



Statement on the Continued Imprisonment of Armenian Officials and Civilians of the Republic of the Artsakh by the Republic of Azerbaijan

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The Lemkin Institute for Genocide Prevention (Lemkin Institute) energetically condemns the continued and unlawful imprisonment of Armenian officials and civilians of the Republic of Artsakh (Artsakh) by the Republic of Azerbaijan (Azerbaijan). Given the high risk of serious violations of human rights against these individuals, including the loss of life, the need for a strong international presence has never been more urgent. Consequently, the Lemkin Institute calls on the international community to take necessary steps to secure the prompt and safe repatriation of all Armenian prisoners of war (POWs), officials, and civilians held hostage in Azerbaijan.

The Lemkin Institute recalls its 27 October 2023 [“Statement on the Ongoing Imprisonment of Armenian Officials of the Republic of Artsakh by the Republic of Azerbaijan,”](#) detailing the detention and prosecution of eight high-ranking officials, namely: **Mr. Ruben Vardanyan**, former State Minister of Artsakh; **Major General Davit Manukyan**, former First Deputy Commander of the Artsakh Defense Army; **Mr. Davit Babayan**, former Adviser to the President and former Minister of Foreign Affairs of Artsakh; **Mr. Levon Mnatsakanyan**, former Commander of the Artsakh Defense Army; **Mr. Arkadi Ghukasyan**, the second President of Artsakh; **Mr. Bako Sahakyan**, the third President of Artsakh; **Mr. Arayik Harutyunyan**, the fourth President and former State Minister of Artsakh; and **Mr. Davit Ishkhanyan**, the last President of the National Assembly of Artsakh.

These arrests occurred after Azerbaijan's military aggression against the Nagorno-Karabakh region on 19 September 2023, and during the ensuing genocide against its civilian population. Many of these officials were apprehended at the illegal Hakari Bridge checkpoint, [constructed](#) by Azerbaijan in the Lachin Corridor in April 2023. The establishment of this checkpoint came four months after Azerbaijan's unlawful blockade of the same corridor on 12 December 2022. This situation resulted in the deprivation of essential goods and services for the then 120,000 inhabitants of Artsakh, constituting a clear case of genocide-by-attrition, as [observed](#) by the former prosecutor of the International Criminal Court, **Mr. Luis Moreno Ocampo**.

While the suffering of all Armenians currently detained by the dictatorial regime of **Azerbaijani President Ilham Aliyev** is deeply troubling, the Lemkin Institute is especially concerned about Mr. Vardanyan's situation. The former State Minister, businessman, and philanthropist is particularly loathed in Azerbaijan due to his outspoken and unwavering support for Artsakh's right to self-determination.

In this regard, the Lemkin Institute recalls its statements on "[the Arrest and Detention of former Artsakh State Minister Ruben Vardanyan by Azerbaijan](#)" and "[the Sentencing of former Artsakh State Minister Ruben Vardanyan in Azerbaijan](#)," issued on 27 and 28 September 2023, respectively.

In its statement dated 27 September, the Lemkin Institute sternly warned that, "Vardanyan's detention poses a very high risk of torture and extrajudicial execution or a show trial. As one of the most eloquent and outspoken advocates for the Republic of Artsakh, Vardanyan symbolizes to the regime of Azerbaijan President Aliyev the territory that it has long desired to annihilate. Vardanyan's life and his body are therefore potent symbols of Armenian strength and sovereignty." Additionally, it highlighted that, "[...] Concern for the life and safety of Vardanyan is especially warranted given the treatment that Armenian POWs have received in Azerbaijani captivity since 2020. *They have been tortured, humiliated, murdered, disappeared, and subjected to show trials.* This is well documented." (Emphasis added)

In its statement dated 28 September, the Lemkin Institute protested against the sentencing of Mr. Vardanyan to four months of "preventive detention," which was presumed to be followed by legal proceedings involving a variety of fabricated claims that could potentially lead to a

14-year prison sentence. [According to the news outlet *News.am*](#), Azerbaijan accused Mr. Vardanyan of “financing terrorism, participating in the creation and activities of armed organizations or groups not provided for by the legislation of Azerbaijan, and organizing the illegal arrival of a foreigner or stateless person to Azerbaijan.”

On 10 November 2023, the Mayor of Paris, **Mrs. Anne Hidalgo**, together with Mr. Moreno Ocampo, European Parliament member **Mr. François-Xavier Bellamy**, and Co-President of the Coordinating Council of Armenian Organizations in France, **Mr. Mourad Papazian**, [demanded](#) the “immediate” and “unconditional” release of 55 Armenian “political prisoners” from Nagorno-Karabakh, including the high-ranking officials from Artsakh. Moreover, they declared that all these individuals were being “held hostage” by Azerbaijan.

During the press conference held at Paris City Hall, Mr. Moreno Ocampo emphasized that, “these hostages need international protection because there is not a single Azerbaijani judge who would release them, no one can contradict President Aliyev.” [According to the news outlet *Le Point*](#), the seasoned criminal lawyer was citing a 2022 report from the American State Department, mentioning that Azerbaijan lacked an independent judiciary system and “that prisoners are tortured and killed.”

On the other hand, Mr. Papazian denounced that these detainees “have had contact with their families twice, but nothing since.” “Thus, we do not know under what conditions of psychological [and] physical pressure they are currently being held,” he added.

In this context, the Lemkin Institute reflects on [the recent passing of Mr. Alexei Navalny](#), one of **Russian President Vladimir Putin**’s most formidable domestic opponents, on 16 February 2024. Mr. Navalny had been imprisoned since January 2021, following his return to Russia after recovering in Germany from Novichok poisoning – a potent nerve agent – which he attributed to the Kremlin. Since his apprehension by Russian authorities, President Putin had been resolute in making an example out of him, [as noted by Mrs. Polina Polyakova, President and CEO at the Center for European Policy Analysis](#). The Lemkin Institute expresses its concerns regarding the possibility that President Aliyev’s regime could pursue a similar course of action with Mr. Vardanyan or any other of the high-ranking officials, given their symbolic and historic significance for Artsakh’s independence cause.

The Lemkin Institute recalls that irrespective of the existence of an armed conflict and, should its existence be confirmed, regardless of its legal character (international or non-international), States must, at all times, observe certain fundamental rights concerning the treatment of detained individuals under their jurisdiction, in accordance with international humanitarian law and human rights law. This includes the fundamental guarantees of humane treatment, non-discrimination, and due process, as well as protection from murder, torture and cruel, inhumane or degrading treatment; corporal punishments, enforced disappearance, and arbitrary deprivation of liberty, among others.

On 7 December 2023, Azerbaijan and the Republic of Armenia (Armenia) jointly [announced](#) a prisoner exchange agreement. Azerbaijan released 32 Armenian servicemen in exchange for Armenia freeing two Azerbaijani servicemen. [According to the joint statement issued by both governments](#), this exchange took place as part of a series of “tangible steps towards building confidence between two countries.” Furthermore, it called on the international community to “support their efforts that will contribute to building mutual trust between two countries and will positively impact the entire South Caucasus region.” The exchange in question [occurred on 13 December 2023](#) in the Ijevan-Gazakh border area and was celebrated as a significant breakthrough in Armenian-Azerbaijani relations, [including by European Council President Charles Michel](#). Despite this positive development, some observers remain cautious.

On 12 December 2023, over 100 prominent figures worldwide signed a letter demanding the immediate and unconditional release of the Armenian prisoners detained in Azerbaijan, including the high-ranking officials. [According to the news outlet *The Armenian Weekly*](#), “While the December 7 release of 32 Armenian prisoners of war is a welcome first step, all of the others must be released. *The failure of Baku to release the remaining eight political prisoners raises deep concerns over the motives by the Aliyev regime of their continued detention.*” (Emphasis added).

At the time of publication of this statement, [the letter has garnered over 3,500 signatures from more than 90 countries worldwide](#). Notable signatories include **Mr. Frédéric Encell**, writer; **Mr. Simon Adams**, President and CEO of The Center for Victims of Torture; **Mr. Paul Polman**, former CEO of Unilever and Vice Chair of the United Nations Global Compact, **Mr. Serj Tankian**, activist, poet, and lead singer and songwriter for System of a Down; and **Mrs. Mary Robinson**, first woman President of Ireland and former United Nations High

Commissioner for Human Right. [According to *The Armenian Weekly*](#), Mrs. Robinson stated that, “The unjust detention of Ruben Vardanyan and so many others being held in Baku violates their basic human rights. For the government of Azerbaijan to be respected in the global community, it is critical they respect the rule of law, especially in light of the ethnic cleansing of Nagorno-Karabakh. They must release these detainees immediately.”

On 15 January 2024, an Azerbaijani court of appeals confirmed a lower court’s decision to sentence **Mr. Vagif Khachatryan** to 15 years in prison. As detailed in its 13 November 2023 [“Statement on the Sentencing of Vagif Khachatryan in the Republic of Azerbaijan,”](#) the 68-year-old ethnic Armenian was detained on 29 July 2023 at the Hakari Bridge checkpoint while he was being evacuated from Artsakh by the International Committee of the Red Cross for urgent medical treatment. “Upon his abduction, Mr. Khachatryan was immediately accused by Azerbaijani authorities of committing war crimes during the First Nagorno-Karabakh War in the 1990s, charges he has repeatedly denied and for which Azerbaijan has offered no independent evidence,” the statement mentioned.

In this context, the Lemkin Institute recalls its 27 October statement, where it described that, “At the present time, [Mr. Khachatryan] is on trial in Azerbaijan’s infamous judicial system, where violations of the fundamental guarantee of due process have become alarmingly common. In fact, according to one observer, Mr. Khachatryan’s statements are [intentionally being mistranslated](#) for Azerbaijani and Turkish audiences. Additionally, photos of Mr. Khachatryan have raised concerns about his potential mistreatment and deteriorating health.”

Additionally, in its 13 November statement, the Lemkin Institute explained that, “According to the news outlet News.am, the prosecution [explained](#) that Azerbaijani law does not allow Mr. Khachatryan to be sentenced to life imprisonment, as he is over 65 years old. According to another news agency, Mr. Khachatryan is [scheduled](#) to spend the initial five years of his 15-year sentence in prison, followed by 10 years in a high-security correctional facility.”

Finally, the Lemkin Institute emphasized that, “The law often serves to legitimize those in power, particularly within dictatorial regimes like the one led by [President Aliyev]. Given Mr. Khachatryan’s advanced age and heart condition, the latter being the cause of his emergency evacuation from Artsakh on 29 July 2023, his 15-year prison sentence amounts to a death penalty [...].”

On 25 January 2024, an Azerbaijani court [extended the pre-trial detention](#) of the high-ranking officials by four months. The Lemkin Institute notes that pre-trial detention can sometimes be exploited to unlawfully prolong an individual's eventual prison sentence beyond the duration prescribed by domestic law. While the Lemkin Institute could not independently verify whether Azerbaijani authorities are utilizing this legal mechanism inconsistently with their obligations under international human rights law, it recalls that these individuals are being prosecuted within the notoriously corrupt Azerbaijani judicial system.

On 11 March 2024, **Mr. Artak Beglaryan**, former Minister of State and Human Rights Ombudsman of Artsakh, [denounced](#) that the officials imprisoned by Azerbaijan were being forced to give interviews. "Using hostages for propaganda [and] humiliation purposes is also a crime," he added. Similarly, the "We Exist" initiative decried these acts of public exposure, [as reported by the news outlet *Panorama.am*](#). In a statement issued on 12 March 2024, the entity emphasized that the interview "was yet another display of the egregious violation of human rights and a demonstration of power." Moreover, it argued that these detainees should not be interviewed as they were being coerced and unable to express themselves genuinely. Finally, it argued that this situation contravened "the provisions of numerous international conventions and agreements," and urged various international organizations "to take the necessary steps to safeguard the internationally guaranteed rights of detained persons."

Lastly, the Lemkin Institute recalls the European Parliament's resolution on the "[Situation in Nagorno-Karabakh after Azerbaijan's Attack and The Continuing Threats Against Armenia](#)," issued on 5 October 2023. Among other things, the resolution called "[...] on Azerbaijan to release and commit to a broad amnesty for all the inhabitants of Nagorno-Karabakh who have been arrested since 19 September 2023, including former officials from the region, and for all others who were arrested before and after 19 September 2023."

Azerbaijan has consistently demonstrated its complete disregard for a law-based international order, including its obligations under international humanitarian and human rights law. With the threat of an all-out war in the South Caucasus, the need for a robust international presence in the region has never been more urgent.

In conclusion, the Lemkin Institute once again calls the international community to persuade President Aliyev's regime into promptly releasing all Armenian civilians and POWs under its jurisdiction. Additionally, it exhorts the international community to refrain from providing any kind of assistance that could worsen the suffering of the victims of the Artsakh genocide or embolden Azerbaijan to perpetrate any unlawful act of aggression against Armenian territory. In this context, the Lemkin Institute welcomes the European Parliament's February reports on "[Common Foreign and Security Policy](#)" and "[Common Security and Defense Policy](#)," which, among other things, condemn "the pre-planned and unjustified attack by Azerbaijan against the Armenians of Nagorno-Karabakh and the people who have remained in the region."