NACIONES UNIDAS **A**

Asamblea General

Distr.
GENERAL

A/HRC/6/G/10
24 de septiembre de 2007

ESPAÑOL
Original: INGLÉS

CONSEJO DE DERECHOS HUMANOS
Sexto período de sesiones
Temas 3, 4 y 9 de la agenda

PROMOCIÓN Y PROTECCIÓN DE TODOS LOS DERECHOS HUMANOS, CIVILES, POLÍTICOS, ECONÓMICOS, SOCIALES Y CULTURALES, INCLUIDO EL DERECHO AL DESARROLLO

SITUACIONES DE DERECHOS HUMANOS QUE REQUIEREN LA ATENCIÓN DEL CONSEJO

RACISMO, DISCRIMINACIÓN RACIAL, XENOFOBIA Y FORMAS CONEXAS DE INTOLERANCIA. SEGUIMIENTO Y APLICACIÓN DE LA DECLARACIÓN Y PROGRAMA DE ACCIÓN DE DURBAN

Nota verbal de fecha 19 de septiembre de 2007 dirigida al Presidente del Consejo de Derechos Humanos por la Misión Permanente de Azerbaiyán ante la Oficina de las Naciones Unidas en Ginebra y otras organizaciones internacionales en Ginebra

La Misión Permanente de la República de Azerbaiyán ante la Oficina de las Naciones Unidas y otras organizaciones internacionales en Ginebra saluda atentamente al Presidente del Consejo de Derechos Humanos y tiene el honor de transmitir adjunto* la comunicación recibida del Gobierno de la República de Azerbaiyán.

La Misión Permanente pide además al Presidente del Consejo de Derechos Humanos que tenga a bien distribuir la presente nota y su anexo como documento oficial del sexto período de sesiones del Consejo en relación con los temas 3, 4 y 9 de la agenda.

* Se reproduce en el anexo como se presentó, en el idioma original únicamente.

Anexo

Minister of Foreign Affairs
of the Republic of Azerbaijan

Baku, 23 February 2006

Dear Mr. President:

I am writing to express my bewilderment upon recent adoption by the European Parliament of a resolution on Cultural Heritage in Azerbaijan. This unjust approach not only distorts the reality, but also adversely affects the uneasy peace process and threatens the fragile stability in the region as a whole.

We strongly object to the adopted language in general, with some provisions being especially unacceptable. These include, but are not limited to a number of subjects.

With regard to alleged video evidence provided by the Armenian side, the footage, as you may be aware yourself, is mostly unfocused and can hardly serve as a proof of anything, other than just portraying a number of men of undisclosed affiliation destroying medium-sized stone objects of unknown origin.

Always aware of the utmost importance of the cultural and historical heritage preservation, Azerbaijan stands in favor of arranging for an appropriate fact-finding mission, which would enable the international community to both dismiss ungrounded claims against my country and verify the policy of cultural genocide on our heritage pursued in the Armenia-occupied 20% of Azerbaijan, as well as in Republic of Armenia proper. In addition, the Government of Azerbaijan has raised the issue before the UNESCO on more than one occasion and invited the UN Commission on Human Rights' Special Rapporteur on Freedom of Religion or Belief to visit.

Azerbaijan unwavering attention to interacting with international organizations is documented by the annual reports of the Special Rapporteur to the UN Commission on Human Rights.

The Honorable Josep Borell Fontelles
President of the European Parliament

Under the conditions of ethnic cleansing by Armenia resulting in expelling almost one million Azerbaijanis from their homes, Azerbaijan, as a truly diverse state population-vise, with ethnic minorities, including some 30 000 Armenians, continuing to live in the country, has been always keen on preserving, in its entirety and regardless of roots and origin, its cultural and historical heritage.

The unfortunate decision made by the distinguished European Parliament without due regard to the information provided by Azerbaijan and under obvious pressure from Armenian groups in various countries, is yet another manifestation of some political forces in Armenia referring, over and over again, to the tactic of groundless accusations, and the reasons for that are obvious: the atrocities committed by the Armenian troops in the occupied territories of Azerbaijan seized through the power of arms and ethnically cleansed, with no single Azerbaijani historic and/or cultural monument, including both movable and immovable, left undamaged and no holy place escaping desecration, not to mention economic infrastructure being purposefully damaged and dismantled, as confirmed by the OSCE fact-finding mission to the occupied territories of Azerbaijan in early 2005. We may consider that this ill-advised initiative lobbied by the Armenian side is yet another attempt to divert the international opinion from the above-mentioned transgressions.

With a view to the above-mentioned, Azerbaijan, while remaining resolved to continue its cooperation with the international community on all issues deriving from its commitments and relevant norms and principles of international law, deems the tone and language of the Resolution inadmissible and under the circumstances and on the terms reflected in the document, considers it impossible to cooperate with any mission based on the Resolution's provisions.

Please, accept the assurances of my high consideration.

Signed: Elmar MAMMADYAROV

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Explanatory Note

The Azerbaijani side expresses deep regret regarding the position of the European Parliament on situation of "Armenian cemeteries and historic carved stone crosses in southern Nakhichevan", reflected in its resolution "European Neighborhood Policy" of January 19, 2006.

The Azerbaijani side declares in this regard that allegations made by Armenian side about demolition of graves and cross-stones in Chuga cemetery of Julfa region in the Nakchyvan Autonomous Republic of Azerbaijan are totally groundless.

This is not the first time that the Armenian side tries to delude the international community, referring to the tactic of groundless accusations. The reasons for that are obvious, including, among others, the atrocities committed by the Armenian troops in the occupied territories of Azerbaijan, where no single Azerbaijani historic and/or cultural monument has been left undamaged and practically no holy place escaped desecration. Most of mosques in the occupied territories have been purposefully destroyed and burnt down, many of them turned into warehouses and stalls. Numerous historical, cultural, religious monuments and pieces of art, which had been ruthlessly removed from the occupied Azerbaijani territories by Armenian Armed Forces, were put on sale in the auctions and shops throughout the world. The attributes of Azerbaijani cultural property, their national, geographical origins and identity have been disrespectfully changed.

As for the historic carved stone crosses in Chuga cemetery of Julfa region in Nakchyvan they were created in Caucasian Albania, where the Christianity had been the state religion until Arab invasion of VII century, by Caucasian Albanians, one of the ancestors of Azerbaijani ethnos. The gravestones and the inscribed patterns on them are deeply rooted to the period of Christianity Azerbaijan lived through. All the people irrespective of nationality and belief were buried in this Albanian Christian cemetery. It is to be underscored that the ancient Albanian cemetery in Chuga village of Nakhchyvan has been registered as the archeological monumem and is protected by the state. The claims on the monuments destruction by Azerbaijan is nothing more than the attempt to justify the barbaric actions perpetrared by Armenian Armed Forces in the occupied territories of Azerbaijan towards the historical, cultural and religious heritage of Azerbaijan.

All the relevant appeals of Armenian side to UNESCO and other appropriate international organizations did not bring any results. This is mainly due to the fact that no serious and self-respecting organization will entertain further baseless claims of the country-aggressor, which is

responsible for brutal violation of the norms and principles of international law, including legal obligations on protection of the world historical, cultural and religious heritage.

It is sorrowful that such an esteemed EU Institution as the European Parliament can express its position on the basis of untried and unfounded information, which could undermine its credit and authority in opinion of its constituency as well as the people of the neighboring countries. Therefore, the Azerbaijani side hopes that the further approach of the European Parliament to such kind of sensitive issues will be thorough and well-grounded and relies on close cooperation in this regard with all European Institutions, and the European Parliament in particular.

Brussels, 25 January 2006

DESTRUCTION OF AZERBAIJANI CULTURAL HERITAGE BY ARMENIA

Azerbaijan is known as one of the areas of earliest human settlement, with a rich historical past and diverse cultural legacy. Archeological excavations have unearthed a great number of artifacts testifying to its distant past, as do different rock drawings, architectural monuments and examples of art and craft. The country also has ancient traditions of statehood. The predecessors of the modern Republic of Azerbaijan established by the ancestors of the Azerbaijani people each has its own share in this rich culture.

The aggression of Armenia against Azerbaijan that started back in 1988 with open territorial claims, resulted in the occupation of a great portion, almost one-fifth the internationally recognized part of the Republic of Azerbaijan and uprooted every eighth person in the country an internally displaced person. The war against Azerbaijan has had catastrophic consequences for its cultural heritage both in the occupied territories and in Armenia.

The occupation of a considerable part of Garabagh (the districts of Shusha, Kalbajar, Lachyn, Gubadly, Zangilan, Jabrayil, Fuzuli, Khojavand, Khojaly, Aghdam and Tartar), as well as 7 villages in the district of Gazakh outside of Garabagh and the village of Karki in the district of Sadarak (Nakhchyvan Autonomous Republic, Azerbaijan) with 1.891 cultural resources, comprising 738 monuments, 28 museums with more than 83.500 exhibits, 4 picture galleries, 14 memorial complexes and 1.107 cultural establishments was a great cultural loss for Azerbaijan. A large number of these cultural monuments, including mosques have been destroyed, looted or desecrated.

Among these monuments one could find architectural monuments of national importance like the 6th century Albanian Aghoghlan cloister and the 14th century Malik Ajdar tomb in Lachyn, the 4th century Albanian Amaras cloister and a considerable number of Albanian temples in Khojavand, the 18th century Asgaran castle, the 14th century tombs and a number of Albanian temples from the Middle Ages in Khojaly, the 6th century Albanian Saint Jacob and 13th century Albanian Khatiravang cloisters and the 13th-14th century Lekh castle in Kalbajar, the Albanian cloister of the 5th-8th centuries in Gazakh, the 13th-14th century Mirali tomb and the 17th century caravanserai in Fuzuli, the 14th century tomb in Zangilan, the 17th century mosque complex in Jabrayil, the 18th-19th century Yukhary and Ashaghy Govharagha and Saatly mosques, caravanserais and houses in Shusha, the 19th century mosque in Aghdam, and archeological sites like Garakopaktapa, Khantapa, Gunashtapa, Uzuntapa, Meynatapa and Zargartapa residential areas of the Neolithic and Bronze Ages in Fuzuli, residential areas of Chyragtapa and Garaghajy of the Bronze Age, and that of Gavurgala of the Middle Ages in Aghdam, Imangazantapa and Gyshlag mounds of the Bronze Age in Jabrayil, rock drawings of the Bronze Age in Kalbajar, the stone box necropolis of the Bronze and Iron Ages in Khojaly, residential area and necropolis of the Bronze Age in Sadarak (Nakhchyvan Autonomous Republic, Azerbaijan), mounds of the Bronze and Iron Ages in Lachyn, a cave of the Stone Age, a mound and stone box graves of the Bronze and Iron Ages in Shusha, and Shahri-Sharifan residential area of the 13th -14th centuries in Zangilan.

The occupied territories of Azerbaijan were not only rich with monuments classified as being of national importance, of which but a few are listed above, but also with those of world

importance, like the 11 and 15 arch Khudafarin bridges of the Middle Ages and Niftaly mounds of the Bronze Age in Jabrayil, Albanian Ganjasar and Khudavang cloisters of the Middle Ages in Kalbajar, the 14th century Gutlu Musa oghlu tomb and Uzarliktapa residential area of the Bronze Age in Aghdam, the Azykh and Taghlar caves of the Paleolithic Age in Khojavand, and mounds of the Bronze and Iron Ages in Khojaly.

Apart from its wealth of architectural and archeological monuments and its spectacularly beautiful nature, Garabagh was home to many talents, among whom Vagif, Natavan, Navvab, Hajibayov and Bulbul deserve special mention, whose legacy for their great contribution to Azerbaijani and world cultural heritage has been carefully and respectfully preserved by Azerbaijanis.

The ongoing policy of deliberate destruction of this legacy following the occupation has been and continues to be an irreparable blow to Azerbaijani culture. As clearly demonstrated in the deliberate change of the cultural look of Shusha and other towns and settlements of Garabagh by destroying the monuments and changing architectural features, and making "archeological" excavations, this Armenian policy pursues far-reaching targets of removing any sign heralding their Azerbaijani origins.

Analysis of the 13 years since the declaration of a cease-fire in 1994 shows that the military phase of the war between Armenia and Azerbaijan, which lasted for almost 3 years, didn't destroy Azerbaijani monuments to the extent to which this was subsequently done by the Armenian state. Thus, if in the years immediately following the military phase of the war, in Shusha town, the architectural monuments like the Yukhary and Ashaghy Govharagha mosques with their madrasas, the mausoleum of Vagif, and the house of Natavan and caravanserais were destroyed, burnt, plundered and rendered unusable, the house of Aslan Garasharov, hero of the Second World War, was razed to the ground and three new Armenian houses were built in its place, the later period shows the intensification of the barbarism, which has left almost no Azerbaijani monument without destruction or damage.

As for other districts, the "Imarat of Panah khan" complex, mosques in Aghdam town, the Abdal and Gulably villages, the tomb of Ughurlu bay and the home museum of Gurban Pirimov in the Aghdam district, the 14th century tombs in the Khojaly district, mosques in the Bashlybel and Otagly villages, ancient cemeteries in the Moz, Keshdak and Yukhary Ayrym villages and Kalbajar town in the Kalbajar district, mosques in the Zangilan, Gyrag Mushlan, Malatkeshin, Babayly and Ikinji Aghaly villages, cemeteries from the Middle Ages in the Jahangirbayli, Babayly and Sharifan villages in the Zangilan district, ancient cemeteries in the Gayaly and Mamar villages, the mosque in Mamar village in the Gubadly district, the mosque in Garygyshlag village and ancient cemetery in Zabukh village in the Lachyn district, the mosque complex in Chalabilar village and ancient cemetery in Khubyarly village in the Jabrayil district, mosques in Fuzuli town and the Gochahmadli, Merdinli and Garghabazar villages in the Fuzuli district, the cemeteries of the Khojavand, Akhullu, Kuropatkino, Dudukchu and Salakatin villages and the old cemetery of Tugh village in the Khojavand district, the ancient hamams in Umudlu village in the Tartar district and the cemetery of Karki village in the Sadarak district (Nakhchyvan Autonomous Republic, Azerbaijan) were destroyed, burnt down and plundered.

The Museum of History in the Kalbajar district, with its unique collection of ancient coins, gold and silverware, rare and precious stones, carpets and other handicraft wares, the Shusha Museum of History and that of Carpets, the Lachyn Museum of History, the Aghdam Museum of History and the Bread Museum and others have also been destroyed, plundered, and their exhibits put on sale in different places of the world. For example, the bronze statues of the poetess Natavan, of composer Uzeyir Hajybayov, and of singer and musician Bulbul would have been sold as bronze scrap metal in Georgia if the Azerbaijani government had not bought them for $500,000 and taken these to Baky. Similarly, a silver handbag from the Lachyn Museum of History was sold at a Sotheby's auction in London for $80,000.

Acts of barbarism are accompanied by different methods of defacing the Azerbaijani cultural image of the occupied territories. Amongst them are large-scale construction works therein, such as, for example, the building of an Armenian church in Lachyn town, the extension of the flight line of the Khojaly airport by destroying the children's music school, library, social club and infrastructure facilities. Another widespread phenomenon consists of changing the architectural aspects of different monuments like the Saatly mosque and Khanlyg Mukhtar caravanserai in Shusha town, as well as replacing the Azerbaijani-Muslim elements of the monuments with alien ones, such as the Armenian cross and writings, which have been engraved on inscriptions in Arabic characters of the 19th century Mamayi spring in Shusha town.

As for the fate of the Azerbaijani historical and cultural heritage in Armenia, those which could survive until the beginning of the conflict it was also brutally liquidated afterwards, such as the Damirbulag and Goy mosques of Yerevan. Thus, the former was razed to the ground, while the latter has been "restored" and presented now as a Persian mosque. The mosques and other Azerbaijani monuments in other places of Armenia have also shared the same fate as the above-mentioned two, together with ancient or modern Azerbaijani cemeteries and toponyms of Azerbaijani origin, which have been erased from present-day Armenia.
