

**Report to the UN Special Rapporteur on
the Right to Education
Violations due to
Azerbaijan's Illegal Blockade of Nagorno-Karabakh
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1.0 Introduction

1.1 The Center for Truth and Justice presents the following report to inform the UN Special Rapporteur on the right to education. The purpose of this document is to present facts that substantiate violations of the right to education as a result of Azerbaijan's nine-month-long illegal blockade of Nagorno Karabakh that began on December 12, 2022, and lasted through September of 2023. The Center for Truth and Justice offers first-hand testimonial evidence of those adversely affected by this blockade and the consequences they have suffered due to their inability to attend school during the long months of the blockade. We invite the Special Rapporteur to visit Armenia and hear these first-hand accounts of students whose education was disrupted and the dire consequences they've had to suffer. In response, please visit Armenia to hear first-hand accounts of witnesses who can testify to the above. The CFTJ requests that the Special Rapporteur on the right to education strongly condemn the actions of Azerbaijan, which deliberately ignores the norms of international law.

1.2 Before September 2020, the population of Nagorno-Karabakh was 150,000 and predominantly Armenian. The geography of this Republic was 2,700 square miles (7,000 square kilometers). On September 27, 2020, During COVID-19, Azerbaijan launched an aggressive war on Nagorno-Karabakh. For 44 days, Azerbaijan targeted civilians and civilian infrastructure. Over 4000 Armenians died, and hundreds of POWs were taken. Ninety-one thousand individuals were displaced and had to escape to Armenia for safety and security. Russia, Azerbaijan, and Armenia signed a trilateral statement to instill a ceasefire on November 9, 2020. Most refugees returned to Nagorno-Karabakh. The total population of Nagorno-Karabakh dropped to 120,000. Many who lost their lands and homes could not return due to torture, arbitrary detention, and extrajudicial killings. Azerbaijan has also caused the displacement of thousands of Armenians, as well as the loss and destruction of civilian properties¹.

December 12, 2022: Azerbaijan blocked Nagorno-Karabakh from accessing Armenia through the only connecting road: the Lachin Corridor. This obstacle created by Azerbaijan was the beginning of the nine-month blockade of Nagorno-Karabakh. Azerbaijan would also intermittently cut off gas supplies from reaching Nagorno-Karabakh. The blockade meant that food supplies, medicines, and clean water would not be accessible to the 120,000 Armenians, the indigenous population of Nagorno-Karabakh. The economy collapsed, schools closed, transportation came to a complete halt, and starvation and death set in for nine long months. Nagorno-Karabakh became an open prison

¹ See Committee on the Elimination of Racial Discrimination, Concluding observations on the combined tenth to twelfth reports of Azerbaijan, ¶ 4, U.N. Doc. CERD/C/AZE/CO/10-12 (2022).

without food. April 23, 2023, Azerbaijan established a formal, illegal checkpoint at the Hakari Bridge on the Lachin Corridor where Azerbaijani servicemen stood guard.

Between September 19, 2023, and September 20, 2023, Azerbaijan launched a full-scale offensive on the starving population of Nagorno-Karabakh population, and within two days, it forced the capitulation of the de facto state. The Republic of Nagorno-Karabakh ceased to exist.

September 24, 2023, marked the day when 120,000 Armenians were forcibly displaced and began their escape to Armenia. In a matter of 8 days, the entire Armenian population of Nagorno-Karabakh fled to safety to avoid being murdered at the hands of the Azerbaijani military that had been bombing and shelling civilian infrastructures, which included homes and schools, as well as arbitrarily arresting people. Today, Nagorno-Karabakh is under Azerbaijan's control. For the first time since c. 189 BC, no Armenians live in Nagorno-Karabakh. Furthermore, the Republic of Nagorno-Karabakh no longer exists.

1.3 The Center for Truth and Justice (CFTJ) has been documenting human rights violations and war crimes perpetrated by Azerbaijan against the Armenians both in Nagorno-Karabakh and Armenia. After the 44-Day War in 2020, CFTJ has set up a fact-finding infrastructure in the region which has been collecting first-hand testimonies from the victims of war crimes and crimes against humanity. CFTJ's evidence gathering [Methodology](#)² is readily available on the CFTJ website. CFTJ preserves evidence and makes it available for educational purposes, advocacy, and potential legal actions. The CFTJ team comprises attorneys and law students in the U.S., Canada, Armenia, and Nagorno-Karabakh, as well as human rights advocates and other professionals. CFTJ works to amplify the voices of victims of human rights violations, including discrimination, ethnic cleansing, displacement, war crimes, mass atrocities, and genocide. CFTJ educates and trains teams in Armenia and Nagorno-Karabakh on evidence-based interview techniques, comporting with international legal standards and rules of evidence. The mission of CFTJ is to serve as a living memorial to those who perished or suffered from human rights abuses and war crimes. A permanent home for victim testimonies, CFTJ strives to foster education, empathy, justice, and change.

2.0 Background

2.1 Education is one of the fundamental human rights, the provision and promotion of which is the cornerstone of a sustainable and prosperous future. Azerbaijan violated the education rights of the

² See Official page of Center for Truth and Justice, <https://www.cftjustice.org/investigations-methodology/>.

ethnic Armenians of Nagorno-Karabakh when it launched an unprovoked War on September 27, 2020, and again during the illegal blockade of Nagorno-Karabakh from December 12, 2022, to September 18, 2023. The combination of the civilian population coming under military attack and the lack of gas, electricity, medicines, and food continuously forced the student population to escape or take refuge for safety and security. The war conditions that the Azerbaijanis created caused the student population of Nagorno-Karabakh to miss school for months on end, thus adversely affecting their growth, education, and sense of community and belonging. Instead, students either hid in the basement or escaped to Armenia to avoid being maimed or killed. During the blockade, they had to stay home due to the lack of fuel, transportation, electricity, and food. Remote education was also impossible because Azerbaijan cut off the internet in Nagorno-Karabakh. Since 2020, the student population of Nagorno-Karabakh has suffered with incomplete grades, unattended classes, and curricula not completed. During the past three years, their education has suffered, which will have long-term effects on their futures. All combined to create an environment of fear, Gas supply, electricity supply failures, and lack of food, which Azerbaijan artificially created, undermined the right to education of the ethnic Armenians of Nagorno-Karabakh. Schools, kindergartens, and other educational institutions were closed. The lack of food has caused malnutrition among children, significantly affecting the full realization of the right to education.

3.0 Evidence of Violations of the Right to Education as a Result of Azerbaijan's Illegal Blockade of Nagorno-Karabakh

3.1 Witness 23BLC-25

The witness is the director of the "Dizak" kindergarten in the Hadrut region of Nagorno-Karabakh, which reopened in Stepanakert. The witness states that seventy-seven children registered for this kindergarten, but only 26 people attended. This was primarily because the blockade forced all teachers and workers to reduce their hours. After all, Due to the blockade, the school was not able to provide food for the children. and the lack of food available for the children in school, working hours were reduced. In kindergarten, children would usually be given cereals, dairy products, meat, and vegetables, but during the blockade, they could only be given tea because of the food shortage. Children also needed help attending classes due to the lack of transportation available to them.

3.2 Witness 23LC-0065

The witness is the head of the Department of Law of "Artsakh State University" in Nagorno-Karabakh. According to her, due to the blockade, students living in these regions could not attend

university because the blockade restricted their ability to find transportation. Because of this shortage of transportation methods, the students had no opportunity to reach Stepanakert and participate in their classes' curricula. On the other hand, students living in Stepanakert faced several social and domestic problems, which also affected their education.

Two hundred students were studying in the law department at the university, where only 60 percent of them were able to attend their classes. It was impossible to organize a form of virtual or remote education to accommodate students who could not attend class because of the constant region-wide blackouts due to the blockade. They also needed more stationery due to the weather conditions under the blockade, which caused delays in their school programs. According to him, "Before the blockade, they were morally and psychologically stable; after that, they were depressed. It affected their psychology." People were also malnourished from the food shortage, which continuously hindered their education.

The witness had two children, 5 and 10 years old, respectively. He says, "They were not given food at school because there were no supplies due to the blockade."

3.3 Witness 23BLC-21

The witness is the dean of the Faculty of History and Law of "Artsakh State University" in Nagorno-Karabakh.. According to the witness, the attendance rate of students in the faculty was 60 percent due to the illegal blockade. Most students lived in regions where there was an issue acquiring transportation due to the blockade, undermining the students' right to education. Lecturers also faced similar issues: waiting in queues for food such as bread, and walking to work. The situation quickly worsened every day. The witness mentioned that the faculty had students who were in Armenia and could not attend class due to the blockade. The witness also has young children who used to attend kindergarten but stopped attending as the blockade prohibited them from doing so. The kindergarten was closed primarily due to the food shortage.

3.4 Witness 23LC-0067

The witness is the prorector of "Artsakh State University" in Nagorno-Karabakh for the Department of Student Affairs, graduates, and the general public. He also teaches psychology at the university. According to him, due to the blockade, the following problems have arisen in the university: electricity outages, lack of heating, depleted supplies of A4 paper and chalk, and a lack of

transportation. As a psychologist, he emphasizes that these problems have had specific psychological effects on all those affected.

According to the witness, most students residing in Stepanakert could attend classes, but those living in the regions outside of Stepanakert physically could not attend. There was no fuel to be used to power vehicles for transportation. According to him, the students living outside Stepanakert were more than half of the total university students. Over 50% of the students were unable to attend university.

According to the witness, some university students were stuck in Armenia for many months and unable to return to Nagorno-Karabakh due to the blockade. Consequently, they could also not attend any of their classes or courses. The Azerbaijanis obstructed the students' right to education.

3.5 Witness 23BLC-26

The witness is the prorector for the educational activities of "Artsakh State University" in Nagorno-Karabakh. According to him, due to the blockade, many complications arose due to the fuel shortage. Students could not come to Stepanakert and participate in their classes, mainly because 50% or more of the total university students lived in the regions outside of Stepanakert. The teaching staff also faced difficulties while working at the university. There was no stationery available, not even ordinary paper. Basic hygiene supplies were missing, and there was no food, which actively hindered the daily program of the university.

On average, half of the total students attended classes: 51 percent in bachelor's degree programs and 37.5 percent in master's degree programs. According to the witness, the university student's right to education was violated.

3.6 Witness 23LC-NK0003

Witness 23LC-NK0003 was an employee of the Ministry of Education, accompanied by 16 children aged 10-17 on December 10, 2022, to Yerevan (the capital city of the Republic of Armenia) to participate in the Junior Eurovision Song Contest. While returning from Armenia on December 12, the road was closed in the Qarintak section, and they had to stay in a hotel in Goris. They were supposed to stay in Armenia for two days. However, because of the road closure, they stayed for 38 days, prohibiting them from attending school and participating in their educational programs.

3.7 Witness 23LC-NK0004

Witness 23LC-NK0004 was born in Stepanakert in 1963 and has been working since 1990 as a Deputy Director at the 10th school named after Avetik Isahakyan in Stepanakert. Due to the blockade, the witness mentioned that they could not provide adequate heating for school faculty and students due to the electricity and gas supply being cut off by Azerbaijan. This disrupted the teaching process, especially during the cold weather in the Winter. Children have a heavily increased difficulty of learning when hungry, and since there was a lack of food, all work with preschool children would only last half of a typical day.

4.0 Legal Framework

4.1 According to the Committee on the Rights of the Child, Education, which every child is entitled to, is designed to provide the child with life skills, strengthen the child's capacity to enjoy the full range of human rights, and promote a culture imbued with relevant human rights values. Education aims to empower the child by developing his skills, learning and other abilities, human dignity, self-esteem, and self-confidence³. This view, expressed by the Committee on the Rights of the Child, emphasizes the importance of education in the life of every child and its role in developing not only knowledge but also key skills, values, and beliefs. In other words, the right to education is a fundamental human right and contributes to further sustainable human development.

4.2 Article 26 of the "Universal Declaration of Human Rights" states that Everyone has the right to education. It shall promote understanding, tolerance, and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations to maintain peace⁴. The analysis of this article highlights the close connection between education and the provision of fundamental rights and values, such as mutual understanding, tolerance, and peace. Education is seen as a means of developing citizens who can participate in the global community with respect for differences and a desire to cooperate. In addition, the right to education must be exercised without any discrimination, regardless of ethnicity.

4.3 The "International Covenant on Economic, Social and Cultural Rights" stipulates that the states participating in the Covenant recognize every person's right to education. They agree that education should be aimed at the full development of the awareness of the human individual and his

³ See Committee on the Rights of the Child, General Comment No. 1 (2001): Article 29 (1) - "The aims of education", CRC, Geneva, 2001, para. 2, accessed 15 July 2013.

⁴ See "Universal Declaration of Human Rights", 1948, article 26.

dignity and should strengthen respect for human rights and basic freedoms. The participating States further agree that education shall enable all to be useful participants in a free society, promote mutual understanding, tolerance, and friendship among all nations and all races and ethnic groups, and support the work of the United Nations to maintain peace. For the full realization of that right, measures shall be taken by the States Parties to the Covenant, including those necessary for the protection, development, and dissemination of educational and cultural achievements⁵. The analysis emphasizes that international agreements give high importance to education as a means of promoting personal development, respect for human rights, maintaining a free society and world peace. In addition, state parties to the convention, including Azerbaijan, are also obliged to take measures to realize the right to education without any discrimination, including the protection, development, and dissemination of necessary educational and cultural achievements.

4.4 According to The "11th Protocol of the Convention on the Protection of Human Rights and Fundamental Freedoms"⁶, as amended, no one can be denied the right to education. In carrying out any of its functions in the field of education and training, the state respects the right of parents to provide education and training for their children per their religious and philosophical beliefs.

4.5 The preamble of the UN "Convention on the Rights of the Child" defines that a child must be fully prepared to live an individual life in society and be brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality, and solidarity⁷. According to the Convention, the States Parties recognize the child's right to education. The States Parties agree that the education of the child should be aimed at:

- A. the development of the child's personality, talent, and mental and physical abilities in their full scope,
- B. fostering respect for human rights and fundamental freedoms, as well as for the principles enshrined in the Charter of the United Nations;
- C. foster respect for the child's parents, his cultural identity, language, and values, the national values of the child's country of residence, his country of origin, and civilizations different from his own.

⁵ See "International Covenant on Economic, Social and Cultural Rights", 1966, article 13, 16.

⁶ See "Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocol No.11", 1952, article 2.

⁷ See "Convention on the Rights of the Child", 1989.

4.6 According to the revised "European Social Charter", Parties undertake, directly or in cooperation with public and private organizations, to take all appropriate and necessary measures aimed at ensuring that children and young people, taking into account the rights of their parents and responsibilities, have the right to the care, assistance, education, and training necessary for them, in particular by ensuring the establishment or maintenance of sufficient and appropriate facilities and services for this purpose⁸.

4.7 The "Convention against Discrimination in Education" defines that "discrimination" for the Convention includes any distinction, exception, limitation, or preference based on race, color, sex, language, religion, political or other belief, national or social origin, economic status; or based on birth, the purpose or consequence of which is the elimination or violation of equal treatment in the study of education, in particular depriving a person or a group of persons of the opportunity to receive any type or level of education⁹.

Both of the above documents express states' obligations in ensuring equal opportunities in education and protecting children's rights. They emphasize the need to create conditions that guarantee access to education for all, regardless of differences, and warn against discrimination on various grounds. Such principles strive to ensure fair, equal, and inclusive education for all members of society.

By combining the evidence mentioned above and legal norms, it becomes clear that during the blockade, the education rights of ethnic Armenians of Nagorno-Karabakh were grossly violated by Azerbaijan.

5.0 Conclusion

Azerbaijan's illegal blockade of Nagorno-Karabakh has caused significant damage and undermined the right to education of the ethnic Armenian population of Nagorno-Karabakh. These manifestations are gross violations of international law. To prevent them and any similar violations in the future, these violations must be addressed. Any obstacles that stand in the way of an individual exercising one's right to education can have serious consequences, especially for the ethnic Armenian population of Nagorno-Karabakh which has undergone blockade, war, mass deportations, and ethnic cleansing. The Center for Truth and Justice calls on the UN Special Rapporteur on the right to education to meet

⁸ See "European Social Charter", 1996.

⁹ See "Convention against Discrimination in Education", 1960.

with witnesses who have suffered human rights violations by Azerbaijan, as well as ethnic Armenians from Nagorno-Karabakh whose right to education has been violated or otherwise undermined by the illegal blockade of Nagorno-Karabakh. Taking concrete steps to limit and hold Azerbaijan's actions accountable is necessary.