

Urgent appeal

On denial of education rights of people of Artsakh as a consequence of military aggression
by Azerbaijan

To: Ms Koumbou Boly Barry
UN Special Rapporteur on the Right to Education
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Education rights of about 33,000 people in Artsakh have been flagrantly violated¹ in the consequence of military aggression of Azerbaijan backed with Turkish military support and thousands of jihadist terrorist mercenaries from Syria (recruited by Turkey).

Starting from the early morning of 27 September, 2020, Azerbaijan has launched indiscriminate airstrikes (including UAV strikes) and artillery assaults against the Republic of Artsakh aimed at impeding the exercise of the right to self-determination of the Armenian people of Artsakh. Azerbaijani armed forces have deliberately and continuously targeted a number of cities and villages, their peaceful population and key civilian infrastructures in Artsakh. In particular, capital Stepanakert, towns of Shushi, Hadrut, Martuni, Martakert, Askeran, Karvajar, Berdzor, villages of Taghaser, Vardashat, Spitakshen, Maghavus, Nerkin Horatagh, Alashan, Mataghis and many others were hit. Residential areas as well as civilian infrastructures have been targeted by the Azerbaijani armed forces with large-caliber missile systems, including Smerch and Grad and various types of drones².

In addition, the ombudsmen of Artsakh and Armenia have documented the use of cluster weaponries by Azerbaijani side prohibited under international humanitarian law and the Convention on Cluster Munitions³. Their use was also confirmed on October 5, 2020 by the Amnesty International as a result of its independent investigation⁴. Repeated use of widely banned cluster munitions in residential areas in Nagorno-Karabakh has been recently

¹ <https://www.facebook.com/edunkr.am/posts/807170980046670>

²See more in the Second Interim Report of the Ombudsperson of Artsakh <https://artsakhombuds.am/en/document/735?fbclid=IwAR31Ew5C7-blBarop5ojsm4HTZgVEwYADJ2A9vfFC3ZYpkVI5ZZp9IHysnA>, Eurasian Times, Clash of Drones, How Israeli and Turkish drones have created havoc in Azerbaijan-Armenia war, available at <https://eurasianimes.com/clash-of-drones-how-israeli-turkish-drones-have-created-havoc-in-azerbaijan-armenia-war/>

³ See more at Second Interim report on the Azerbaijani atrocities against the civilian population of Artsakh, 10 October 2020, pp. 25-26, available at <https://artsakhombuds.am/sites/default/files/2020-10/Artsakh-Ombudsman-second-interim-report-on-September-October.pdf>; also Statement of the Ombudsperson of the Republic of Armenia Mr. Arman Tatoyan, available at https://www.facebook.com/permalink.php?story_fbid=723396871592854&id=100017676420633

⁴See more at Armenia/Azerbaijan: Civilians must be protected from use of banned cluster bombs, 5 October 2020, available at https://www.amnesty.org/en/latest/news/2020/10/armenia-azerbaijan-civilians-must-be-protected-from-use-of-banned-cluster-bombs/?fbclid=IwAR0hXK3rDdWH5IPovF21WszFXxTcinNvKrhVx7xG2f_oJ58BxImpmwM35_0

documented also by the Human Rights Watch during an on-site investigation in Nagorno-Karabakh in October 2020⁵. It is important to note that in the course of the on-site investigation the Human Rights Watch was not able to identify any military equipment or bases in the three neighborhoods where the attacks took place⁶. What is worse, cluster munitions are extremely dangerous even after the conflict especially for children, who might suffer on the playgrounds.

Since September 27, as a result of the Turkish-Azerbaijani terrorist war, all educational institutions in Artsakh have been closed for indefinite time. Among other infrastructures, educational institutions and cultural centers were hit. According to the official data, as of October 18, 2020, 18 school buildings, 6 kindergartens and 4 cultural centers were targeted and destroyed⁷ (including in Stepanakert, Hadrut, Shushi, Mataghis, Talish).

As a result of almost daily bombardment of the civilian objects, the population of Nagorno-Karabakh has been forced to take refuge in shelters, and part of the population has fled their homes and temporarily moved to the Republic of Armenia⁸. This situation in its turn has made the exercise of the right to education even more unrealizable due to the inevitable outbreaks of COVID-19 in the given circumstances.

As a consequence, 24000 pupils do not attend school, 4016 kids do not attend kindergartens, 4986 students do not attend vocational schools, colleges and higher education institutions. Many pupils and students were killed and injured (according to the official data of the Ministry of Education, Science and Culture of the Republic of Artsakh)⁹.

Not only educational institutions in Artsakh, but also in the Republic of Armenia suffered from the aggression unleashed by Azerbaijan, in particular, the secondary schools of Sotk and Kut communities of Gegharkunik marz (region) were damaged by the strikes of the Azerbaijani UAV. The windows of the educational institutions were broken due to shock waves, and cracks appeared on the walls¹⁰. Due to the state of war, more than 10.815 children from 119 border regions of the Republic of Armenia have been deprived of educational opportunities since September 27. For security reasons, the schools of these communities, as well as the primary vocational and secondary vocational education institutions, have organized distance lessons. Thousands of children in the same communities are unable to attend kindergarten¹¹.

Though International humanitarian law provides for a regulatory framework protecting the right to education during armed conflicts, the Rome Statute of the International Criminal Court qualifies all intentional attacks on buildings dedicated to education as war crimes, Azerbaijani side continues to deliberately and systematically target civilians, educational institutions and cultural centers, as well as other civilian objects and infrastructures, including, electricity, communications, gas and water supply systems which seriously impedes the exercise of the

⁵ <https://www.hrw.org/news/2020/10/23/azerbaijan-cluster-munitions-used-nagorno-karabakh>

⁶ Ibid

⁷ <https://www.facebook.com/ArtsakhInformation/posts/197950975179024>

⁸ See more in the Second Interim Report of the Ombudsperson of Artsakh

<https://artsakhombuds.am/en/document/735?fbclid=IwAR31Ew5C7-blBarop5ojsm4HTZgVEwYADJ2A9vfFC3ZYpkVI5ZZp9IHysnA>

⁹ <https://www.facebook.com/edunkr.am/posts/807170980046670>

¹⁰ <https://escs.am/en/news/7315>

¹¹ https://escs.am/en/news/7302?fbclid=IwAR2lt_gi_nGo6najhUOvCldbl-doUo05jQ9xrCMbqcZdxErZ5Jy1zcdWuCM

right to education depriving peaceful population of basic living conditions. Targeting activities take place in blatant disregard of the UNESCO's call to refrain from any attacks on, or harm to, children, teachers, education personnel or schools¹² and UNICEF's call to protect civilians and civilian infrastructure from further harm, in line with international and humanitarian law (confirming that an immediate cessation of hostilities is in the best interest of every child¹³).

Given the factual impact of the military aggression by Azerbaijan which has caused interruption and destruction of education in the Republic of Artsakh, there is need for taking urgent action to prevent and stop the flagrant violation of education rights of the people of Artsakh. Therefore, we urge the UN Special Rapporteur on the Right to Education to engage with the Government of Azerbaijan as soon as possible calling for immediate end of systematic targeting of educational institutions and peaceful population in the Republic of Artsakh.

Law Development and Protection Foundation
Transparency International Anticorruption Center
Protection of Rights without Borders NGO
Open Society Foundations-Armenia
Helsinki Citizens' Assembly – Vanadzor

¹² <https://en.unesco.org/news/situation-nagorno-karabakh-conflict-zone-unesco-statement>

¹³ <https://www.unicef.org/press-releases/unicef-statement-nagorno-karabakh-conflict>