

HUMAN RIGHTS OMBUDSMAN OF THE REPUBLIC OF ARTSAKH



SECOND AD HOC REPORT

ON INHUMAN TREATMENT OF MEMBERS OF NAGORNO-KARABAKH (ARTSAKH) DEFENSE ARMY AND CAPTURED ARMENIANS BY AZERBAIJANI ARMED FORCES

(FROM OCTOBER 17-25, 2020)

STEPANAKERT, REPUBLIC OF ARTSAKH

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Introduction

The Human Rights Ombudsman of the Republic of Artsakh (Nagorno-Karabakh) continuously monitors the actions of the Azerbaijani armed forces towards the members of the Nagorno-Karabakh Defense Army (hereinafter referred to as NKDA) during the Azerbaijani attacks against Republic of Artsakh. In this regard, on October 16, 2020 the Human Rights Ombudsman developed an ad hoc Report on “Inhuman Treatment of Members of Nagorno-Karabakh Defense Army and Civilians by Azerbaijani Armed Forces” and presented it to international organizations.

As the result of the continuous monitoring and investigation new photo and video evidence has been revealed demonstrating humiliating and criminal activities of Azerbaijani armed forces towards captured Armenians and bodies of the killed members of NKDA. The evidence indicates that the humiliating and cruel treatment of the NKDA members by Azerbaijani armed forces and the level of hatred against ethnic Armenians are turning into torture, execution, mutilation and inhuman treatment.

The relevant international standards and rules have already been reflected in the first ad hoc Report of the Human Rights Ombudsman of Artsakh on “Inhuman Treatment of Members of Nagorno-Karabakh Defense Army and Civilians by Azerbaijani Armed Forces”, thus they are not repeated in the current Report.

1. Treatment of Armenian Prisoners of War and Captured Persons by the Azerbaijani Armed Forces

The Ombudsman of Armenia received an alarming call certifying that Azerbaijani military forces beheaded an Armenian soldier several days ago. The initiated proceedings have revealed necessary data, as follows. On 16 October, at around 1 [REDACTED], first cousin of the Armenian soldier of [REDACTED] received a phone call from a member of the Azerbaijani armed forces. He stated that this phone call followed by several attempts to ring [REDACTED], with whom they had been raised as brothers in one family. [REDACTED] was very much concerned and worried as [REDACTED] did not reply to his many calls. And when an incoming call was received, [REDACTED] heard a stranger's voice mixed with Azerbaijani, some Russian, and broken Armenian, who told that his brother had been captured, held with



them and that they had had intention to behead him and post the photo of the dead person on the Internet. Afterwards, several hours later, the brother found the photo on [REDACTED] Instagram personal account¹ (images (a) and (b)).

(a)

(b)

¹ Available at [REDACTED]

The conviction is that these were members of Azerbaijani army who posted the Armenian soldier's photo on his personal social media page. There were two phone calls with Azerbaijani soldiers who used hate speech with intention to humiliate the Armenian killed soldier's brother. The Human Rights Ombudsman was informed that the phone calls were made from [REDACTED] personal phone number.

It is important to mention that to the best of [REDACTED]'s knowledge, no indication of their family relations was noted in [REDACTED] mobile. He, therefore, has no clue how the Azerbaijani soldiers could have known that [REDACTED] was his brother.

Another detail to mention is that only regular mobile phones, with no access to the Internet, are allowed for soldiers in the [REDACTED] confirmed that [REDACTED] used a mobile without Internet and that he brought a regular and not Viber or WhatsApp calls to his brother.

The above information, provided to the Human Rights Ombudsman, suggests to ponder on key details and make some conclusions:

- a) [REDACTED] used only regular phone without access to the Internet, therefore, not the same phone was used to post the photo on Instagram;
- b) Only [REDACTED] could have known the correct username and password to his personal Instagram account, so it was himself who provided (voluntarily or forcefully) these data to the Azerbaijani soldiers when alive;
- c) The Azerbaijani soldiers were well aware that it was [REDACTED] brother whom they talked to, presumably checking their relations with [REDACTED] before the phone call and execution.

To conclude, [REDACTED] was captured alive; the members of Azerbaijani army did not behead the Armenian soldier's body but brutally killed an alive prisoner of war, followed after the used hate speech against his family member. This simply shows the maximum level of severity to the captured Armenian by the Azerbaijani military.

Furthermore, it is noteworthy that right after the phone call to the brother, [REDACTED], the Azerbaijani soldiers called [REDACTED] mother aiming at humiliating already suffering woman. In broken Armenian, they told that they had her son killed and "in pieces", as expressed. [REDACTED] mother confirmed this information over the phone conversation with the representative of the Armenian Ombudsman. This detail also shows the severity of pain towards the family members of the beheaded soldier.

The Ombudsman of Artsakh stresses that these are criminal, cruel and terroristic methods. Perpetrators of such criminal actions should be punished by all means of international criminal law.

The Ombudsman office found a video in an Azerbaijani page of social media showing execution of a wounded member of NKDA by an Azerbaijani soldier (Annex 1²). It is visible that the Armenian soldier was heavily wounded and unarmed, but even in that case the Azerbaijani soldier approached and executed him.

Videos illustrating treatment of Armenian prisoners of war by members of Azerbaijani armed forces are being continuously disseminated in social media. Particularly, on October 21, 2020 at around 1 AM the Ombudsman's Office received a call from R.M., who told that recently he had seen a video (Annex 2³) at TikTok, where his friend, an Armenian prisoner of war S.A., had been humiliated by members of Azerbaijani armed forces. The video demonstrates how S.A. was hit by the member of Azerbaijani armed forces (image (c)), then was ordered to make insulting expressions towards the Armenian authorities.

² Annex 1 – available at

[REDACTED]

³ Annex 2 - available at

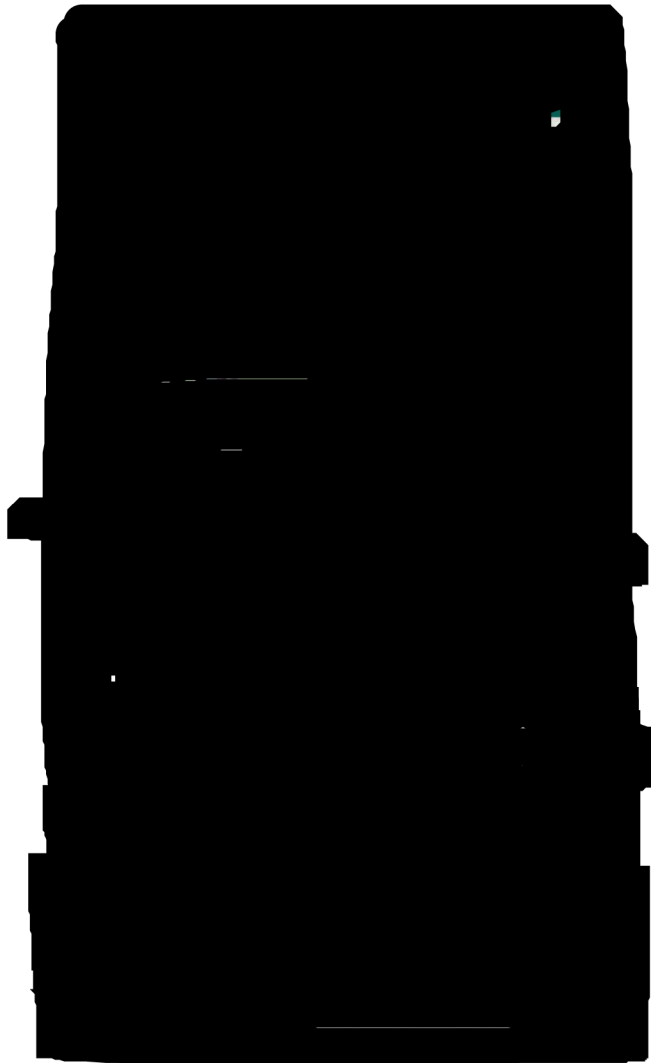
[REDACTED]



(c)

The Office of the Ombudsman of Artsakh received calls also from other friends of [REDACTED] who raised the same issue.

It is worth mentioning that one day before, the Office of the Ombudsman of Artsakh received a call from the father of [REDACTED] who told that one of the friends of his son had received a message from [REDACTED] through WhatsApp, according to which the latter had been detained by the Azerbaijani armed forces (image (d)). After the mentioned text they have not received any other message from [REDACTED]



(d)

According to another information obtained from the Armenian Ombudsman, on October 22, 2020, the Office of the Ombudsman received calls from relatives of members of NKDA, who were captured by the Azerbaijani armed forces, and told that they had seen a video (Annex 34) on Facebook⁵ from Azerbaijani source, where their relatives – captured Armenians are compelled to say “Karabakh is Azerbaijan”.

Another video (Annex 46) posted on the Telegram social network on October 23, shows 8 Armenian soldiers kneeling and repeating the words of a representative of the Azerbaijani Armed Forces. It is clear from the video that Armenian prisoners of war,

⁴ Annex 3 - available at

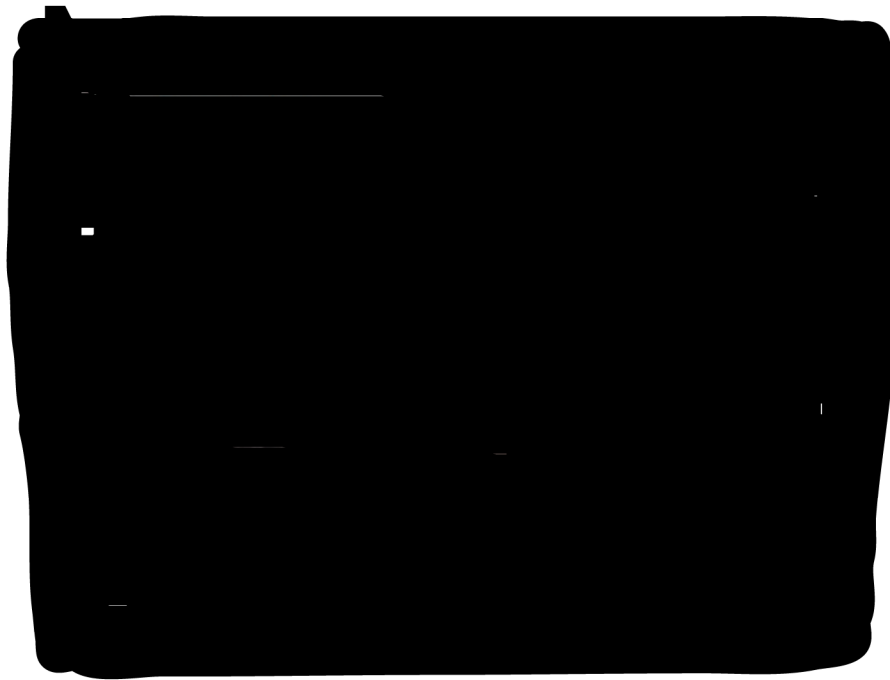
[REDACTED]

⁵ Available at [REDACTED]

⁶ Annex 4 - available at [REDACTED]

[REDACTED]

under direct threat to their lives are compelled to say “Karabakh is Azerbaijan” (image (e)).



(e)

A number of other videos (Annexes 57, 68, 79) have been posted on different social media networks where the war prisoners from NKDA are compelled to say that they were forcefully brought to fight in Karabakh and call their compatriots not to fight because "Karabakh is Azerbaijani land."

The dissemination of such video footages has an exact purpose to mock and humiliate the captured persons and their relatives, as they are uploaded on social media and in some cases within the account of the captured persons to become available to their relatives and aggravate their sufferings. These actions also are aiming at generating hatred against ethnic Armenians.

⁷ Annex 5 – available at [REDACTED]

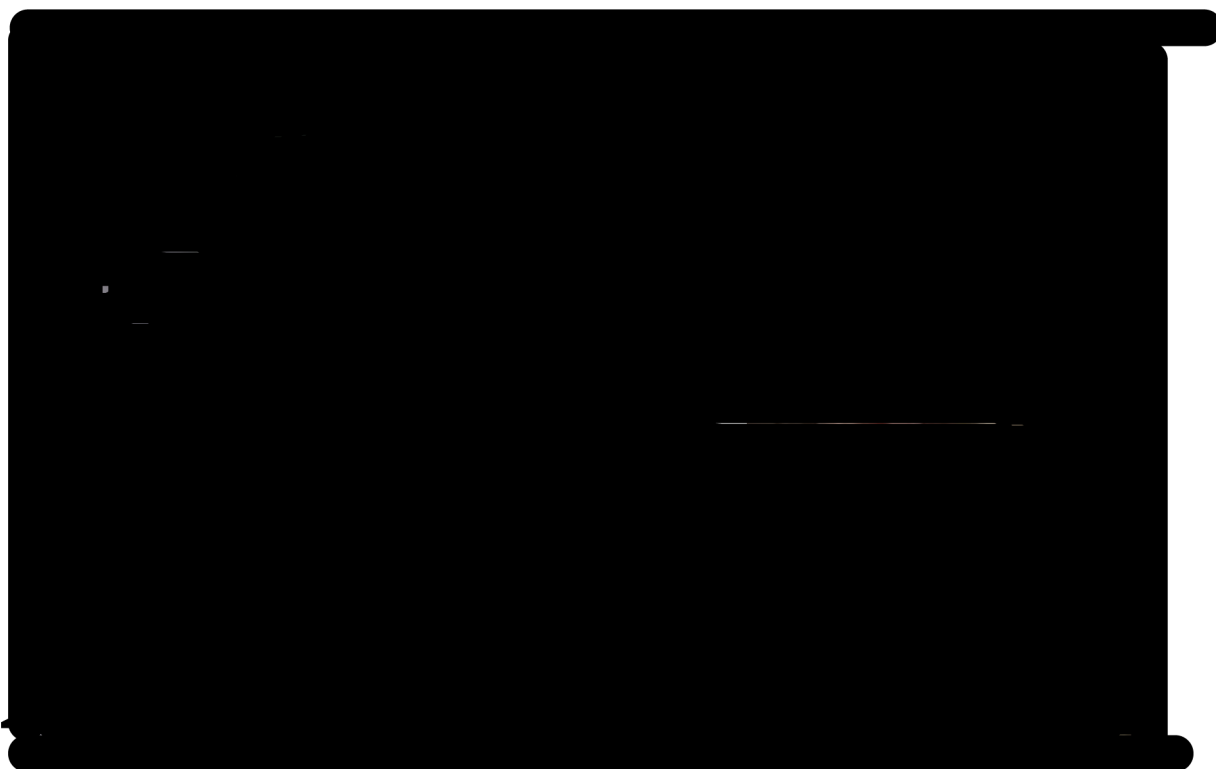
⁸ Annex 6 – available at [REDACTED]

⁹ Annex 7 – available at [REDACTED]

2. Humiliating Treatment of Dead Persons

New video footages of humiliating the bodies of the NKDA members by the Azerbaijani armed forces have been revealed by the Human Rights Ombudsman of Artsakh. These videos are disseminated by Azerbaijani internet sources through social media.

The Azerbaijani army continues to outrage the personal dignity of the NKDA members and treats the dead persons in a degrading and totally disrespectful manner (Annexes 8¹⁰, 9¹¹, images (f) and (g)). **Furthermore, these actions are being filmed and disseminated throughout Azerbaijani internet sources and social media aggravating the current level of hatred against Armenians and calling for severe violence.**



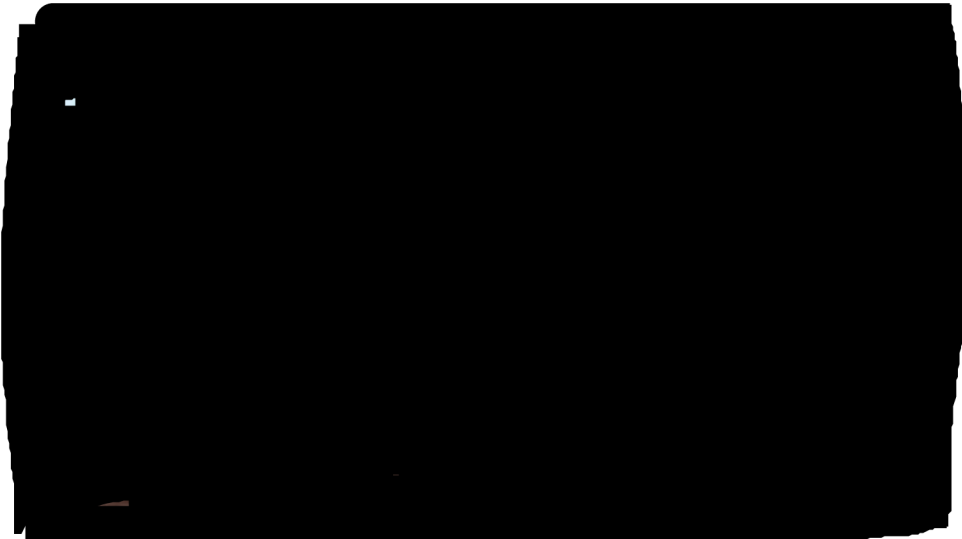
(f)

(g)

¹⁰ Annex 8 – available at [redacted]

¹¹ Annex 9 – available at [redacted]

Another video disseminated by the Azerbaijani sources demonstrates how the bodies of NKDA members are being collectively buried by an excavator (Annex 10¹², images (h) and (i)). This practice deprives the Republic of Artsakh from the possibility of search and further management of bodies of NKDA members, their identification, individual burial according to national and religious customs. Such actions are prohibited by the Geneva Convention of 12 August 1949 for the Amelioration of the Condition of Wounded and Sick in Armed Forces in the Field (Articles 15, 16, 17).



(h)



(i)

¹² Annex 10 - available at

The Human Rights Ombudsman also documented video evidence of despoliation and pillage of the bodies of NKDA members by Azerbaijani armed forces (Annexes 11¹³ and 12¹⁴), which is also prohibited under the International Humanitarian Law.

The Human Rights Ombudsman of Artsakh reiterates that the Azerbaijani armed forces continue committing humiliating acts outraging the personal dignity of bodies of NKDA members grossly violating the principles of International Humanitarian Law. These acts are war crimes, thus should be condemned in appropriate manner.

¹³ Annex 11 – available at

[REDACTED]

¹⁴ Annex 12 – available at

[REDACTED]

Annotation

The institution of the Human Rights Ombudsman of the Republic of Artsakh is an independent national human rights institution functioning with Paris principles. It was established in 2008, according to the Constitution and the Law on Human Rights Ombudsman.

The first Human Rights Ombudsman was Yuri Hayrapetyan, who served in 2008-2016.

The second Human Rights Ombudsman was Ruben Melikyan, who served in 2016-2018.

The incumbent Ombudsman is Artak Beglaryan, who has been elected on October 31, 2018.

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