

# EUROPEAN PARLIAMENT

2004



2009

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*Session document*

13.2.2006

B6-0111/06

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano, Jan Marinus Wiersma, Hannes Swoboda, and Panagiotis Beglitis,

on behalf of the PSE Group

on cultural heritage in Azerbaijan

**European Parliament resolution on cultural heritage in Azerbaijan**

*The European Parliament,*

- having regard to its previous resolutions of 9 June 2005 and 27 October 2005 on Azerbaijan<sup>1</sup>,
- having regard to its resolution of 18 January 2005 on the European Neighbourhood<sup>2</sup> policy,
- having regard to its previous resolutions on the South Caucasus and especially its resolution adopted on 11 March 1999<sup>3</sup> and its recommendation adopted on 26 February 2004<sup>4</sup>,
- having regard to the decision taken by the Council on the 14 June 2004 to include Azerbaijan and Armenia in the framework of the European Neighbourhood policy, in particular for the purpose of fostering good-neighbourly relations, especially through respect for minorities,
- having regard to the obligations of Azerbaijan and Armenia to the Council of Europe, especially through the European Cultural Convention, the revised European Convention for the protection of archeological heritage, and the Framework Convention for the protection of national minorities, that it has ratified and committed to respect,
- having regard to the UNESCO Convention for World Heritage and the protocol to the 1954 Hague Convention on the protection of cultural assets in the event of armed conflict,
- having regard to the report of ICOMOS<sup>5</sup> and the intermediary report on freedom of worship and religion made by the UN Committee for Human Rights<sup>6</sup>,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas allegations have been made by Armenia that campaigns to destroy the Armenian cemetery of Djulfa in the region of Nakhichevan, were carried out by Azerbaijani forces in November 1998 and December 2002,

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<sup>1</sup> Texts adopted P6\_TA(2005)0243 and P6\_TA(2005)0411

<sup>2</sup> Texts adopted P6\_TA(2006)0028

<sup>3</sup> OJ C 175 E 21.6.1999, p. 251

<sup>4</sup> OJ C 98 E du 23.4.2004, p. 193

<sup>5</sup> ICOMOS World Report on Monuments and Sites in danger 2002 – “Heritage@Risk”

<sup>6</sup> 58th session of the U.N. General Assembly – Document 1/58/296, 19.08.2003

- B. whereas it is claimed that this archeological site, which still had 6000 “khatchkars” or crosses carved in stone, a typical feature of Armenian religious art – and which testifies to the ethnic and cultural diversity of the region, has been partly destroyed,
- C. whereas allegations have been made by Azerbaijan that all Azerbaijani cultural, historical and religious monuments, including cemeteries and mosques in Nagorno-Karabakh and the occupied territories have been damaged or destroyed,
- D. whereas it is claimed that the ancient Muslim mosque "Aga-Dede" in the Masis region of Armenia was totally destroyed by Armenian force,
- E. whereas such acts of destruction are directly linked to the frozen conflict between Armenia and Azerbaijan over the territory of Nagorno-Karabakh,
- F. whereas the destruction or desecration of any monuments or objects of cultural, religious or national heritage not only infringes the principles of the European Union, but offends the religious beliefs of many Europeans,
- G. whereas the European Neighbourhood Policy aims to establish a privileged partnership with Azerbaijan and Armenia on the basis of common values, including respect of minorities and their cultural heritage,
1. Condemns strongly the destruction of all sites of historical importance that has taken place on Armenian or Azerbaijani territory, and condemns any such action that seeks to destroy the cultural heritage of a people;
  2. Considers that any such action contravenes the basic principles of the EU on its discriminatory policy toward minorities, on its restrictions on the exercise of individual liberties, and on its lack of respect for the rule of law;
  3. Demands that Azerbaijan and Armenia fully respect their international commitments - notably in the cultural realm - and especially those deriving from their accession to the Council of Europe and its integration into the European Neighbourhood Policy;
  4. Demands that both countries allow independent experts, under the auspices of UNESCO and the Council of Europe, to follow up these allegations by examining the sites in question and establishing the facts in full;
  5. Calls on Azerbaijan and Armenia to take immediate action to protect all archeological heritage on their territory;
  6. Asks the presidency of the Union to ensure that a full investigation is carried out and to examine ways of preventing such acts of hostility in this frozen conflict situation;
  7. Asks the Commission and the Council to ensure that the implementation of the ENP action plan with Azerbaijan and Armenia will depend on both countries upholding the principles of respect for human rights and minority rights, and calls on the

Commission and on the Council to integrate into this action plan specific provisions on the protection of the cultural heritage of minorities;

8. Instructs its President to forward this resolution to the Council, the Commission, the parliaments and governments of the Member States, the governments and presidents of the Republic of Azerbaijan and the Republic of Armenia, as well as to the Parliamentary Assemblies of the OSCE and of the Council of Europe, the Director-General of UNESCO and the Secretary General of the United Nations.