

MEMORANDUM

submitted to

THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL
ORGANIZATION

For the attention of
Mr. Koïchiro Matsuura, Director-General

and
the Representatives of Member States
at the General Conference

The destruction of the archaeological complex of Jugha

and of the entire Armenian cultural heritage in the
Autonomous Republic of Nakhijevan (Azerbaijan)

1. Introduction and historical background

It has been brought to the attention of the signatories of this Memorandum that since 1998 the Armenian archaeological complex of Jugha (or Julfa in Persian) in the Autonomous Republic of Nakhijevan (Azerbaijan) has been systematically submitted to willful destruction and that between December 2005 and March 2006 it has been definitively destroyed by members of Azerbaijan's military forces.

Located in the border area between Iran and Nakhijevan, to the west of the ruined city of Jugha, on a hill divided by three small valleys,

this cemetery was culturally and historically a unique testimony of Armenian presence in the region. With originally more than 10,000 memorial stelae, it constituted the largest collection of Armenian tombstones and cross-stones (*khatchkars*), many of them bearing philologically relevant inscriptions. They covered a period from the early Middle Ages (5th century) until the early 17th century. Most *khatchkars* date from the 15th and 16th centuries and represent a style which is at the same time typical for the region Nakhijevan and for Armenian craftsmanship of the late Middle Ages.

The historical Armenian provinces of Shahaponk, Yernjak and Goghtn are situated in a terri-

tory that is now known as the Autonomous Republic of Nakhijevan in the Republic of Azerbaijan. The former city of Jugha is situated in Yernjak, on the left bank of the river Araxes, which today defines the border between Iran and Nakhijevan. Already in the 7th century AD Jugha was a famous settlement.

During the 10–13th centuries it developed into a town, and eventually, during the 15–17th centuries, became an important trading centre for the entire South Caucasian region.

When in 1605 the Iranian Shah Abbas retreated after having been defeated by the Ottoman forces, he deported the entire regional Armenian population of the Jugha borderland into Iran with the intention to leave a depopulated and devastated area behind him; a positive consequence of this cruel eviction was the improvement of commerce, arts and manufacturing in Iran by the new Armenian settlers. The depopulated city of Jugha was partially destroyed by the Iranian forces. Yet, the eighteen ancient churches of Jugha, as well as the ruins of a magnificently built bridge, the caravan-serai, the covered market, many public and private houses, and a number of scattered headstones in the cemetery, remained the silent, but expressive witnesses of History. The wide range of surviving building types and the historical complex of the town told the history of the people and their architecture. It was a life-size museum – an irreplaceable cultural documentation of humanity.

Having survived massacres and expulsions of the indigenous Armenian population in the early 17th century, this outstanding site had been repeatedly attacked and ruined during the 20th

century, in particular during Russian railway constructions in 1903–1904 and after the final massacre and expulsion of the Armenians of Nakhijevan in 1919–1922. In 1928–1929, there were still up to 3,000 *khatchkars* and a few thousand flat, two-edged, cap-shaped tombstones.

The French Jesuit missionary Alexandre de Rhodes, during his travel in 1648, described the cemetery of Jugha and registered about ten thousand existing, standing and well-preserved *khatchkars*. In 1903–1904 a railroad was built near the Russian border: many headstones were then irreversibly damaged or destroyed. However, approximately 6,000 headstones remained intact.

In 1915, the photographer Aram Vruyr, and after him the historian S. Ter-Avetissian, in 1938–1939, counted and documented some tomb-stones which had been cut obliquely; this shows that many of these headstones had been intentionally broken already in the Soviet period.

2. The annihilation of Nakhijevan's entire Armenian cultural heritage

The decisive destruction process, which began in 1998 when 800 *khatchkars* were removed, was temporarily stopped after protests by UNESCO. From November 2002 until February 2003, however, the destruction continued. During the most recent phase of destruction, in December 2005, even those monuments the fragments of which were already laying on the ground, or smaller tombstones, were removed, broken and carried away or thrown into the river Araxes. In early March 2006, the cemetery had been completely levelled; on that site, the Azer-

bajani authorities established a military training camp and a firing range.

During these three phases, the destruction was thoroughly documented from the Iranian side by representatives of the Armenian Apostolic Church, Iranian journalists and various art historians. Photo and video documentation about the ongoing destruction is also available on the Internet.¹

The destruction of Jugha is not a unique case in this remote province of Nakhijevan. As examples, we would like to draw attention to the cases of the monastic site of Surb Karapet (Saint John the Forerunner), built in the town of Abrakunis in the historic Armenian region of Yernjak in 1381. When the Scotsman Steven Sim, a specialist in Oriental art history, visited Surb Karapet in the summer of 2005 among other Armenian sacred places in Nakhijevan, he witnessed complete destruction.² Sim tried to check other places, but the local police prevented his entering these areas. Thereafter, Sim went to one of the remotest regions of Nakhijevan to verify if such a situation existed everywhere; he went to the village of Shorut: what he discovered there convinced him that a deliberate state policy of destruction was carried out throughout all Nakhijevan.³

As representatives of our respective national Parliaments involved in human rights issues, we are very sensitive towards illegal acts such as

cultural genocide or ethnocide. In this given case, we are all the more concerned as this particular case of ethnocide can easily turn into an immense obstacle for the Armenian–Azerbaijani peace–finding process towards Nagorno Karabakh. The systematic and repeated destruction of Armenian architectural heritage, which includes important religious and spiritual sites of the Armenian population of Nakhijevan, is completely incompatible with the OSCE peace–process in Nagorno Karabakh and confidence–building efforts.

3. Violation of national and international law

Azerbaijan's policy of destruction of the Armenian cultural heritage of Nakhijevan contradicts the basic principles of various international instruments for the protection of cultural heritage. In particular, it violates the instruments defining the duty of a State to ensure the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage situated on its territory, in times of peace and war. The protection, safeguarding and respect of cultural heritage is provided in the following international documents adopted within UNESCO:

- The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (14 May 1954);⁴

¹ <http://www.aga-online.org/de/ethnozid/ethnozid_aserbeidschan.php>.

² A special report dedicated to the destruction of Armenian monuments in Nakhijevan has been written by Steven Sim and first published in <<http://www.hra.am/eng/?page=issue&id=15680>>.

³ Mkrtychyan, Gayane: «Monumental Effort: Scotsman wants to prove Azeri policy of cultural destruction in Nakhijevan», *Armenia Now*, 33 (155), 2 September 2005: <<http://www.armenianow.com/?action=viewArticle&AID=1045&IID=1040&lng=eng>>.

⁴ The Republic of Azerbaijan adhered to the Convention on 20 September 1993.

- The World Heritage Convention for the Protection of Global Cultural and Natural Heritage (16 November 1972);⁵
- The Declaration concerning the Intentional Destruction of Cultural Heritage (17 October 2003);
- The Convention on the Protection and Promotion of the Diversity of Cultural Expressions (20 October 2005).

Additionally, it is worth remembering that other international instruments aiming at the protection of historical monuments have been violated by this ethnocide, such as:

- Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (15 April 1935);⁶
- The European Cultural Convention (19 December 1954);⁷
- The European Convention on the Protection of the Archaeological Heritage (6 May 1969);⁸
- The European Convention on Offences relating to Cultural Property (23 June 1985);⁹
- The Convention for the Protection of the Architectural Heritage of Europe (3 October 1985).¹⁰

Furthermore, Azerbaijan violated its own Constitution of 1995. In particular, the provisions of Article 77 hold responsible every citizen of the Republic of Azerbaijan for the protection of historical and cultural memorials.

⁵ Ratified by the Republic of Azerbaijan on 16 December 1993.

⁶ Also known as the "Roerich Pact".

⁷ The Republic of Azerbaijan is member of the Council of Europe, thus adheres to this Convention.

⁸ Ibid. This Convention has been replaced by the European Convention on the Protection of the Archaeological Heritage (16 January 1992).

⁹ See note 7.

¹⁰ Ibid.

4. Diplomatic initiatives and political steps undertaken within the UNESCO and the European Parliament

Hoping to save what was still left, the Government of the Republic of Armenia at numerous occasions alerted the international community about the ongoing destruction of Armenian cultural heritage in Nakhijevan, in particular the destruction of monuments in Jugha. On 14 December 1998, the Armenian Minister for Foreign Affairs sent an official letter to the Director-General of UNESCO concerning the destruction of the medieval cemetery in Jugha and requested UNESCO's assistance in persuading the authorities of the Republic of Azerbaijan to stop the cultural genocide against Armenian cultural heritage and to organize a fact-finding mission of experts to Nakhijevan.

On 20 November 2002, the destruction of tombs and the remaining (although already reduced in number) churches and monastic sites in Jugha was accomplished. Since then, numerous workers have again been engaged in dismantling valuable relics of medieval culture.

On 16 December 2002, in an official letter addressed to the Director-General of UNESCO, the Minister for Foreign Affairs again expressed concerns about the renewed attempts of the Azerbaijani authorities to carry out the destruction of the Armenian cemetery and church in

Jugha. He suggested that an inspection mission to Nakhijevan should determine the extent of the systematic destruction. Answering this letter, the UNESCO representatives promised to contact the relevant authorities in Azerbaijan to obtain the necessary prior authorization for such a mission. UNESCO's intention to send an expert commission to Nakhijevan to research the destruction first-hand did have the effect of slowing down the destructive activities of the Azerbaijani authorities; however, the destruction did not stop entirely.

The National Council of Armenians of Nakhijevan submitted several declarations to various international organizations, such as the European Parliament, the Council of Europe, the International Council on Monuments and Sites (ICOMOS) and UNESCO, requesting them to put under international protection the ancient Armenian monuments that had been destroyed in Nakhijevan from 1999 to 2003.

On 10 February 2003, the Armenian National Committee ICOMOS appealed to the presidents of the National Committees of ICOMOS for their assistance in protecting Armenian historic and cultural heritage in Nakhijevan. Attached to the appeal were photographs, taken by eye-witnesses, of several destroyed monuments.

On 7 October 2005, in Paris, at the 33rd General Conference of UNESCO, the Armenian Minister for Foreign Affairs once again addressed the international community in an official statement regarding the destruction of the Armenian cultural heritage in Nakhijevan:

"Intentional destruction of cultural heritage should be characterized as cultural terrorism and a crime against humanity, which must be fought, the perpetrators must be punished, with the same resolve and determination as those who use terrorism as a tool against man."

On 16 December 2005, the Armenian Minister informed the Director-General of UNESCO in an official letter that Azerbaijani soldiers were destroying the remnants of historically and religiously significant *khatchkars* in the medieval Armenian cemetery in Nakhijevan. The Minister urged the UNESCO officials to put an end to those acts of vandalism and violence.

In its 16 February 2006 resolution on "Cultural Heritage in Azerbaijan"¹¹, the European Parliament strongly condemned the destruction of the Jugha cemetery in Nakhijevan and demanded that the Republic of Azerbaijan allow the visit of a delegation composed of experts such as those working with ICOMOS who are specialized in surveying and protecting archaeological heritage, in particular Armenian heritage, onto its territory, and that it also allow a European Parliament delegation to visit the archaeological site at Jugha.

On 16 March 2006, the Armenian Minister for Foreign Affairs sent an official complaint to the UNESCO Director-General explaining the definitive destruction of the Jugha cemetery and the construction of a military shooting-area on the site.

¹¹ 1P6_TA(2006)0069, text adopted.

5. Recommendations

For all the above-mentioned reasons, the signatories appeal to UNESCO and the concerned authorities to take immediate and effective steps to call upon Azerbaijan to fulfil its international obligations for the protection of cultural heritage.

Furthermore, the signatories urge the UNESCO:

1. To condemn in no uncertain terms the willful destruction of the cultural sites of Jugha, irreversibly annihilated during the last destruction phase begun by Azeri military forces on the 10 December 2005 and completed in mid-March 2006;
2. To denounce the ethnocidal nature and context of the destruction of the site within a systematic demolition operation, to which all Armenian architectural monuments from the Middle Ages have been subjected in Nakhijevan;
3. To demand a formal international investigation in this area, coordinated by UNESCO, aimed at preparing an accurate report about the destruction;
4. To publish a multi-disciplinary study (archaeological, architectural, ethnographic, etc.) of the area of Jugha, to be undertaken by international experts, and overseen by UNESCO;
5. To study safeguard mechanisms for the protection of historical memory and heritage destroyed on the site of Jugha; given the impossibility of any reconstruction of the destroyed site and its *khatchkars* – now literally pulverized – and in consideration of the fact that under the surface there are still the buried bodies of people to whose memory the former *khatchkars* had been erected, we suggest to transform this gross act of outspoken hatred into a positive step towards confidence-building and reconciliation. Two concrete measures could be envisaged:
 - (a) To convert the site of Jugha into an international centre of cross-community learning and a training centre for ethnocide prevention studies, in order to enable future generations to meet and learn from this example of hate and destruction;
 - (b) To erect a religious memorial building to honour the memory of those generations, who rest interred at this place;
6. To decide with the appropriate Azerbaijani institutions the setting up of a more effective system for the protection and preservation of the still existing remains of Armenian culture on the territory of Azerbaijan;
7. Should the Azerbaijani Government refuse to agree with at least one of the above recommendations, to sanction the Republic of Azerbaijan for having violated all international conventions on the protection of historical monuments to which it is a signatory. In this case, the suspension of the UNESCO membership could be taken into consideration as one of the logical options.

Paris, 17 October 2006

The undersigned are members of the international delegation established to deal with the issue of the destruction of the archaeological complex of Jugha and of the entire Armenian cultural heritage in the Autonomous Republic of Nakhijevan (Azerbaijan):

The Hon. **Dominique de Buman**, National Councillor (Vice-Chairman of the Christian Democratic Party, Switzerland)

The Hon. **Ueli Leuenberger**, National Councillor (Vice-Chairman of the Greens, Switzerland)

The Hon. **Roland Blum**, Representative to the National Assembly (UMP, Vice-Chairman of the French delegation to the PA of the OSCE, France)

The Hon. **Frédéric Dutoit**, Representative to the National Assembly (PCF, France)

The Baroness **Flather** JP DL FRSA, House of Lords (Conservative, UK)

The Hon. **Evgenios Haïtidis**, Member of Parliament (Nea Dimokratia, Greece),

The Hon. **Jim Karygiannis**, Member of Parliament (Liberal Party, Canada),

The Hon. **Richard Mallié**, Representative to the National Assembly (UMP, France)

The Hon. **Christophe Masse**, Representative to the National Assembly (PS, France)

The Hon. **André Santini**, Representative to the National Assembly (UDF, France)

The Hon. **Pavel Voronin**, Member of the Parliament (Edinaya Rosiya, Russia)

M. **Steven Sim**, Architect and art historian (Glasgow, Scotland)