornbeam, etc.) in national parks and reserves were burned, and fruit trees (walnut, apple, pear, quince, pomegranate, etc.) were destroyed. The destruction of the Tugay forests along the Araz River, as well as the deliberate fires in the Arazboyu reserve, have led to the loss of protected plant and animal species in these areas.

All infrastructure facilities in the Araz region, including hydrometeorological stations and fish factories were destroyed, and underground resources were savagely exploited and looted.

This situation is a serious violation of the principles of international law and human rights law.

Based on a comparative analysis of this information with the pre-occupation period, the state of the environment and natural resources in the liberated areas will be re-evaluated and proposals will be prepared to restore the ecological balance in these areas.

Based on the results of the assessments in our liberated territories, proposals will be submitted to the relevant international organizations and courts regarding the damage to the environment and natural resources and this vandalism against nature committed by Armenia in the territories of Azerbaijan.



Preliminary report of the specialized monitoring mission to the territories recently liberated from the Armenian occupation

According to the Decree of the President of the Republic of Azerbaijan No. 1170 dated October 29, 2020 'On the organization of temporary special administration in the liberated territories of the Republic of Azerbaijan', temporary administration offices have been set up in the liberated territories for each district. These operational headquarters already established in Fuzuli, Jabrayil, Zangilan, Khodjavand and Gubadly districts, consist of the representatives of several government bodies, including the Ministry of Culture. According to the above-mentioned decree, two representatives of Ministry of Culture for each district have been deployed with instruction to organize the initial inventory and protection of historical monuments and cultural institutions.

During the first monitoring mission 56 cultural institutions were identified, including 25 libraries, 19 houses of culture and clubs, 7 museums, and 5 children's music schools. Almost all of them are in a completely destroyed state. 49 historical and cultural monuments and objects having historical, cultural, architectural, and archaeological importance were identified, including an Albanian temple in Hadrut settlement, Khojavand district (dating back to 1170), Maiden Tower (12th century) in the village of Amirkhanli, and an eight-pointed mausoleum in the village of Mammadbeyli, Zangilan district, as well as Karavansaray (17th century) in the village of Garghabazar, Fuzuli district. 28 monuments out of 49 identified were completely destroyed as a result of the Armenian occupation.

All mosques in the liberated territories, including 18th century Mamar mosque, 18th century mosque in Alkhanli village of Fuzuli, ancient mosque in Afandilar village of Gubadly, and many others have been almost destroyed and transformed to pigpen. State of the mosques in Shusha, historical and cultural capital of Karabakh will be verified once the monitoring mission will be allowed to go.

Following the Agreement of November, 10, the Republic of Armenia is forced to withdraw its armed forces from Aghdam (on November, 20), Kelbajar (on November, 25) and Lachin (on December, 1) districts.

According to Armenian media reports, the bells, crosses and ancient manuscripts of 13th century Khudavang monastery are being illegally removed to the Republic of Armenia. Besides that, precious artefacts found during illegal archaeological excavations near Shahbulag fortress of Aghdam district and kept in the local museum were also illegally transported to Armenia.

All of these actions constitute a gross violation of the Hague Convention of 1954 for protection of cultural property in the event of armed conflict, and its Two Protocols, namely Article 9 of the Second Protocol, as well as the Article 11 of 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Along with complete destruction of almost all civilian infrastructure and environmental terror caused by deliberate setting of fires in the liberated territories, the Republic of Armenia also bears the responsibility for destruction of cultural institutions and historical monuments, desecration of holy sites and cemeteries.