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*Plenary sitting*

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**B9-0150/2022**

8.3.2022

## MOTION FOR A RESOLUTION

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

pursuant to Rule 144 of the Rules of Procedure

on destruction of cultural heritage in Nagorno-Karabakh  
(2022/2582(RSP))

**Nathalie Loiseau, Petras Auštrevičius, Malik Azmani, Dita Charanzová, Olivier Chastel, Vlad Gheorghe, Klemen Grošelj, Bernard Guetta, Svenja Hahn, Karin Karlsbro, Dragoș Pîslaru, Michal Šimečka, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans**  
on behalf of the Renew Group

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

*The European Parliament,*

- having regards to the article 53 of the Convention IV of Geneva on protection of civilian persons in time of war of 12 August 1949 and the two additional Protocols of 1977,
- having regards to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 1954,
- having regards to the UNESCO Convention concerning the protection of the world cultural and natural heritage of 1972,
- having regards to UNESCO Declaration Concerning the Intentional Destruction of Cultural Heritage of 2003,
- having regards to the Council Conclusions of 21 June 2021 on EU Approach to Cultural Heritage in conflicts and crises,
- having regards to the EC Joint Communication on the Eastern Partnership (EaP) policy beyond 2020,
- having regard to the Orders of the International Court of Justice on 7 December 2021 in the cases between Armenia and Azerbaijan,
- having regard to the Statement by the OSCE Chairman-in-Office on the situation along the Armenia-Azerbaijan border on 12 January 2022,
- having regard to the Resolution of the Parliamentary Assembly of the Council of Europe on Humanitarian Consequences of the Conflict between Armenia and Azerbaijan of 27 September 2021,
- having regard to the Resolutions of the European Parliament on the need for an EU strategy for the South Caucasus of 20 May 2010, on European Neighborhood Policy of 23 October 2013, on the review of the European Neighbourhood Policy of 9 July 2015,
- having regard to the Partnership Priorities between the EU and Azerbaijan endorsed by the Cooperation Council on 28 September 2018,
- having regard to the European Parliament resolution on cultural heritage in Azerbaijan of 16 February 2016,
- having regard to the Statement of President Charles Michel following the trilateral meeting

with President Ilham Aliyev and Prime Minister Nikol Pashinyan on 14 December 2021,

- having regard the quadrilateral meeting held with the participation of the President of French Republic Emmanuel Macron, as President of the Council of the European Union, President of the European Council Charles Michel, President of the Republic of Azerbaijan Ilham Aliyev and Prime Minister of the Republic of Armenia Nikol Pashinyan on 04 February 2022,
- having regard to Rule 144 of the Rules of Procedure;
- A. whereas, as mentioned in the UNESCO Declaration Concerning the Intentional Destruction of Cultural Heritage of 2003, adopted following the destruction of Bahmian Buddha's statues, 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;
- B. whereas cultural heritage constitutes one of the basic elements of civilization, given, for example, its symbolic value and cultural memory of humankind uniting people; whereas in recent years a string of crimes against world cultural heritage have been perpetrated, targeting of historical monuments in Afghanistan, Syria and Iraq, the destruction of the ancient city of Palmyra, attacks directed against mausoleums of saints and mosques in Timbuktu, Mali; whereas this drew global attention to cultural heritage crimes and their irreparable harm caused to the targeted communities; whereas the loss of such heritage can seriously, if not irrevocably, undermine the chances of a lasting return to peace between the parties to a conflict; whereas, in conflict and post-conflict areas, it has been found that some communities, deprived of their cultural heritage and historical roots, have been made more vulnerable to radicalization;
- C. 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 are part of the common heritage of humanity;
- D. whereas the long-running conflict has had a catastrophic impact on the cultural heritage of Nagorno-Karabakh and the region; whereas over the last thirty years the irreversible destruction of religious and cultural heritage was carried out by Azerbaijan, notably in Nakhchivan Autonomous Republic, where 89 Armenian Churches, 20 000 graves and more than 5 000 headstones were destroyed, as well as in the former conflict areas returned by Armenia to Azerbaijan, in particular the almost total destruction and looting of Aghdam and Fuzuli;
- E. whereas 1456 monuments, mainly Armenian, came under Azerbaijan's control after the ceasefire of 9 November 2020; whereas a lot of deliberate damage was caused by Azerbaijan to Armenian cultural heritage during the 2020 war, namely during the shelling of the Gazanchi Church, the St. Holy Saviour/Ghazanchetsots Cathedral in Shusha/Shushi, as well as the destruction, changing of function or damage of 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 President Aliyev during his visit to the 12th century Armenian Church in Tsakuri vowed

to remove Armenian inscriptions;

- F. whereas the first Nagorno-Karabakh War led to damages and destructions of Azerbaijani cultural heritage pieces; whereas the international community did not react at that time; whereas it is crucial for the parties to the conflicts and the international community to learn lessons from the past and to not repeat mistakes;
  - G. whereas on 7 December 2021 the International Court of Justice ordered Azerbaijan to ‘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’;
  - H. whereas a prominent narrative promoting a “Caucasian Albanian” heritage to replace an “Armenian” cultural heritage is being developed by Azerbaijan, which is dismissed by mainstream historians; whereas in February 2022, Azerbaijan set up a new working group tasked to ‘remove fictitious traces written by Armenians on Albanian religious temples’;
  - I. whereas more than a year after the truce that stopped the active hostilities, there is no progress on the status of Nagorno-Karabakh, and accountability for the crimes committed is still missing; whereas there is no independent human rights monitoring in Nagorno-Karabakh, and no mechanism exists to address these problems, and there is an increasing risk of further escalation, undermining civilians’ security; whereas disputes on access points to the territory of Nagorno-Karabakh result in the mere absence of most NGOs and international organisations in the territory of Nagorno-Karabakh;
1. Recognizes, as does the Office of the Prosecutor of the International Court of Justice<sup>1</sup>, 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;
  2. Strongly condemns the intentional damage and destruction of Armenian cultural heritage, including places of worship, monuments, landmarks, cemeteries, and artefacts in Nagorno-Karabakh and the region;
  3. Urges Azerbaijan to fully respect and protect this cultural heritage; remains deeply concerned about the future of the many Armenian churches, monasteries, including the monastery in Khutavank/Dadivank, cross-stones (khachkars) and other forms of cultural heritage which have been returned under the control of Azerbaijan; deeply regrets that Azerbaijan had to suffer the deterioration of its own heritage during the first conflict in the region;
  4. Welcomes the Orders of the International Court of Justice of 7 December 2021 indicating provisional measures in the cases between Armenia and Azerbaijan concerning the application of the International Convention on the Elimination of All Forms of Racial Discrimination;

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<sup>1</sup> <https://www.icc-cpi.int/itemsDocuments/20210614-otp-policy-cultural-heritage-eng.pdf>, June 2021

5. Recalls that the Court has indicated provisional measures ordering Azerbaijan and Armenia to take necessary measures to prevent the incitement and promotion of racial hatred and discrimination, including by their officials and public institutions, and has asked Azerbaijan to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage; recalls that the Court has also ordered both parties to refrain from any action which might aggravate, extend the dispute or make it more difficult to resolve;
6. Is deeply concerned by the narrative promoted by Azerbaijan presenting Armenian cultural heritage sites as having an Albanian origin and the rebranding of Armenian monuments as “Caucasian Albanian”; condemns the creation of a new working group which is tasked to ‘erase fictitious inscriptions’ from religious or historic monuments in the part of Nagorno-Karabakh under its control as an illegitimate looting of cultural heritage of the neighbouring people to deprive them of their historical memory; considers that this decision violates the spirit of the 7 December 2021 Orders by the International Court of Justice; notes that in the statement of 7 February, the Ministry for Culture of the Republic of Azerbaijan ensured that “the working group, comprised of both local and international experts, will monitor and study this Christian heritage [...]” and added that “Should any falsifications be identified, they will be documented with the participation of international experts and presented to the international community”; calls on the Azerbaijani authorities to scrupulously respect these commitments;
7. Demands Azerbaijan to enable the relevant actors, such as UNESCO, Aliph or Iconem, to have access to the heritage sites in territories under its control, in order to be able to proceed to their inventory and ensure their protection; urges 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 full restoration of these and other demolished sites and for greater involvement of the international community, particularly UNESCO, Aliph and Iconem—in protecting the world heritage in the region;
8. Demands that the history of Armenian civilization continues to be taught in Nagorno-Karabakh and that historical revisionism is countered;
9. Calls on the EEAS and the Commission 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 Satcen to provide satellite images to help determine the external condition of the endangered heritage in the region;
10. Is deeply concerned about renewed clashes along the Armenia-Azerbaijan border, which resulted in human casualties; calls on both sides to refrain from the use of force and to continue the political dialogue initiated recently; commends in particular the successful establishment of a direct communication link between the Ministers of Defence of Azerbaijan and Armenia;
11. Welcomes the recent release of 10 Armenian prisoners of war by Azerbaijan and the handing over of mine maps by Armenia; urges Azerbaijani authorities to take further measures to restore trust with, in addition to the protection of the cultural heritage, the

immediate release of all remaining prisoners of war as well as the exchange of all available information on minefields in order to proceed with effective demining in Azerbaijan to avoid further loss of human lives; reminds that the release of war prisoners is a legal obligation;

12. Stresses that a lasting settlement still remains to be found and that the process of achieving peace and determining Nagorno-Karabakh's future legal status should be led by the OSCE Minsk Group Co-Chairs and founded on their 2009 Basic Principles, in line with the norms and principles of international law, the UN Charter and the OSCE 1975 Helsinki Final Act;
13. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the EU Member States, the Council of Europe, the UN High Commissioner for Human Rights, the OSCE, Armenia and Azerbaijan.