Thursday 10 March 2022

P9_TA(2022)0080

Destruction of cultural heritage in Nagorno-Karabakh

European Parliament resolution of 10 March 2022 on the destruction of cultural heritage in Nagorno-Karabakh (2022/2582(RSP))

(2022/C 347/18)

The European Parliament,

— having regard to its previous resolutions on Armenia and Azerbaijan,

— having regard to its resolution of 16 February 2006 on cultural heritage in Azerbaijan ([1]),

— having regard to its resolution of 17 February 2022 on the implementation of the common foreign and security policy — annual report 2021 ([2]),

— having regard to the joint statement of 9 December 2021 by the Chair of the Delegation for relations with the South Caucasus, the European Parliament's Standing Rapporteur on Armenia and the European Parliament's Standing Rapporteur on Azerbaijan on the Orders of the International Court of Justice of 7 December 2021 in the cases between Armenia and Azerbaijan,

— having regard to the reports of the European Commission against Racism and Intolerance (ECRI) of the Council of Europe,

— having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 18 March 2020 entitled 'Eastern Partnership policy beyond 2020: Reinforcing Resilience — an Eastern Partnership that delivers for all' (JOIN(2020)0007),

— having regard to the Economic and Investment Plan for the Eastern Partnership countries,

— having regard to the Organization for Security and Co-operation in Europe (OSCE) Minsk Group co-chairs' statement of 11 November 2021 reiterating the importance of protecting historic and cultural sites in the region,

— having regard to the Orders of the International Court of Justice (ICJ) of 7 December 2021,

— having regard to the Council conclusions on EU approach to Cultural Heritage in conflicts and crises of 21 June 2021,

— having regard to the UNESCO Convention Concerning the Protection of World Cultural and Natural Heritage of 16 November 1972,

— having regard to the UNESCO Declaration Concerning the Intentional Destruction of Cultural Heritage of 17 October 2003,

— having regard to the International Covenant on Civil and Political Rights of 16 December 1966,

— having regard to the European Cultural Convention, the revised European Convention for the Protection of Archaeological Heritage, and the Framework Convention for the Protection of National Minorities, to which Armenia and Azerbaijan are parties,

— having regard to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, to which Armenia and Azerbaijan are parties, and its Protocol, as applicable to occupied territories, and the Second Protocol on enhanced protection of cultural property, which prohibits 'any alteration to, or change of use of, a cultural property which is intended to conceal or destroy cultural, historical or scientific evidence',

([1]) OJ C 290 E, 29.11.2006, p. 421.
([2]) Texts adopted, P9_TA(2022)0039.

— having regard to the Universal Declaration of Human Rights of 10 December 1948,

— having regard to the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965,

— having regard to Rules 144(5) and 132(4) of its Rules of Procedure,

A. whereas the destruction or desecration of any monuments or objects of cultural, religious or national heritage infringes the principles of the European Union;

B. whereas 1 456 monuments, mainly Armenian, came under Azerbaijan's control after the ceasefire of 9 November 2020; whereas considerable deliberate damage was caused by Azerbaijan to Armenian cultural heritage during the 2020 war, particularly during the shelling of the Gazanchi Church, the Holy Saviour/Ghazanchetsots Cathedral in Shusha/Shushi, as well as the destruction, changing of the function of, or damage to other churches and cemeteries during and after the conflict, such as Zoravor Surb Astvatsatsin Church near the town of Mekhakavan and St Yeghishe in Mataghis village in Nagorno-Karabakh; whereas during his visit to the 12th century Armenian Church in Tsakuri, President Aliyev vowed to remove its Armenian inscriptions;

C. whereas, as mentioned in the UNESCO Declaration Concerning the Intentional Destruction of Cultural Heritage of 2003, cultural heritage is an important component of the cultural identity of communities, groups and individuals, and of social cohesion, so that its intentional destruction may have adverse consequences on human dignity and human rights;

D. whereas the destruction of cultural heritage sites, artefacts and objects contributes to the escalation of hostilities, mutual hatred and racial prejudice between and within societies;

E. whereas respect for minorities, including the protection of their cultural heritage, is a part of the European Neighbourhood Policy; whereas the European Neighbourhood Policy aims to establish a partnership with Armenia and Azerbaijan on the basis of common values;

F. whereas the most recent armed conflict in and around Nagorno-Karabakh ended following an agreement on a complete ceasefire in and around Nagorno-Karabakh between Armenia, Azerbaijan and Russia, which was signed on 9 November 2020 and entered into force on 10 November 2020;

G. whereas numerous churches, mosques, cross-stones and cemeteries are located in Nagorno-Karabakh;

H. whereas on 7 December 2021 the ICJ indicated in its Order that Azerbaijan 'shall take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, including but not limited to churches and other places of worship, monuments, landmarks, cemeteries and artefacts'; whereas the ICJ ordered Armenia and Azerbaijan to 'take all necessary measures to prevent the incitement and promotion of racial hatred'; whereas the ICJ ordered Azerbaijan to 'protect from violence and bodily harm all persons captured in relation to the 2020 Conflict who remain in detention'; whereas in its Orders the ICJ has indicated that 'both parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve';

I. whereas UNESCO has reiterated countries' obligation to protect cultural heritage in accordance with the terms of The Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict and has proposed carrying out an independent expert mission, in order to draw up a preliminary inventory of significant cultural properties, as a first step towards the effective safeguarding of the region's heritage;

J. whereas the safeguarding of cultural heritage has a key role in promoting lasting peace by fostering tolerance, intercultural and inter-faith dialogue and mutual understanding, as well as democracy and sustainable development;

K. whereas cultural goods are of major cultural, artistic, historical and scientific importance and must be protected from unlawful appropriation, deterioration and destruction; whereas Armenian churches and monasteries are part of the oldest Christian heritage in the world and part of the common heritage of humanity;

Thursday 10 March 2022

L. whereas in the case before the ICJ, serious allegations have been made about the involvement of the authorities of Azerbaijan in the destruction of cemeteries, churches and historical monuments in Nagorno-Karabakh;

M. whereas the long-running conflict has had a catastrophic impact on the cultural heritage of Nagorno-Karabakh and the region; whereas over the last 30 years, the irreversible destruction of religious and cultural heritage has been carried out by Azerbaijan, notably in Nakhchivan Autonomous Republic, where 89 Armenian churches, 20 000 graves and more than 5 000 headstones have been destroyed; whereas this has also occurred in the former conflict areas returned by Armenia to Azerbaijan, in particular the almost total destruction and looting of Aghdam and Fuzuli;

N. whereas the first Nagorno-Karabakh war led to Azerbaijani cultural heritage being damaged or destroyed, including cultural and religious sites left behind by Azerbaijani internally displaced persons in the region: whereas these sites were either destroyed, partially destroyed, neglected, or disassembled for building materials;

O. whereas the elimination of the traces of Armenian cultural heritage in the Nagorno-Karabakh region is being achieved not only by damaging and destroying it, but also through the falsification of history and attempts to present it as so-called Caucasian Albanian; whereas on 3 February 2022, the Minister of Culture of Azerbaijan, Anar Karimov, announced the establishment of a working group responsible for removing 'the fictitious traces written by Armenians on Albanian religious temples';

1. Strongly condemns Azerbaijan's continued policy of erasing and denying the Armenian cultural heritage in and around Nagorno-Karabakh, in violation of international law and the recent decision of the ICJ;

2. Acknowledges that the erasure of the Armenian cultural heritage is part of a wider pattern of a systematic, state-level policy of Armenophobia, historical revisionism and hatred towards Armenians promoted by the Azerbaijani authorities, including dehumanisation, the glorification of violence and territorial claims against the Republic of Armenia which threaten peace and security in the South Caucasus;

3. Stresses that cultural heritage has a universal dimension as a testimony of history inseparable from peoples' identity, which the international community has to protect and preserve for future generations; underlines the importance of the rich cultural heritage of the region; urges all states to take the necessary measures to ensure the safeguarding of the intangible cultural heritage sites present in territory under their control; deplores the fact that the conflicts in the Nagorno-Karabakh region have led to the destruction, pillaging and looting of common cultural heritage, which has fuelled further distrust and animosities;

4. Recalls that historical revisionism and the defacement and destruction of cultural or religious heritage run counter to the ICJ's Order of 7 December 2021, as well as to Parliament's resolution of 20 May 2021 ([3]);

5. Recognises, as does the Office of the Prosecutor of the ICJ, that cultural heritage constitutes a unique and important testimony of the culture and identities of peoples, and that the degradation and destruction of cultural heritage, whether tangible or intangible, constitutes a loss to the affected communities, as well as to the international community as a whole;

6. Welcomes the central role played by UNESCO in protecting cultural heritage and promoting culture as an instrument to bring people closer together and foster dialogue;

7. Welcomes UNESCO's proposal to send an independent expert mission and calls for it to be sent without delay; stresses that Azerbaijan must grant unhindered access to all cultural heritage sites in order for the mission to draw up an inventory on the ground and to see what has happened to the sites;

([3]) European Parliament resolution of 20 May 2021 on prisoners of war in the aftermath of the most recent conflict between Armenia and Azerbaijan (OJ C 15, 12.1.2022, p. 156).

8. Strongly insists that Azerbaijan enable UNESCO to have access to the heritage sites in the territories under its control, in order to be able to proceed with their inventory and for Azerbaijan to ensure their protection; urges Azerbaijan to ensure that no interventions on Armenian heritage sites occur prior to a UNESCO assessment mission, and that Armenian and international cultural heritage experts are consulted prior to, and closely involved during interventions on Armenian cultural heritage sites; calls for the full restoration of these and other demolished sites and for greater involvement of the international community, particularly UNESCO, in protecting the world heritage sites located in the region;

9. Calls for the EU to actively participate in efforts to protect cultural heritage at risk in Nagorno-Karabakh, notably by deploying mechanisms to facilitate UNESCO's fact-finding mission; encourages all initiatives, including private ones, to help preserve this heritage; suggests the use of the EU Satellite Centre (SatCen) to provide satellite images in order to help determine the external condition of the endangered heritage in the region;

10. Emphasises the need to approach the protection of historical and cultural heritage within the broader framework of conflict resolution between Armenia and Azerbaijan and the final definition of the status of Nagorno-Karabakh; in this context, calls on Azerbaijan to discard its maximalist aims, militaristic approach and territorial claims on Armenia and engage in good faith in negotiations under the auspices of the OSCE Minsk Group on the final status of Nagorno-Karabakh;

11. Underlines that the measures indicated in the ICJ Orders of 7 December 2021 have to be taken without delay; stresses that any new cases of the destruction or alteration of cultural heritage should be addressed immediately by the international community;

12. Calls on Azerbaijan to fully implement the provisional decision of the ICJ, in particular by 'refraining from suppressing the Armenian language, destroying Armenian cultural heritage or otherwise eliminating the existence of the historical Armenian cultural presence or inhibiting Armenians' access and enjoyment thereof' and by 'restoring or returning any Armenian cultural and religious buildings and sites, artefacts or objects';

13. Reiterates its call for the EU to incorporate a clause on protecting archaeological and historical sites into the action plans guiding the partnership between the EU and Armenia and Azerbaijan, both of which participate in the European Neighbourhood Policy;

14. Stresses that respect for minority rights, including historical, religious and cultural heritage, is an essential prerequisite for an effective implementation of the European Neighbourhood Policy, and for the creation of conditions conducive to post-war rehabilitation, genuine reconciliation and good neighbourly relations between Armenia and Azerbaijan;

15. Calls on the Governments of Azerbaijan and Armenia, with the support of the international community, to ensure effective investigations into all allegations of violations of international law, including the protection of cultural heritage;

16. Calls for the EU and the Member States to continue supporting the work of international organisations aimed at the protection of cultural and religious heritage;

17. Calls for the EU and the Member States to continue supporting the provision of urgent humanitarian assistance;

18. Calls for the EU and the Member States to support civil society organisations in Armenia and Azerbaijan that genuinely contribute to reconciliation;

19. Calls for the EU, UNESCO, the Council of Europe, and the OSCE to jointly encourage and support efforts aimed at safeguarding cultural and religious heritage;

20. Calls on the Commission to use all available levers to prevent acts of vandalism, destruction or alteration of cultural heritage in Nagorno-Karabakh;

21. Underlines that the efforts of the international community in safeguarding the cultural heritage are essential to laying the foundations for sustainable peace in the region;

22. Instructs its President to forward this resolution to the Vice-President of the European Commission / High Representative of the European Union for Foreign Affairs and Security Policy, the Council, the Commission, the Government and President of Armenia, the Government and President of Azerbaijan, the Secretary-General of the Organization for Security and Co-operation in Europe, the Secretary-General of the Council of Europe, the Director-General of UNESCO, and the Secretary-General of the United Nations.