



# LAST TO FLEE

OLDER PEOPLE'S EXPERIENCE OF WAR CRIMES AND  
DISPLACEMENT IN THE NAGORNO-KARABAKH CONFLICT

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First published in 2022

by Amnesty International Ltd  
Peter Benenson House, 1 Easton Street  
London WC1X 0DW, UK

Index: EUR 54/5214/2022

Original language: English

[amnesty.org](http://amnesty.org)



**Cover photo:** Local residents are seen in the basement of a building used as a bomb shelter during a military conflict over the breakaway region of Nagorno-Karabakh in Stepanakert, 7 October 2020.  
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# MAP



# EXECUTIVE SUMMARY

The armed conflict over Nagorno-Karabakh, which was disputed territory between Azerbaijan and Armenia long before either state gained independence, is now the longest-running conflict in the former Soviet Union. Azerbaijan suffered huge territorial losses and struggled to absorb over half a million displaced people in the 1990s, but the situation was reversed during 44 days of fighting in 2020, when Armenia lost most of the territory it had occupied in and around Nagorno-Karabakh, and tens of thousands of ethnic Armenians were displaced.

The renewed fighting in 2020 underscored the unique risks of a particular group: older people. More than half of the ethnic Armenian civilians who were killed were over 60 years old. The oldest was 89. Many faced torture or other ill-treatment in detention. Others are still missing. This report examines the violations of international humanitarian law, including war crimes, that Azerbaijani forces committed against older people during and after the 2020 fighting. The report also looks at the situation of older people living in displacement in Armenia and Nagorno-Karabakh, and the ways that older people remain marginalized in the authorities' humanitarian response.

Research for this report was carried out between September and December 2021, including in-person interviews in Armenia and Azerbaijan in November 2021. Amnesty International interviewed 22 older women and 20 older men between the ages of 60 and 90. Amnesty International also interviewed 18 relatives of older people, particularly in cases where an older person had been killed or was missing. Amnesty International was not granted permission to travel to Nagorno-Karabakh, where access has largely been controlled by Russian peacekeeping forces since early 2021. While Amnesty International was able to conduct interviews remotely with older people in Nagorno-Karabakh, this lack of on-the-ground access hindered possibilities for a thorough assessment of the situation of older people still living there.

Amnesty International separately conducted interviews in Azerbaijan with 40 older people who had been displaced from Nagorno-Karabakh or surrounding regions between 1988 and 1994. Most of those interviewees said they had witnessed or been the victims of violence by ethnic Armenians or Armenian forces at that time, and some spoke of disproportionate casualties among older civilians, who they said were slower or more reluctant to flee. Because these events took place many years ago, accounts were difficult to verify: people did not always remember the names or ages of victims, and had no documentation to corroborate testimony. This by no means diminishes the seriousness of crimes committed against Azerbaijanis, including older Azerbaijanis, by ethnic Armenians or Armenian forces between 1988 and 1994, including mass displacement and destruction of property. Armenian forces also carried out indiscriminate and disproportionate strikes that killed and seriously injured civilians in Azerbaijan during the 2020 fighting, which Amnesty International has reported on previously. This report focuses largely on different aspects of the conflict's latest iteration, in which older people in ethnic Armenian communities were disproportionately impacted by violence.

Under international law, there is no specific definition of older age. While chronological age – such as 60, or the local retirement age – is often used as a benchmark, this does not always reflect whether a person is exposed to risks commonly associated with older age. Amnesty International prefers a context-specific approach to older age, which takes into account the ways in which people are identified and self-identify as older people in a given context, consistent with the approach taken by the UN Office of the High Commissioner for Human Rights (OHCHR). In this report, all older interviewees were at least 60 years old, but due to evidence that Azerbaijani forces targeted ethnic Armenian men over 50 with violence on suspicion that they had participated in previous iterations of the conflict, several cases of men in their late 50s who were killed or went missing have been included.

## **DISPROPORTIONATE VIOLENCE AGAINST OLDER PEOPLE**

Older people interviewed for this report were almost invariably the last to flee their villages or towns during the 2020 conflict. Women and children were prioritized for evacuation during the early phases of the fighting, and men between 18 and 55 were typically mobilized to the front or serving the war effort as volunteers. This meant that by the time Azerbaijani forces advanced on ethnic Armenian villages and towns, often the only people left were older people, particularly older men.

For some older people, physical disabilities and health problems made it more challenging and risky for them to flee, while those with psychosocial disabilities or dementia may have found it difficult to understand the necessity or urgency of leaving.

Bella Harutunyan, 72, said that trying to explain the need to evacuate from their home in Hadrut to her husband Ernest, who was 84 and had mild dementia, had been impossible. Having resisted escaping with his family, Ernest was killed at some point after Azerbaijani forces entered his city and his mutilated body was found several months later. Bella said: “They killed him, peeled back his skin where he had tattoos... Who thought these kinds of things, beheadings and mutilation, would be possible today?” According to his son, one of Ernest’s hands was severed from his body.

But many older people who did not have disabilities also stayed behind. Some said they wanted to support the war effort by making food or doing laundry for soldiers; others wanted to look after their property, including livestock, while the remaining population was away. All older people described a deep attachment to their homes and land, both as valuable assets and sources of income as well as for the sentimental value they held. “I took my grandfather [away] a few times, but every time he would... insist on hitch-hiking back to the village,” said one man, whose 90-year-old grandfather was detained unlawfully by Azerbaijani forces. “He said his wife’s gravestone is there [and] he didn’t want to be anywhere else.”

According to the Human Rights Ombudsman of Nagorno-Karabakh, at least 48 older civilians were killed during the fighting, more than half the total documented civilian death count among ethnic Armenians. While some were killed by indiscriminate shelling, at least 30 older people were killed unlawfully by Azerbaijani forces after they had taken control of villages and towns. Amnesty International was able to verify many of those cases through testimony from witnesses and relatives, as well as through reviewing death certificates, official forensic examinations undertaken by the Armenian authorities, and videos posted to social media. Many of the killings were extrajudicial executions, at times via beheading or shooting at point-blank range, and sometimes appear to have involved torture or other ill-treatment prior to the murder, as well as the mutilation of bodies.

For example, Slavik Galstyan, 68, who lived with his family in Mets Tagher and had a psychosocial disability, did not want to leave his village in October 2020. Slavik’s body was found more than two months later, and a death certificate issued by the Armenian authorities concluded that his death was the result of traumatic blood loss from shooting injuries to his chest, stomach, and other internal organs. His son, Ashot, who was called to the morgue to identify the body, said his father’s body appeared mutilated beyond the injuries that had caused his death: “His head was crushed, it was as if all the bones in his body had been broken, he was like a [slab of] meat.”

Some older people who stayed behind in towns or villages were arbitrarily detained and transferred to detention facilities in other parts of Azerbaijan. There, soldiers subjected them to beatings and other forms of physical violence and, in one case, to a mock execution, all amounting to torture or other ill-treatment. Older men appear to have been targeted for ill-treatment because Azerbaijani soldiers believed they had participated in Armenia’s war effort during the 1990s. Both older men and older women were denied appropriate medical treatment while in detention, including for serious diseases and conditions.

The physical and mental health of older people was severely undermined by their time in captivity. Valery Poghosyan, 71, who underwent an operation for a hematoma in his head and had a heart attack soon after being released from detention in Azerbaijan, said: “Until 70 years of age I never had any illnesses, I didn’t even have a medical record... [After detention in Azerbaijan] I was skin and bones.”

Many older people showed signs of serious psychological distress when talking about their experiences during the conflict. Some cried continuously throughout their interviews, while others became irate. Arega Shakhkeldyan, 72, said she was unable to leave her apartment after her experience in Azerbaijani captivity, where her husband died: “I feel like I am surrounded. I feel like [Azerbaijani soldiers] are going to capture me again.” Sedrak Petrosyan, a 90-year-old man who was kicked and beaten while in captivity and whose 56-year-old son went missing after being taken into Azerbaijani custody, said while sobbing: “I want to die. I wanted to die in prison but somehow I survived.”

Only two of the 42 older people interviewed had been offered any kind of mental health or psychosocial support services during or after the conflict in 2020. Sometimes older people or their family members expressed beliefs about the lack of benefit of psychological treatment for people over a certain age. Susanna Martirosyan, 71, who lost two sons and one grandson to the conflict, said: “My daughter-in-law took two of my granddaughters to a psychologist after their father died. But me, no, I’m too old to go.”

At least 19 civilians are still missing in the wake of the conflict, almost all of them older people, including one who is 90 years old and several living with disabilities. Some of these people were forcibly disappeared after they were seen being detained by Azerbaijani forces; according to other detainees, they faced beatings and other abuse. Despite calls from the Council of Europe to release any remaining prisoners, Azerbaijan has issued blanket denials of their existence, saying that the only people who remain in its custody are “persons convicted by competent courts for crimes, including in some cases, for war crimes”. It has made no mention of civilian detainees in public statements.

## **CHALLENGES IN DISPLACEMENT**

Of the 90,000 people who fled Nagorno-Karabakh during the 2020 fighting, approximately 30,000 remain displaced in Armenia. The Armenian government has taken significant steps to support this population, including by providing accommodation in the immediate months after the November 2020 ceasefire, making temporary payments to displaced people, and offering them free medical care. But this support has been insufficient to allow older people to rebuild their lives after losing homes, jobs, land and livestock.

In Armenia, some older people lived in accommodation provided by the government immediately after the fighting, but at the time of this research, all interviewees in Armenia were living in rented accommodation. Older people were overwhelmingly unable to afford rent independently, and so typically lived with relatives or adult children, even when the conditions were crowded or the older person felt uncomfortable doing so. “We feel like we are a burden on our children; we live like we are renters,” said Karen Shahnubaryan, a 70-year-old man living with his family in southern Armenia.

The only other housing options offered to most older people were informal housing that was not equipped with heating, electricity, or gas. Sosik Minasyan, 70, said that she and her 85-year-old husband, who is deaf and has a serious heart condition, live in a one-room hut that has no toilet or electricity, which an acquaintance allows them to occupy for free. Their adult children live nearby, but Sosik said she felt uncomfortable asking them for help: “It’s really hard to live with them, because we were living separately for so many years.”

Unlike those living in Armenia, displaced people living in Nagorno-Karabakh are provided with free accommodation in hotels or in public buildings, or financial support to pay for rent. While most older people expressed satisfaction with these benefits, they sometimes chafed at the lack of privacy. In some cases, the absence of such support in Armenia effectively forced displaced older people to live in Nagorno-Karabakh, even when it was unsuitable for them to do so: Gagik Simonyan, who is 64 and has chronic bronchitis, lived in a hotel room in Nagorno-Karabakh with four other men, most of them older, because he could not afford to live closer to his family, who were a six-hour drive away in Armenia: “If I lived near [family] it would be better, but finding a place is really hard. The government will not support me living outside of [Nagorno-Karabakh].”

Few older people had any savings, and typically their only valuable assets before the conflict in 2020 had been their homes, land, and livestock. Many had lost access to informal means of earning money, such as herding or farming, and this further entrenched feelings of dislocation and isolation. Aram Gasparyan, 77, said: “In my village I was able to do herding, but here there is nothing to do, I just hang around. The only people I talk to are the kids.”

Those who were working before 2020 were typically not able to find jobs after the conflict, and at least some of those who had lost businesses were turned away from banks when they applied for loans. Valery Poghosyan, 71, lost his small woodworking business when Azerbaijani forces took over his village. He was bustling with new business ideas, including for greenhouses or a billiard café, but said he was denied credit at the bank due to his age: “The bank says I’m a pensioner and so they won’t lend to me. They are worried I’ll die and leave them with a debt... My nightmare is that I won’t be able to launch myself one more time and live like a human being. I am capable of doing it; I just need a push.”

In Nagorno-Karabakh, the shifting borders have made life more difficult for those who were involved in agriculture or herding. Before the war, Samvel Galstyan, 60, herded other people’s livestock for a living. But Galstyan had to give that profession up: “It’s impossible, you need to be very, very careful and watch [the animals] all the time because they can run to the other side [of the conflict line].” A 55-year-old farmer

working in a field near the city of Martakert in Nagorno-Karabakh, near the line of contact, was killed by sniper fire in October 2021, almost a year after the ceasefire.

While the Armenian government pledged to provide free medical care and medication to displaced people from Nagorno-Karabakh, Amnesty International found that not all displaced older people were aware of this fact, and several of them bore significant expense traveling back to Nagorno-Karabakh to go to the hospital, or forewent treatment altogether.

## **THE WAY FORWARD**

The 2020 war in Nagorno-Karabakh clearly shows the unique risks that older people face in conflict: often the last to flee, they are sometimes the first in the line of fire. The Azerbaijani government should ensure independent, impartial investigations into the unlawful killings, torture or other ill-treatment, and enforced disappearances of older people, and any members of its armed forces against whom there is sufficient admissible evidence of responsibility should be prosecuted in fair trials. In both Armenia and Azerbaijan, older people should be included in any strategies for civilian protection and peacebuilding, and parties should ensure that future evacuation plans of the civilian population meaningfully take into consideration the particular needs and risks of older people, including those with disabilities and those living alone.

While displacement can be devastating to all people, it poses particular challenges for older people. In Nagorno-Karabakh, the war rendered older people, even those who had lived independently and supported themselves before the conflict, instantly dependent on others as they lost their homes, jobs, and any land or livestock they used to earn a living. And yet older people remain largely invisible in the response to the situation, and their loss of independence or dignity dismissed as inevitable or irrelevant.

The authorities in Armenia and Nagorno-Karabakh can and should do more to ensure this is not the case, and that older people are able to rebuild their lives on an equal basis with others, including by providing them with adequate access to housing, food, water, and physical and mental healthcare. The government of Armenia should also ensure that housing and other benefits are available to displaced people, including older people, on an equal basis with those living in Nagorno-Karabakh, and thus give them a genuine choice over where they live.

The older people whose stories are documented in this report were civilians and are protected as such under international law. But these stories underscore the numerous ways in which conflict and displacement exacerbate the impact of widespread prejudice and discriminatory practices against older people. Compared to other groups with specific risks in situations of armed conflict and humanitarian crisis, older people's experiences and perspectives have historically been absent from reporting, including by human rights organizations like Amnesty International, and neglected in humanitarian responses.

At present, there is no global treaty on the rights of older people. Such a treaty would address critical gaps in protection, encourage further monitoring and oversight regarding violations of the rights of older people, and create positive obligations for combatting age-based discrimination and stereotypes.

The conflict between Armenia and Azerbaijan is almost three decades old, and it is not over yet: flareups of fighting between the two states are common. As the conflict ages, so do the people it affects, and risks to older people remain high. As the 2020 fighting should demonstrate to Armenia, Azerbaijan, and the international community, the time for taking protection and inclusion of older people seriously is now.

# METHODOLOGY

This report is based primarily on field and remote research undertaken between September and December 2021. An Amnesty International delegate undertook a three-week research mission to Armenia and Azerbaijan to examine the experiences of older people during conflict and displacement. In Armenia, delegates conducted interviews in Yerevan, as well as in Syunik, Kotayk, and Ararat regions.

An Amnesty International delegate applied for a visa to travel to Nagorno-Karabakh but was not granted it; access to the region has been largely controlled by Russian peacekeepers since the ceasefire. In part due to this inability to travel to Nagorno-Karabakh, further research was carried out via remote interviews in December 2021.

In total, Amnesty International interviewed 69 people for this report, including 42 older people — 22 older women and 20 older men.<sup>1</sup> A diverse group of interviewees was sought, including by age, gender, and disability. The older people who were interviewed were between 60 and 90 years old: 13 interviewees were in their 60s; 18 people were in their 70s; nine people were in their 80s; and two people were 90 years old. Sixteen older people were living in Nagorno-Karabakh at the time of the interview; of those, 14 were interviewed remotely. The remainder of older people interviewed were living in Armenia, where they were interviewed in-person. Amnesty International also interviewed older people living in displacement in Azerbaijan, setting out the findings from those interviews in a separate report.<sup>2</sup>

Nine of the older people interviewed were the immediate relatives of an older person who had been killed during the 2020 conflict or who was still missing after it; all of them had first-hand information about their relatives' deaths or disappearances. The older people Amnesty International documented as missing or killed were all men between the ages of 55 and 84. While most were older than 60, due to evidence that ethnic Armenian men in their 50s were also targeted with violence on suspicion that they had participated in previous iterations of the conflict, three cases of men in their late 50s are included in this report.

In addition to older persons, Amnesty International interviewed 19 relatives who had first-hand information about the conflict-related death of an older person, or who were the principal caregivers for older persons and were able to provide information about their experiences during the conflict and in displacement. The delegate also interviewed one person whose older relatives had been killed during four days of fighting in 2016. Amnesty International interviewed eight human rights professionals and other experts with knowledge of the situation in Nagorno-Karabakh and of conflict-related violations. Amnesty International also spoke with representatives from the Human Rights Defender of the Republic of Armenia and the Human Rights Ombudsman of Nagorno-Karabakh, and met with a representative of the Armenian Ministry of Social Affairs.

Amnesty International informed interviewees about the nature and purpose of the research and how the information would be used. Delegates obtained oral consent from each person prior to the interview. People were told they could end the interview at any time and could choose not to answer specific questions, though nobody chose to do so. No incentives were provided to interviewees in exchange for speaking. Most

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<sup>1</sup> Amnesty International conducted a second interview with one older Armenian woman who was held in Azerbaijani detention, who was first interviewed by an Amnesty International delegate in December 2020.

<sup>2</sup> In Azerbaijan, Amnesty International interviewed 40 older people, including 23 older men and 17 older women. A diverse group of interviewees was sought, including by age, gender, and disability. The older people interviewed were between 58 and 88 years old: one person was 58 years old; 17 people were in their 60s; 12 people were in their 70s; and 10 people were in their 80s. All of those people had been displaced between 1988 and 1994 by ethnic Armenian forces from Nagorno-Karabakh or the seven Azerbaijani districts surrounding it (Jabrayil, Kalbajar, Gubatly, Aghdam, Zangelan, Fizuli, and Lachin). That research focused on the experiences of displaced older people in Azerbaijan, their prospects for return to their pre-war communities, and also includes information about violations perpetrated against older Azerbaijanis by Armenian forces between 1988 and 1994.

interviews were conducted via interpretation from Armenian to English, and about one-fourth were conducted in Russian.

The delegate made efforts to ensure privacy during interviews, including privacy from other relatives living with the older person, so that they could feel comfortable speaking openly. Several exceptions were made in cases where older people were unable to understand the delegate or the interpreter, whether due to linguistic challenges, hearing difficulties, or cognitive loss. In these cases, a relative was present to support the person during the interview. Everyone interviewed was given the opportunity to express themselves anonymously, if they had security or privacy concerns, but they all expressed a preference for speaking openly about the events documented in this report. Their full names are used here with their consent.

Stepanakert is the capital of the unrecognized Artsakh Republic and the former Nagorno-Karabakh Autonomous Oblast. The city is today officially called Khankendi by Azerbaijan. When a town or village has two names, this report will generally use the pre-1988 version.

On 2 February 2022, Amnesty International sent letters to the Ministry of Foreign Affairs of Armenia, the de facto authorities in Nagorno-Karabakh, and the Ministry of Foreign Affairs in Azerbaijan detailing our findings and requesting a response to questions pertaining to this research. The Azerbaijan Ministry of Foreign Affairs responded to Amnesty International's letter on 3 March 2022, and the Armenian Ministry of Foreign Affairs responded on 9 March 2022. The substance of their responses is reflected in this report. The de facto authorities in Nagorno-Karabakh have not yet responded.

# 1. BACKGROUND

## 1.1 CONFLICT IN NAGORNO-KARABAKH

Conflicting claims by Armenians and Azerbaijanis over control of the Nagorno-Karabakh region date back to long before Armenia and Azerbaijan gained formal independence from the Soviet Union, in 1991. During Soviet times, the Nagorno-Karabakh Autonomous Region, which had an ethnic Armenian majority, was part of the then Soviet Socialist Republic of Azerbaijan.

Beginning in 1988, Armenian residents of Nagorno-Karabakh demanded that the Nagorno-Karabakh Autonomous Region be transferred to Soviet Armenian control.<sup>3</sup> Ethnic tensions spiralled over the next several years, escalating into full-scale armed conflict in the 1990s, as the Soviet Union came to an end. By the time of a ceasefire agreement in 1994, Armenian forces had taken full control of Nagorno-Karabakh, though the territory was recognized internationally as Azerbaijani, and had taken full or partial control of seven Azerbaijani regions bordering Nagorno-Karabakh. Thousands of Azerbaijani civilians were killed, and more than half a million civilians were forcibly displaced from their homes in these territories. They have lived since the early 1990s as internally displaced people in other parts of Azerbaijan.<sup>4</sup>

Renewed fighting between Armenia and Azerbaijan from 27 September 2020 to 9 November 2020 left more than 6,000 people dead, the vast majority of them combatants. But scores of civilians were also killed: both Armenian and Azerbaijani forces used inaccurate and indiscriminate weapons in populated civilian areas, including cluster munitions and explosive weapons with wide area effects, leading to at least 146 civilian deaths, including many older people.<sup>5</sup> Other ethnic Armenian civilians – almost all of them older people – were killed when advancing Azerbaijani forces took over the villages or towns where they lived. The extrajudicial executions and other abuses that civilians experienced in captivity are described further in this report.

A ceasefire agreement was brokered by Russia on 9 November 2020. Armenia lost control of all seven territories of Azerbaijan that it had occupied since the 1990s, and significant parts of Nagorno-Karabakh itself. Both sides agreed to a Russian peacekeeping force that would monitor the line of contact. Road access between Armenia and Nagorno-Karabakh was limited to one route, called the Lachin Corridor, which is also guarded by Russian peacekeepers.<sup>6</sup> According to the UN, at least 90,000 people fled Nagorno-Karabakh during the 2020 fighting, and, as of September 2021, about 30,000 remain displaced in Armenia.<sup>7</sup> Many displaced people also live in the parts of Nagorno-Karabakh still under ethnic Armenian control, largely in temporary accommodations such as hotels or dormitories. The economy of Nagorno-Karabakh has taken a severe hit, as the significant loss of land has impacted the agriculture sector and damage to electricity, water, and other infrastructure has impacted other industries, such as mining.<sup>8</sup>

The de facto Armenian authorities in Stepanakert have a distinct government and ministries, but according to a 2005 report by International Crisis Group, “there is a high degree of integration between the [military] forces of Armenia and Nagorno-Karabakh,” and the enclave is “highly dependent on external financial

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<sup>3</sup> Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, 10<sup>th</sup> anniversary edition, 2013, p. 11.

<sup>4</sup> Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, 10<sup>th</sup> anniversary edition, 2013, p. 327.

<sup>5</sup> Amnesty International, *Azerbaijan/Armenia: Scores of civilians killed by indiscriminate use of weapons in conflict over Nagorno-Karabakh* (Index: EUR 55/3502/2021), 14 January 2021, <https://www.amnesty.org/en/documents/eur55/3502/2021/en/>, p. 5.

<sup>6</sup> Kremlin, “Statement by President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation,” 10 November 2020, <http://en.kremlin.ru/events/president/news/64384>

<sup>7</sup> Office of the UN High Commissioner for Refugees (UNHCR), *Armenia: Inter-Agency Operational Update (July - Sept 2021)*, 25 November 2021, <https://data2.unhcr.org/en/documents/details/89819>, p. 1.

<sup>8</sup> International Crisis Group, *Post-war Prospects for Nagorno-Karabakh*, 9 June 2021, <https://www.crisisgroup.org/europe-central-asia/caucasus/nagorno-karabakh-conflict/264-post-war-prospects-nagorno-karabakh>

support, primarily from Armenia but also from the U.S. and the world-wide diaspora.”<sup>9</sup> Those deep budgetary and military ties are still the reality today.<sup>10</sup> Because the enclave is not recognized internationally, most people living in Nagorno-Karabakh also have Armenian passports.



Aftermath of recent shelling during a military conflict over the breakaway region of Nagorno-Karabakh in Stepanakert October 4, 2020. © David Ghahramanyan/NKR InfoCenter/PAN Photo/Handout via REUTERS

## 1.2 ACCESS ISSUES AND ONGOING FIGHTING

After Russian peacekeepers took control of the only access point between Armenia and Nagorno-Karabakh in 2021, international journalists widely reported that those forces were denying them entry to the region.<sup>11</sup> Amnesty International was also denied permission to travel to Nagorno-Karabakh in November 2021, severely restricting the organization’s ability to assess the situation of older people there.

Fighting between Armenia and Azerbaijan did not end with the 2020 ceasefire. As the two sides negotiated demarcation of the border between southern Armenia and Azerbaijan in 2021, Azerbaijan established checkpoints on a road that runs along the border, which according to Armenia’s human rights ombudsman prevented the free movement of people between Armenian villages and towns.<sup>12</sup> In renewed fighting along the border in November 2021, Armenia and Azerbaijan both reported casualties among their soldiers, and Armenia said dozens of its soldiers had been taken captive or were missing.<sup>13</sup> According to the International Crisis Group, since the 2020 ceasefire there have been at least 100 civilian deaths and injuries, including from sniper fire and landmines, which were widely planted in Azerbaijani territory by Armenian forces during the period they controlled these areas.<sup>14</sup> The more recent casualties have included some older people, such

<sup>9</sup> International Crisis Group, *Nagorno-Karabakh: Viewing the Conflict from the Ground*, 14 September 2005, <https://www.crisisgroup.org/europe-central-asia/caucasus/nagorno-karabakh-azerbaijan/nagorno-karabakh-viewing-conflict-ground>, p. 12.

<sup>10</sup> International Crisis Group, *Post-war Prospects for Nagorno-Karabakh* (previously cited).

<sup>11</sup> Reporters Without Borders, “Russian peacekeepers deny foreign reporters access to Nagorno-Karabakh,” 9 April 2021, <https://rsf.org/en/news/russian-peacekeepers-deny-foreign-reporters-access-nagorno-karabakh>

<sup>12</sup> Asbarez, “Azerbaijani Checkpoints Isolate Armenian Civilian Areas, Warns Human Rights Defender,” 12 November 2021, [https://asbarez.com/azerbaijani-checkpoints-isolate-armenian-civilian-areas-warns-human-rights-defender/?fbclid=IwAR1BNZ5uJBaVG8tDj8muUdw6rpHBqO2EXIrvQrf3L\\_j0nmtz54nydGvSO2A](https://asbarez.com/azerbaijani-checkpoints-isolate-armenian-civilian-areas-warns-human-rights-defender/?fbclid=IwAR1BNZ5uJBaVG8tDj8muUdw6rpHBqO2EXIrvQrf3L_j0nmtz54nydGvSO2A)

<sup>13</sup> RFE/RL, “Armenia Says Six Of Its Soldiers Killed In Latest Clashes With Azerbaijan,” 19 November 2021, <https://www.rferl.org/a/armenia-azerbaijan-border-clashes-deaths/31569486.html>

<sup>14</sup> International Crisis Group, *The Nagorno-Karabakh Conflict: A Visual Explainer*, 12 April 2022, <https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer>

as a 55-year-old farmer killed by sniper fire while working his land.<sup>15</sup> Azerbaijan has repeatedly called for Armenia to hand over maps of existing landmines, and has said the maps that Armenia has handed over thus far are incomplete.<sup>16</sup>

Amnesty International does not take a position on the dispute over the territory of Nagorno-Karabakh, but it emphasises that return to original homes in conditions of dignity and security is the right of all displaced people.

### **VIOLATIONS OF HUMAN RIGHTS OF OLDER PEOPLE IN 2016**

In 2016, a flareup of fighting known as the “Four-Day War” occurred in Nagorno-Karabakh between Armenian and Azerbaijani forces. The only populated area to come under heavy fire was a village of about 540 residents called Talish.<sup>17</sup>

Most civilians were able to evacuate in time and the casualty count was low. But one family was not able to escape: Valery Khalapyan (65), who had difficulty walking after several strokes, his wife Rozmela (60), and his mother Marusya (92), who had advanced dementia and could not walk or talk. Their son, Nver, said that his brother had tried to drive back to their house, which was on the edge of the village, to bring his parents to safety, but was unable to do so in time.<sup>18</sup> When Azerbaijani forces entered the village, they extrajudicially executed the family, according to Nver.<sup>19</sup> According to a forensic examination by the Republican Forensic Medical Examination Bureau in Stepanakert and photographs of the bodies, all three had bullet wounds, and Valery and Marusya were both stabbed. Both of Valery’s ears had been cut off and were missing, as was one of Marusya’s.<sup>20</sup>

The family filed a claim in 2016 with the European Court of Human Rights.<sup>21</sup> The court has not yet reached a decision.

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<sup>15</sup> ArmenPress, “Russian peacekeepers investigate killing of Armenian farmer by Azerbaijani sniper fire,” 11 October 2021, <https://armenpress.am/eng/news/1065224.html>

<sup>16</sup> Al Jazeera, “Nagorno-Karabakh: Land still laced with mines, year after war,” 9 November 2021, <https://www.aljazeera.com/news/2021/11/9/nagorno-karabakh-a-land-still-laced-with-mines-a-year-after-war>

<sup>17</sup> Eurasianet, “Nagorno-Karabakh: Armenian village becomes showcase of postwar reconstruction,” 3 April 2018, <https://eurasianet.org/nagorno-karabakh-armenian-village-becomes-showcase-of-postwar-reconstruction>

<sup>18</sup> Amnesty International interview by phone call with Nver Khalapyan, 23 December 2021.

<sup>19</sup> Amnesty International interview by phone call with Nver Khalapyan, 23 December 2021.

<sup>20</sup> Forensic examinations by the Republican Forensic Medical Examination Bureau in Stepanakert, conducted on 5 April 2016, of the bodies of Valery, Rozmela, and Marusya Khalapyan. Photographs of the bodies of all three victims, on file with Amnesty International.

<sup>21</sup> European Court of Human Rights (ECtHR), Gagik Khalapyan and Others v. Azerbaijan, Application no. 54856/16, 15 September 2016, <https://hudoc.echr.coe.int/eng?i=001-169756>

## 2. EXTRAJUDICIAL EXECUTIONS, TORTURE, AND ENFORCED DISAPPEARANCE

**“They killed him, peeled back his skin where he had tattoos... Who thought these kinds of things, beheadings and mutilation, would be possible today?”**

Bella Harutunyan, 72, about the death of her 84-year-old husband, Ernest.<sup>22</sup>



*Bella Harutunyan in her apartment in Yerevan, Armenia © Areg Balayan*

<sup>22</sup> Amnesty International interview in person with Bella Harutunyan, 8 November 2021, Yerevan, Armenia.

**“Until 70 years of age I never had any illnesses, I didn’t even have a medical record... When I came back... I was skin and bones.”**

Valery Poghosyan, 71, a displaced man, after his release from detention in Azerbaijan.<sup>23</sup>

During the 2020 conflict, older people were often the last to flee their villages and sometimes did not flee at all, whether because they had disabilities that prevented them from doing so or because they had deep ties to their land, through which they often made income for themselves or their families. According to the human rights defender’s office of Nagorno-Karabakh, more than half of the 80 ethnic Armenian civilians known to have been killed in the conflict were over 60 years old – many were in their 70s and 80s, with the oldest aged 89.<sup>24</sup> In addition, almost all of the ethnic Armenian civilians who are still missing are older people. Amnesty International was able to verify many of these cases by speaking with family members and other witnesses, as well as by reviewing death certificates, official forensic examinations of bodies, and videos posted to social media.

Some older people died in missile strikes; in January 2021, Amnesty International documented the use of indiscriminate weapons by Armenian and Azerbaijani forces, which caused deaths and serious injuries among civilian populations of both sides.<sup>25</sup> This report, however, focuses on what happened when Azerbaijani forces took over villages and towns where older people were often the only people remaining. The deaths documented in this report were often extrajudicial executions, including beheadings. In several cases, older people appear to have been subjected to torture or other ill-treatment prior to their murder; in some cases, their bodies appear to have been mutilated. Amnesty International also spoke with older people who were taken into captivity, where Azerbaijani forces subjected them to beatings and other inhumane treatment and denied them adequate medical treatment. Some older people who stayed behind in villages remain missing, including people who are known to have been detained by Azerbaijani forces.

## 2.1 THE LAST TO FLEE

Almost all of the older people interviewed for this report were among the last to flee their villages or towns in Nagorno-Karabakh and surrounding districts, and often they fled within days or even hours of Azerbaijani troops advancing on their homes. As fighting grew more intense, women and children were largely prioritized for evacuation, and the local Armenian-backed authorities barred male civilians between the ages of 18 to 55 from leaving the region in order to facilitate mass mobilization efforts.<sup>26</sup> Older people, and particularly older men, were often the last people remaining in their villages and towns at the time of the Azerbaijani takeover.

Some older people struggled to flee due to physical or intellectual disabilities. Anahit Astoyan, 66, described the challenges of evacuating with her 72-year-old husband, who had limited mobility due to a stroke eight years earlier. When intense shelling began near where they lived in Martuni region, she said:

**Most villagers left on the same day the shelling started, but me and my husband stayed. My husband was sick... I thought it would be very difficult to leave with him... [Ten days later, when we left], he was already feeling bad on the way from the village, and he had another stroke when we reached Stepanakert. We weren’t able to hospitalize him, so we called a doctor who came and gave us some pills. Later an MRI confirmed he’d had a stroke. Now he can hardly speak, and he needs a wheelchair.<sup>27</sup>**

Vahid Zoramush, 60, worked in the administrative office of the village of Togh and helped organize evacuation efforts when fighting began. Many families left the area on 1 October 2020, but when the nearby

<sup>23</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>24</sup> Human Rights Ombudsman of Nagorno-Karabakh, *Interim Report on the Cases of the Killing of Civilians in Artsakh by the Armed Forces of Azerbaijan*, 27 September 2021, <https://artsakhombuds.am/en/document/785>

<sup>25</sup> Amnesty International, Azerbaijan/Armenia: Scores of civilians killed by indiscriminate use of weapons in conflict over Nagorno-Karabakh (Index: EUR 55/3502/2021), 14 January 2021, <https://www.amnesty.org/en/documents/eur55/3502/2021/en/>; Amnesty International interview with the Human Rights Ombudsman of Nagorno-Karabakh, 7 December 2021.

<sup>26</sup> 112 Ukraine, “Conflict in Nagorno-Karabakh: Armenia announced military mobilization,” 28 September 2020, <https://112.international/society/conflict-in-nagorno-karabakh-armenia-announced-military-mobilization-55125.html>

<sup>27</sup> Amnesty International interview by video call with Anahit Astoyan, 14 November 2021.

town of Hadrut was taken on 10 October, they ramped up evacuation efforts. Two families wouldn't leave, including an older couple. The man, 81-year-old Radik Stepanyan, was left behind and ultimately killed, according to Vahid, Radik's son Nver, and a neighbour of Radik's, each of whom Amnesty International interviewed separately.<sup>28</sup> Vahid Zoramush recalled:

**I talked to Radik's wife and said there was no guarantee they would be safe, to gather his things and leave. But she said she couldn't take him, he was wearing diapers and it would be impossible to manage the transport. I kept telling her it wasn't safe here, but she kept saying it's impossible, he's immobile. Eventually we convinced her to leave but he stayed in the village.<sup>29</sup>**

In some cases, it was not clear whether older people with intellectual disabilities, such as those associated with dementia, fully understood that evacuations were taking place or that they needed to flee. On the day that Azerbaijani forces were entering the city of Hadrut, Bella Harutunyan, 72, said she struggled to explain to her husband Ernest, who was 84 and had mild dementia as well as some difficulty walking, the urgency of what was happening:

**On 10 October, the neighbour's son came and said, "Bella, we urgently need to leave." He pushed me into the car... Ernest could be very stubborn, and everything happened so quickly, we were not able to get him into the car... Afterwards my son tried to drive to go get him, but he got as far as the school above our house and had to turn back because he saw the [Azerbaijani] forces were already there [in Hadrut].<sup>30</sup>**

Ernest's mutilated body was found in his home in Hadrut several months later. It is not known precisely who killed him or how he was killed, but the circumstances point to a deliberate killing by Azerbaijani forces.

Many older people who stayed behind in their town or village did not have physical or other disabilities, but did not flee for other reasons.

Older people who had no family members or other social connections in the area tended to be more isolated and were not always aware of evacuation efforts. Alla Hambaryan, 61, raised cattle in a village in Lachin region with her 70-year-old husband Melik and his son from a previous marriage who has an intellectual disability. Melik's other son was in Armenia. Alla said that while they could hear fighting day and night, nobody in their village informed them of the need to evacuate or helped them do so, until Melik's son came from Armenia on 19 October: "Nobody helped us. [Our son] came and saw there were no people left in the village, and he told us to pack our bags and that we had to leave."<sup>31</sup>

One older person, 70-year-old Gagik Mkrtychyan, left his village in Lachin region on 12 November, only after the ceasefire. Lachin, unlike most other areas where fighting took place, was transferred to Azerbaijani control after hostilities ended.<sup>32</sup> Asked why he didn't leave earlier, Gagik Mkrtychyan, who has a brother in Armenia but no other immediate family, said: "What else could I have done? I had nowhere to go."<sup>33</sup>

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<sup>28</sup> Amnesty International interviews, November 2021.

<sup>29</sup> Amnesty International interview in person with Vahid Zoramush, 10 November 2021, Hrazdan, Armenia.

<sup>30</sup> Amnesty International interview in person with Bella Harutunyan, 8 November 2021, Yerevan, Armenia.

<sup>31</sup> Amnesty International interview in person with Alla Hambaryan, 11 November 2021, Syunik region, Armenia.

<sup>32</sup> France 24, "Azerbaijani forces enter Lachin, last district handed over by Armenia," 1 December 2020, <https://www.france24.com/en/europe/20201201-azerbaijani-forces-enter-lachin-last-district-handed-over-by-armenia>.

<sup>33</sup> Amnesty International interview in person with Gagik Mkrtychyan, 12 November 2021, Goris, Armenia.



Gagik Mkrtchyan in his home in southern Armenia © Areg Balayan

Many older people stayed behind due to expectations from previous iterations of the conflict: almost all older people said that their experiences living in a conflict zone – particularly during a more recent flare-up known as the “Four-Day War” in 2016<sup>34</sup> – lulled them into a false sense of security, as they hoped the fighting would end quickly and would not result in the physical takeover of their villages and towns.

Some stayed due to cultural norms about how they could help the war effort, while others said they wanted to look after property and livestock while everyone else was out of the village. Susanna Martirosyan, 71, stayed in her village even as her son and two grandsons went to fight on the frontline and her daughter-in-law and grandchildren left for Armenia: “I wanted to help them [the soldiers], I used some chicken I had and made food for them, I washed their clothes and baked bread.”<sup>35</sup>

Aram Gasparyan, 77, was also one of the last to flee his village of Tumi. His daughter-in-law, Narine, explained that while the rest of the family evacuated, Aram stayed behind:

**It was only women and children who left [during the evacuation], we were all thinking it was temporary and we would go back... [Aram] was not asked if he wanted to leave or not, he stayed so the village would not be empty... Other older men stayed so they could help by cooking [for soldiers].<sup>36</sup>**

Aram, who can only walk slowly and has severe pain in his back, said he ultimately fled the village on foot together with about 20 other people, all of them older men and many herding livestock out of the village. He described staying in a tent for a few days in a mountain pass while they waited for transport to take them out of Nagorno-Karabakh: “Sleeping in the tent was very hard – it was very cold, and I can’t straighten my back. We did not have enough to eat so we had to kill one of the sheep.”<sup>37</sup>

All older people described a deep attachment to their homes, land, and particularly to the gravestones of loved ones. Some people even returned home in the midst of fighting after being evacuated. Kima Baghdasaryan, 90, a violin teacher who lived in the city of Shusha, was evacuated at the conflict’s outset but insisted on returning there at the peak of fighting in late October so that she could be near the grave of her son, who died in the 1990s war. She was forcibly evacuated a second time.<sup>38</sup>

<sup>34</sup> BBC News, “Nagorno-Karabakh violence: Worst clashes in decades kill dozens,” 3 April 2016, <https://www.bbc.com/news/world-europe-35949991>.

<sup>35</sup> Amnesty International interview in person with Susanna Martirosyan, 10 November 2021, Abovyan, Armenia.

<sup>36</sup> Amnesty International interview in person with Narine Gasparyan, 9 November 2021, Kotayk region, Armenia.

<sup>37</sup> Amnesty International interview in person with Aram Gasparyan, 9 November 2021, Kotayk region, Armenia.

<sup>38</sup> Amnesty International interview in person with Kima Baghdasaryan, 12 November 2021, Goris, Armenia.

Grisha Petrosyan, whose 90-year-old grandfather Sedrak was evacuated only to return to his village and ultimately be detained by Azerbaijani forces, similarly said:

**I took my grandfather a few times to Stepanakert, but every time he would wake up early in the morning and insist on hitchhiking back to the village... He said his wife's gravestone is there, he didn't want to be anywhere else.<sup>39</sup>**

## 2.2 MURDER AND TORTURE

In late 2020, in the wake of Azerbaijan's takeover of Nagorno-Karabakh and surrounding regions, dozens of videos appeared on social media depicting extrajudicial executions and other mistreatment of ethnic Armenians, including many older people. These videos included decapitations, beatings, and the mutilation of corpses.<sup>40</sup> Often it took many months for family members to retrieve the bodies of their loved ones from the conflict zone. Testimony from witnesses and relatives as well as a review of death certificates, official forensic examinations, and videos show that Azerbaijani forces committed serious violations of international humanitarian law, including unlawful killings, that constitute war crimes.

Eduard Zhamharyan, 63, lived in Shusha, where he ran a small museum. His daughter, Sofia, lived in an apartment nearby and before the conflict would visit him daily, but left the city with her children when fighting started. She kept in touch with her father until 7 November 2020, one day before Azerbaijani forces seized the city.<sup>41</sup> On that day, she called her father and he warned that there was no electricity in his apartment and the battery on his phone was running low. But he was determined to stay in his home. Sofia said the family had lived in the city during the war in the 1990s: "He didn't believe that [the Azerbaijani forces] would get to Shusha... He also didn't have electricity or water and couldn't watch the news. I think if he had known, he would have [left]."<sup>42</sup>

On 17 November, Sofia's family heard that the local authorities had received Eduard Zhamharyan's body from the Azerbaijani side. She went to the morgue to identify the body. She was shown his face and saw a large open wound, presumably by gunshot, to the left side of his head.<sup>43</sup> The rest of his body was covered. According to a forensic examination conducted by the Armenian authorities on 16 November, his body was riddled with many bullets, including in his stomach and other internal organs, and also in places that appeared intended to maim him, such as two identical shots to the back of each leg.<sup>44</sup> The medical examiner concluded that Eduard likely died three or four days before the examination.<sup>45</sup>

The body of Ernest Harutunyan, the 84-year-old man from Hadrut who had mild dementia, was recovered from the town in December 2020. His son, Arsham, who went to the morgue to identify the body, said:

**On 4 December, I was allowed to go [to Hadrut] with the help of Red Cross and the State Emergency Services. I found his body in our home. The body was already very rotten, and it was too late to see everything, but it was clear that he had been tortured... His skin had been peeled back wherever he had tattoos – he had one on each arm and one on his leg. His left hand was severed from the body.<sup>46</sup>**

A death certificate issued by the Armenian authorities states that Ernest Harutunyan died on 10 October 2020, the day Azerbaijani forces took Hadrut, though it does not state the cause of death.<sup>47</sup>

Amnesty International also documented two cases in which older people appear to have been beheaded during their executions. Since her mother passed away more than a decade ago, 83-year-old Maria Asriyan had spent six months each year in the village of Azokh in Nagorno-Karabakh, helping to care for her 80-year-old brother, Yury Asriyan, who lived alone. Maria, who was with Yury when the fighting began in 2020,

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<sup>39</sup> Amnesty International interview in person with Grisha Petrosyan, 15 November 2021, Kotayk region, Armenia.

<sup>40</sup> Amnesty International, "Armenia/Azerbaijan: Decapitation and war crimes in gruesome videos must be urgently investigated," 10 December 2020, <https://www.amnesty.org/en/latest/news/2020/12/armenia-azerbaijan-decapitation-and-war-crimes-in-gruesome-videos-must-be-urgently-investigated/>

<sup>41</sup> Al Jazeera, "Azerbaijan says it seized Nagorno-Karabakh's 2nd-largest city," 8 November 2020, <https://www.aljazeera.com/news/2020/11/8/azerbaijan-says-it-seized-nakarno-karabakhs-2nd-largest-city>

<sup>42</sup> Amnesty International interview by video call with Sofia Hairapetyan, 21 December 2021.

<sup>43</sup> Amnesty International interview by video call with Sofia Hairapetyan, 21 December 2021.

<sup>44</sup> Forensic examination of Eduard Zhamharyan conducted by the Ministry of Justice of Nagorno-Karabakh, dated 16 November 2020, on file with Amnesty International.

<sup>45</sup> Forensic examination of Eduard Zhamharyan conducted by the Ministry of Justice of Nagorno-Karabakh, dated 16 November 2020, on file with Amnesty International.

<sup>46</sup> Amnesty International video interview by video call with Arsham Harutunyan, 14 November 2021.

<sup>47</sup> Death certificate of Ernest Harutunyan, dated 18 December 2020, on file with Amnesty International.

hoped it would end quickly. But she gradually realized it was too dangerous to stay in the village, and urged her brother to leave:

**There was no bombing in Azokh at the beginning, but we could hear the bombs in Hadrut, and we could hear drones all the time... Then I understood that the [Azerbaijani forces] are already in Hadrut, that's our [local] capital. I wasn't stupid, I understood what that meant. There was already nobody in the village, and I begged my brother to come so many times, but he wouldn't. He said where can I go? There is nowhere for me to go.<sup>48</sup>**

Maria left the village on 16 October. Yury did not have a phone, but she tried contacting him through other villagers. She reached the head of the village, who told her that he had gone to Yury's house for a final time around 22 October, and that Yury had still refused to leave.<sup>49</sup> In early December, a video surfaced online showing Yury being pinned down by a man in uniform speaking Azeri and with the colours of the Azerbaijani flag on his sleeve. In one shortened version of the video, Yury begs for his life in Azeri before the soldier cuts his throat.<sup>50</sup> Amnesty International has seen that video and confirmed with a relative that the person depicted is Yury Asriyan. Full versions of the video reportedly show Yury being beheaded after he had been killed by slitting his throat.<sup>51</sup> At least one other incident of an older man being beheaded by an Azerbaijani soldier, his head then placed on top of a dead animal, has been reported in the media,<sup>52</sup> and another beheading is recounted here below.

Several older people who were killed had mental health conditions or some form of dementia. In some cases, relatives were certain that their mental health conditions had made them less able to understand the situation and to flee.



*Baghdasar Baghdasaryan outside his home in Nagorno-Karabakh © Areg Balayan*

Before the conflict in 2020, Baghdasar Baghdasaryan, 71, helped take care of his 66-year-old brother Borya, who had a mental health condition. While Baghdasar did not know the name of his brother's condition, he said that Borya could become suddenly angry or upset and break things, and that he needed

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<sup>48</sup> Amnesty International interview in person with Maria Asriyan, 11 November 2021, Ararat region, Armenia.

<sup>49</sup> Amnesty International interview in person with Maria Asriyan, 11 November 2021, Ararat region, Armenia.

<sup>50</sup> The Guardian, "Two men beheaded in videos from Nagorno-Karabakh war identified," 15 December 2020, <https://www.theguardian.com/world/2020/dec/15/two-men-beheaded-in-videos-from-nagorno-karabakh-war-identified>

<sup>51</sup> Amnesty International interview in person with Liana [Yury Asriyan's relative], 11 November 2021. Yury's death certificate, shown to Amnesty International by Maria, gives the date of death as 22 October 2020, but it does not give the cause of death.

<sup>52</sup> The Guardian, "Two men beheaded in videos from Nagorno-Karabakh war identified," 15 December 2020, <https://www.theguardian.com/world/2020/dec/15/two-men-beheaded-in-videos-from-nagorno-karabakh-war-identified>.

help organizing activities of daily living such as cooking or doing laundry.<sup>53</sup> When fighting erupted, the younger members of the family evacuated their village of Avetaranots, but Baghdasar and Borya wanted to stay – Baghdasar said he wanted to help soldiers by bringing them food. Early in the morning of 27 October, the two brothers were outside when Azerbaijani forces began advancing on their village. When Baghdasar saw them, he ran and hid in a neighbour’s outdoor bread oven, but Borya stayed. Baghdasar said:

**[Borya] didn’t understand what was happening, he just stood there... I heard him screaming and shouting at [the Azerbaijani soldiers], but I couldn’t hear what he was saying because I was already running away and trying to hide.<sup>54</sup>**

Baghdasar emerged from his hiding place once everything fell quiet, only for Azerbaijani forces to spot and detain him. He said he was held in a basement for one day with three other older people from his village, but managed to escape during the night.<sup>55</sup> Borya’s body was only recovered from the village several months later.<sup>56</sup> While the cause of his death was not clear, his niece Inara, who went to the morgue to identify him, said his head was not attached to his body.<sup>57</sup>

Slavik Galstyan, 68, also had a mental health condition. He lived with his son and their family in the village of Mets Tagher. While his family did not know the name of his diagnosis, they said that Slavik sometimes talked to himself and that he took haloperidol, an antipsychotic drug.<sup>58</sup> The women and children in the family left the village in early October 2020. Slavik’s son, Ashot, stayed with him until 18 October, when he realized the Azerbaijani forces were advancing and they needed to leave. Ashot was unable to convince his father to come with him, but the two agreed on a meeting place in a nearby forest if Slavik had to flee suddenly on foot.

On 22 December, Slavik Galstyan’s body was found in the village. His death certificate, issued by the Armenian authorities, says his death was the result of “traumatic haemorrhagic shock due to shooting injuries in the chest, stomach, and [other] internal organs”.<sup>59</sup> Ashot, who had been called to the morgue to identify the body, said that beyond those injuries, his father’s body appeared mutilated: “His head was crushed, it was as if all the bones in his body had been broken, he was like a [slab of] meat... It looked to me like they had crushed his body with a car.”<sup>60</sup>

Similarly, people with age-related memory loss often did not want to leave their homes. Valery Harutunyan, 66, lived with his brother Iso and his family in the town of Hadrut. Iso, 73, helped look after and financially support Valery, who had developed short-term memory loss in recent years. On 9 October 2020, Iso decided remaining in the town was too dangerous, and asked his brother to leave with him. Valery did not believe Azerbaijani forces could take the town. When Hadrut was captured the next day, Iso had no way of reaching his brother, who did not have a mobile phone. Iso said that in November, he saw a video online of his brother’s body, lying on a street in Hadrut.<sup>61</sup> The family spent months traveling to morgues around Armenia. It took until July 2021 for them to find Valery’s body.<sup>62</sup> The death certificate, shown to Amnesty International, says Valery died of bullet wounds to his head, neck, breast, and left leg.<sup>63</sup>

As the cases above underscore, people with psychosocial and intellectual disabilities, including older people, are particularly at risk of human rights violations during armed conflict, as they may be less willing or able to flee and often face social stigma and discrimination that increases the likelihood of being targeted.<sup>64</sup> Older people may face increased stigma when it comes to accessing treatment for mental health conditions or be

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<sup>53</sup> Amnesty International interview by voice call with Baghdasar Baghdasaryan, 21 December 2021.

<sup>54</sup> Amnesty International interview by voice call with Baghdasar Baghdasaryan, 21 December 2021.

<sup>55</sup> Amnesty International interview by voice call with Baghdasar Baghdasaryan, 21 December 2021.

<sup>56</sup> Amnesty International interview by voice call with Baghdasar Baghdasaryan, 21 December 2021.

<sup>57</sup> Amnesty International interview by video call with Inara Avenesyan, 15 December 2021. See also: photos of Borya Baghdasaryan’s body as part of a forensic examination by the Armenian authorities, on file with Amnesty International. Amnesty International was unable to verify beheading as the cause of death, though the photos of the body do not appear to show the victim’s head.

<sup>58</sup> Amnesty International interview by video call with Ashot Galstyan, 18 December 2021. Amnesty International interview with Susanna Galstyan (Slavik Galstyan’s daughter-in-law), 18 December 2021.

<sup>59</sup> Death certificate of Slavik Galstyan, on file with Amnesty International.

<sup>60</sup> Amnesty International interview by video call with Ashot Galstyan, 18 December 2021.

<sup>61</sup> Amnesty International interview by video call with Iso Harutunyan, 21 December 2021. Amnesty International was unable to review any video showing Valery’s body; the family said it had not saved the video it saw online.

<sup>62</sup> Amnesty International interview by video call with Iso Harutunyan, 21 December 2021.

<sup>63</sup> Death certificate of Valery Harutunyan, on file with Amnesty International.

<sup>64</sup> For example, Amnesty International has documented people with severe mental health conditions being unavoidably left behind by their families while fleeing fighting in Yemen. Amnesty International, *Excluded: Living with Disabilities in Yemen’s Armed Conflict*, 3 December 2019, (Index: MDE 31/1383/2019), <https://www.amnesty.org/en/wpcontent/uploads/2021/05/MDE3113832019ENGLISH.pdf>. See also Human Rights Watch, “Persons with Disabilities in the Context of Armed Conflict”, 8 June 2021, <https://www.hrw.org/news/2021/06/08/persons-disabilities-context-armed-conflict>; and UN Security Council Resolution 2475, 20 June 2019.

under-identified by medical professionals.<sup>65</sup> The Convention on the Rights of Persons of Disabilities (CRPD) obliges state parties, like Azerbaijan and Armenia, to take “all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict.”<sup>66</sup>

Another older man who was unlawfully killed was Volodya Aghabekyan, 82, who stayed in his village of Sghnakh with his son Telman, who was part of a group of volunteers defending the village. Telman said that on 28 October, Armenian forces in the village came under heavy fire and had to retreat.<sup>67</sup> Nobody was able to return to the village to help his father leave. Volodya’s body was recovered from the site in November.<sup>68</sup> A death certificate from the Armenian authorities says that he died of gunshots to his head.<sup>69</sup> Volodya’s grandson, who identified the body at the morgue, confirmed the injuries.<sup>70</sup>

In the village of Togh, two older men stayed behind. Martik Avetisyan, 57, a farmer with a wife and three children, did not want to leave his land. His widow, Evelina, said: “My husband was convinced it wasn’t serious... As much as I tried [to convince him to leave], he wouldn’t agree. He said it’s my land, I’m not leaving.”<sup>71</sup> Martik’s body was not recovered until December 2020, Evelina said. She showed Amnesty International a death certificate stating that Martik had died on 16 October, though it gave no details about the cause of death.<sup>72</sup> The body of another older man from Togh, 81-year-old Radik Stepanyan, who (as noted above) had physical disabilities that made fleeing more difficult, was also found in recovery efforts in December 2020, according to his son and another villager.<sup>73</sup>

In December 2020, the General Prosecutor’s Office of Azerbaijan issued a press release commenting on the release of videos depicting alleged war crimes. The press release said the authorities had analysed “video footage of Azerbaijani servicemen insulting the bodies of Armenian servicemen killed during hostilities, as well as inhumane treatment of captured Armenian servicemen spread in some media and social media pages”, and announced that “criminal proceedings have been launched... under Article 115.2 (torture, cruel, or inhumane treatment) and Article 245 (insulting acts on graves or corpses)... and intensive investigative measures have been carried out.”<sup>74</sup> The press release named four Azerbaijani servicemen who had been charged under the relevant criminal codes. The press release does not say anything with regards to civilians who were killed or tortured.

Since December 2020, Azerbaijan has not published any additional information about proceedings against the four servicemen, or any additional cases.<sup>75</sup> In its letter response to Amnesty International’s findings, the Azerbaijan Ministry of Foreign Affairs similarly mentioned four servicemen charged under Article 245, and more broadly said that “necessary investigative actions continue... Those cases remain ongoing and Azerbaijan is committed to bringing accountability to alleged war crimes and human rights violations.”<sup>76</sup> No details about these cases were provided.<sup>77</sup> Without further information, one cannot feel confident that any measure of accountability is being achieved.

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<sup>65</sup> World Health Organization, “Mental health of older adults,” 12 December 2017, <https://www.who.int/news-room/fact-sheets/detail/mental-health-of-older-adults>.

<sup>66</sup> Convention on the Rights of Persons with Disabilities, Article 11.

<sup>67</sup> Amnesty International interview by video call with Telman Aghabekyan, 21 December 2021.

<sup>68</sup> Amnesty International interview by video call with Telman Aghabekyan, 21 December 2021; Amnesty International interview by video call with Tatul Aghabekyan, 21 December 2021.

<sup>69</sup> Death certificate of Volodya Aghabekyan, dated 2 December 2020, on file with Amnesty International.

<sup>70</sup> Amnesty International interview by video call with Tatul Aghabekyan, 21 December 2021.

<sup>71</sup> Amnesty International interview in person with Evelina Nahapetyan, 9 November 2021, Kotayk region, Armenia.

<sup>72</sup> Death certificate of Martik Avetisyan, dated 23 December 2020, on file with Amnesty International.

<sup>73</sup> Amnesty International interviews with Nver Stepanyan, 13 November 2021, Ararat region, Armenia; and with Vahid Zoramush, 10 November 2021, Hrazdan, Armenia.

<sup>74</sup> Prosecutor General’s Office of the Republic of Azerbaijan, “Detained four servicemen accused of insulting bodies of Armenian servicemen and tombstones belonging to Armenians,” 14 December 2020, <https://genprosecutor.gov.az/az/post/3272>

<sup>75</sup> Eurasianet, “One year after arrests for war crimes, Azerbaijan remains silent,” 15 December 2021, <https://eurasianet.org/one-year-after-arrests-for-war-crimes-azerbaijan-remains-silent>

<sup>76</sup> Letter from the Azerbaijan Ministry of Foreign Affairs to Amnesty International, 3 March 2022.

<sup>77</sup> Letter from the Azerbaijan Ministry of Foreign Affairs to Amnesty International, 3 March 2022.

## VALERY POGHOSYAN, 71 YEARS OLD

Valery Poghosyan lived alone in the village of Avetaranots, where he owned a wood furniture workshop. When the fighting started in 2020, he was reluctant to abandon his home and, after more than two decades of living in a conflict zone, doubtful that it would be taken by Azerbaijani forces. And so he stayed.

Early in the morning on 27 October 2020, he woke up and went to the window. He saw 30 soldiers in what he believed to be Azerbaijani uniforms walking through the streets. While he had a gun at home, he decided to try and make an escape unarmed. Walking along paths near his village, he came across the body of Borya Baghdasaryan, another older man (see pages 19-20). Realizing Borya was dead, he walked on: "I was almost out of the village when I turned and saw an Azeri with a gun. I started running, and then I saw two other soldiers in front of me. They grabbed me. They told me to calm down, that they would not torture older people, women and children."<sup>78</sup>

Valery Poghosyan was taken to an informal encampment near the village cemetery, where he joined two other older men from his village, 56-year-old Karen Petrosyan and 65-year-old Maxim Grigoryan. They spent the night in the encampment before being blindfolded and put in a truck. Before the conflict in the 1990s, Poghosyan had lived most of his life in Baku, the Azerbaijani capital, and was able to converse fluently with the soldiers in Azeri. One video circulated online clearly shows Valery, speaking Azeri and sitting together with the two other men, as identified by their relatives. Another video shows three men, including Valery, lying flat in the bed of a vehicle as men in uniform kick them.<sup>79</sup>

"We were lying down, and every time the vehicle stopped, which was three or four times, the soldiers would change over; they would come and kick us and swear at us. I lost the feeling of time. They tightened my hands painfully tight [behind my back] and Maxim was sitting on my belly, Karen could barely stand at that time. I was fainting and falling in and out of consciousness, it was very painful."<sup>80</sup>

Ultimately the three men reached a two-story building with high fences, and were taken to a cell together.

"The next day they came [to our cell] and told us to say that Karabakh is [part of] Azerbaijan. Karen refused. They started kicking him and beating him. They took him away, and we never saw him again."

One day later, Valery was led away to a room for another interrogation, as was Maxim. When Valery came back, Maxim was visibly unwell:

"At one point he was standing and he just collapsed... I put a jacket under his head. But his eyes were closed, and he was not responding. I told the guard that Maxim had fallen down – he looked at me and looked at him and said, 'Why should I care?' And closed the door... In the morning they came and gave us breakfast but that was it, all day nobody came or did anything. All that day [Maxim] was unconscious, just breathing."

"The next day they took me to another interrogation – there was a camera, and 10 people were there... They kept beating me with truncheons. I didn't fall down but it was very painful. When I came back to the cell, I was told that Maxim had been taken to another room. I never saw him again."<sup>81</sup> Both Karen and Maxim are still missing.

Not long after that, Valery was transported to another prison – he showed Amnesty International documents from the International Committee of the Red Cross that state that they visited him at a detention facility in Baku in November 2020.<sup>82</sup> Valery said he was repeatedly interrogated about whether or not he had taken part in the hostilities in the 1990s. One such interrogation led to a mock execution, where officers stood him against a courtyard wall and pretended they were about to shoot him. He also witnessed the death of another older prisoner, Eduard Shakhkeldyan (see page 24).<sup>83</sup>

Valery was released and transferred to Armenia and hospitalized on 15 December 2020. In the prior weeks, he felt his health declining weeks, he felt his health declining: "I had no wish to talk or listen to

<sup>78</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>79</sup> Video, undated, on file with Amnesty International. Video, undated, on file with Amnesty International.

<sup>80</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>81</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>82</sup> Letter from the International Committee of the Red Cross (ICRC) attesting to visiting Valery Poghosyan in detention in November 2020, on file with Amnesty International.

<sup>83</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

people, I just felt very weak and didn't want to talk or move.”<sup>84</sup> When he was hospitalized, doctors told him he had a hematoma on the right side of his brain – typically caused by traumatic head injury – and that they urgently needed to operate. That surgery was followed by a massive heart attack in January 2021 that required a coronary bypass. Valery showed Amnesty International medical documentation from both operations.<sup>85</sup>

“Until 70 years of age I never had any illnesses, I didn't even have a medical record,” he said. “When I came back, I was only 46 kilos. I was skin and bones.”<sup>86</sup>



*Valery Poghosyan in his home in Nagorno-Karabakh © Areg Balayan*

## 2.3 ABUSES IN DETENTION

Some older people who stayed behind in villages were detained by Azerbaijani forces and transported to prisons in other parts of Azerbaijan. Amnesty International interviewed four older people who had been in detention, as well as the relatives or others with first-hand information about the disappearance or death in detention of four others.

Not all older people described ill-treatment while in detention in Azerbaijan. In particular, older women appear to have been largely spared the beatings and other inhumane treatment inflicted on older men, and in some cases were not held in detention facilities. Zhenya Babayan, 85, stayed at her home in Hadrut because she wanted to look after her chickens and bees, and was detained arbitrarily by Azerbaijani forces when they entered the town. Zhenya, who has limited mobility in one leg, said the soldiers helped her get into a car. She was first taken to a police station, where she was questioned. They then transported her to a hospital in Baku, where she said she was treated well and given food but did not require or receive any medical treatment. She was not allowed to leave the premises while there. After 17 days, she was released and transferred to Armenia. Zhenya said she saw a younger Armenian man whom she didn't know being beaten after he emerged from the trunk of the vehicle in which she was transported to the police station, but was not subject to any inhumane treatment herself.<sup>87</sup>

<sup>84</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>85</sup> Documents from Erebuni Medical Center (Yerevan, Armenia); Astghik Medical Center (Yerevan, Armenia), on file with Amnesty International.

<sup>86</sup> Amnesty International interview in person, 13 November 2021.

<sup>87</sup> Amnesty International interview in person with Zhenya Babayan in Yerevan, Armenia, 15 November 2021.

But many older men, even those in advanced age or with disabilities, were subject to an array of physical and psychological torment, in violation of the prohibition of torture, cruel or inhuman treatment and outrages upon personal dignity,<sup>88</sup> and constituting the grave breaches and war crimes of “torture or inhuman treatment” and of “wilfully causing great suffering, or serious injury to body or health”.<sup>89</sup> Older men said that interrogations of them, carried out by Azerbaijani forces, including the security services, often centered around whether or not they had taken part in the war in the 1990s.

Sedrak Petrosyan, 90, who has very limited hearing, was detained at the same time as his 56-year-old son, Karen (see page 22).

**They beat me, they were beating me with their hands, kicking me, using truncheons – they tossed me back and forth between them as they beat me... I saw [my son] Karen being beaten in front of my eyes, then they took him away and they brought me his shoes and said that they had buried him.<sup>90</sup>**

At the time of the interview, a year after his detention, Sedrak’s entire right leg remained black and blue, and his left leg was completely stiff and painful to the touch. He could only walk a few metres at a time and with the help of a cane.<sup>91</sup> His grandson told Amnesty International that both leg injuries were the result of his time in detention – prior to that, Sedrak was able to walk independently.<sup>92</sup> Two videos, presumably taken at the time of Sedrak’s detention, show him able to walk and stand as he is surrounded by men in uniform, including one man with a clearly visible Azerbaijani flag on the sleeve, speaking Azeri.<sup>93</sup> Sedrak’s son, Karen, has not been seen since the first days of his captivity. His family said they had received no formal confirmation from the Azerbaijani authorities that he was ever in their custody.<sup>94</sup>

Eduard and Arega Shakhkeldyan, 79 and 72 respectively, were detained by Azerbaijani soldiers in their home village of Avetaranots on 27 October 2020. Their daughter Gokhar told Amnesty International that her husband had attempted to evacuate them two days before, but the older couple did not want to leave their home. On the morning of 27 October, Gokhar’s husband called their house a final time. According to Gokhar, somebody else picked up the phone and said, in Azeri: “This is Azerbaijan,” before hanging up.<sup>95</sup>

Arega, who was released from detention and sent to Armenia in December 2020, said her husband Eduard was kicked and beaten by soldiers in front of her as they were initially detained in Avetaranots.<sup>96</sup> Then they were taken out of their village on the back of a truck full of wood. Soldiers took Eduard and Arega to a building, where they tied Eduard’s hands behind his back and kicked him again. When they arrived at the prison in Baku where they would be held for more than a month, the couple were separated. Both of them had high blood pressure, which they took medication for regularly, and Eduard had asthma. Arega said she was not given any medication while in custody except once when her blood pressure dangerously spiked.<sup>97</sup> Valery Poghosyan, Eduard’s cellmate, said Eduard’s health declined clearly for several weeks: he wet the bed regularly and had to sleep on a wet mattress because guards refused to change it. He was barely able to eat more than a few bites of food at a time and, according to Valery, was not given any medication or seen by a doctor throughout that time. One day, Valery said, Eduard simply did not wake up.<sup>98</sup>

Gokhar, Eduard’s daughter, said:

**On 5 December, my mother called me from the prison in Baku, and she couldn’t speak because she was crying so hard. I said mom, give the phone to dad. She told me she couldn’t because he wasn’t alive. They had come and told her that he died the night before.<sup>99</sup>**

Arega said that when she was taken to see her husband’s body, his face was black: “I was crying and saying this is not my husband, and they said yes, it is him.”<sup>100</sup> His body was sent to Armenia in December 2020,

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<sup>88</sup> International Covenant on Civil and Political Rights (ICCPR), Article 7; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Article 2; International Committee of the Red Cross, Customary International Humanitarian Law, Volume I: Rules (ICRC Customary IHL Study), Rule 90; Fourth Geneva Convention, Article 32; Additional Protocol I, Article 75(2).

<sup>89</sup> Fourth Geneva Convention, Article 147; Rome Statute, Article 8(2)(a)(ii) and (iii). See also ICRC Customary IHL Study, Rule 156.

<sup>90</sup> Amnesty International interview in person with Sedrak Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>91</sup> Amnesty International interview in person with Sedrak Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>92</sup> Amnesty International interview in person with Grisha Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>93</sup> Video, undated, on file with Amnesty International. Video, undated, on file with Amnesty International.

<sup>94</sup> Amnesty International interview in person with Grisha Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>95</sup> Amnesty International interview by video call with Gokhar Isakhanyan, 14 November 2021.

<sup>96</sup> Amnesty International interview by phone call with Arega Shakhkeldyan, 14 December 2020.

<sup>97</sup> Amnesty International interview by phone call with Arega Shakhkeldyan, 14 December 2020.

<sup>98</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>99</sup> Amnesty International interview by video call with Gokhar Isakhanyan, 14 November 2021.

<sup>100</sup> Amnesty International interview by phone call with Arega Shakhkeldyan, 14 December 2020.

the same month that Arega returned to Armenia. A death certificate issued by the Armenian authorities stated that the death was caused by “unclear injuries to the head”.<sup>101</sup>

In its letter response to Amnesty International, the Azerbaijan Ministry of Foreign Affairs denied any mistreatment of older people in detention during the conflict, saying that older people who were detained were “evacuated from war zones to ensure their safety and provide proper medical care to those in need; even then, measures were taken for the immediate transfer of all of them to Armenia”.<sup>102</sup> The letter response claimed that “the Armenian side in many instances refused to accept [older people],” though Amnesty International did not find any instances in which this was the case.<sup>103</sup>

### **AZERBAIJAN FORCES’ VIOLATIONS AND CRIMES UNDER INTERNATIONAL LAW**

All of the older people mentioned above were civilians, and none of them are known to have been armed at the time of their death or detention by Azerbaijani forces. Many of the actions of the Azerbaijani military that are described in this chapter – extrajudicial executions, torture and other ill-treatment, the mutilation of dead bodies, and attacks directed at civilians – violate Azerbaijan’s obligations under international human rights law and, because they were committed as part of an armed conflict, breach international humanitarian law and constitute war crimes.

Azerbaijan is a party to major human rights treaties that protect the right to life and prohibit torture and other ill-treatment, including the International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the European Convention on Human Rights (ECHR).<sup>104</sup> Azerbaijan is also obligated to ensure that people in detention receive appropriate health care.<sup>105</sup>

As a party to an armed conflict, Azerbaijan also has obligations under international humanitarian law. It is party to the Four Geneva Conventions. While it is not a party to their Additional Protocols, all of the fundamental guarantees and other rules of international humanitarian law cited in this report form part of customary international humanitarian law and are legally binding on all parties to armed conflict. These rules include the duty to treat humanely all civilians and those *hors de combat*, including sick, wounded, surrendered or captured combatants, as well as the prohibitions of murder, torture, cruel treatment, mutilation and enforced disappearance.<sup>106</sup>

In situations of armed conflict, international law provides special protections to older people and people with disabilities, among other groups, including related to prioritizing their evacuation and in affording special care in detention or when otherwise deprived of their liberty.<sup>107</sup> Far from affording these protections, the cases documented in this report show that Azerbaijani forces appear to have singled out older people for serious violations and crimes, and that generally Azerbaijan’s military operations disproportionately affected older people.

Grave breaches of the Geneva Conventions and other serious violations of international humanitarian law are war crimes. The relevant grave breaches and war crimes documented in this report include: wilful killing, torture or inhuman treatment, wilfully causing great suffering to body or health, unlawful confinement, and enforced disappearances.<sup>108</sup> States must investigate war crimes allegedly committed by their forces, or on their territory, and if appropriate, prosecute the suspects.<sup>109</sup>

<sup>101</sup> Death certificate of Eduard Shakhkeldyan, on file with Amnesty International.

<sup>102</sup> Letter from the Azerbaijan Ministry of Foreign Affairs to Amnesty International, 3 March 2022.

<sup>103</sup> Letter from the Azerbaijan Ministry of Foreign Affairs to Amnesty International, 3 March 2022.

<sup>104</sup> ICCPR, Articles 6 and 7; ECHR, Articles 2 and 3; Convention against Torture (CAT), Articles 1 and 2.

<sup>105</sup> ICCPR, Article 10(1); Third Geneva Convention, Article 30; The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rules 24–27.

<sup>106</sup> Fourth Geneva Convention, Articles 3.1, 32; ICRC Customary IHL Study, Rules 89, 90, and 92.

<sup>107</sup> Fourth Geneva Convention, Articles 16, 17, 27, 85, and 119. See also ICRC, Customary IHL Study, Rule 138.

<sup>108</sup> Rome Statute, Article 8(2)(a)(i)-(iii), (vii) and Article 8(2)(b)(i), (x). Fourth Geneva Convention, Article 147. See also ICRC, Customary IHL Study, Rule 156.

<sup>109</sup> ICRC Customary IHL Study, Rule 158.

## 2.4 THE MISSING

The Human Rights Ombudsman of Nagorno-Karabakh said at least 19 civilians were still considered missing during the conflict, 16 of whom were older people between the ages of 57 and 90.<sup>110</sup> Amnesty International was able to verify six of these cases by speaking with relatives and other first-hand witnesses.

Alik Asriyan, 67, lived in the village of Maryamadzor with his wife Aida.<sup>111</sup> On 10 October, when they learned that the nearby town of Hadrut had fallen under Azerbaijani control, Alik drove Aida and two other older women to safety in Yerevan. Then he insisted on returning to the village. “We did our best to make him stay with us, but he said no,” Aida said.<sup>112</sup>

On 20 October, Maryamadzor came under attack. Armenian soldiers defending the village told Aida that Alik had spent the night with them so as not to remain alone in his home, but had returned home to eat that morning. During the attack, the Armenian soldiers reportedly began a rapid retreat but did not have time to inform Alik that they were leaving.<sup>113</sup> According to Aida, troops defending a nearby road said they saw Alik the next day – he told them his name and said he was trying to walk to safety. But the area where he was last seen was taken later that day by Azerbaijani forces. Alik Asriyan has not been seen since, though Aida showed Amnesty International a video in which a man she said looks like her husband is sleeping on a cot in a room, as a man in uniform says in Azeri: “This is how we treat their captives... Look, he has food and drinks, and a place to sleep.”<sup>114</sup> Explosions can be heard in the background of the video. Aida said:

**There has been no confirmation from any organization that he is in captivity; it’s nothing but doubts. I go to Red Cross once a month; I check all the time, and they have no information. My children even gave their DNA [to identify the body].<sup>115</sup>**

Maxim Grigoryan, 65, stayed behind in his village of Avetaranots after his wife and daughter left for Armenia. His son, Aramays, was fighting on the frontline and was not able to contact his father every day: “If I knew that the village was really under threat of being taken over, I would have done something,” he said.<sup>116</sup> According to the testimony of another person held in detention (see page 22), Maxim was taken into Azerbaijani custody on 27 October and subjected to beatings and not provided medical treatment when he demonstrably needed it.<sup>117</sup> Maxim has not been seen or heard from since the first days of his detention. “It’s really very heavy for us. We are all waiting for any kind of news,” said Aramays.<sup>118</sup> Karen Petrosyan, 56, who was detained together with Maxim, is also missing.

Maryanush Movsisyan, 74, lost contact with her husband, 81-year-old Vladimir Lalayan, in October 2020. The couple lived part of the year in Zangelan, where Vladimir worked as a doctor in the local hospital. During the fighting, he continued working there helping to treat wounded soldiers, and, according to Maryanush, he refused to leave when she fled on 10 October 2020: “When I came to [Armenia] he called me and asked me to send him some things. I sent them and then he called me and said not to worry, that he would come back very soon. After that I kept calling, and there was no answer.”<sup>119</sup>

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<sup>110</sup> List of Civilian Missing Persons, Document shared with Amnesty International by the Human Rights Ombudsman of Nagorno-Karabakh, 23 December 2021.

<sup>111</sup> In this section, the ages provided for people who are missing or disappeared are the age the missing person would be at the time of the interview.

<sup>112</sup> Amnesty International interview by video call with Aida Asriyan, 15 December 2021.

<sup>113</sup> Amnesty International interview by video call with Aida Asriyan, 15 December 2021.

<sup>114</sup> “Azerbaijani military personnel show an Armenian who is peacefully sleeping at home in Azerbaijani captivity,” 19 December 2020, [https://www.youtube.com/watch?v=RI\\_OGbNtvjQ](https://www.youtube.com/watch?v=RI_OGbNtvjQ).

<sup>115</sup> Amnesty International interview by video call with Aida Asriyan, 15 December 2021.

<sup>116</sup> Amnesty International interview by video call with Aramays Grigoryan, 15 December 2021.

<sup>117</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>118</sup> Amnesty International interview by video call with Aramays, 15 December 2021.

<sup>119</sup> Amnesty International interview by phone call with Maryanush Movsisyan, 17 November 2021.



Maryanush Movsisyan in her home in Armenia © Areg Balayan

Seryoja Sahakyan, 66, who lived with his wife and adult children in Lachin region, could not walk after breaking both legs several years ago. He did not have a wheelchair – the family said they had applied to the de facto authorities in Nagorno-Karabakh for one but never received it – and so the family carried him whenever he needed to go somewhere. On 15 October 2020, with fighting escalating around them, the women and children of the family decided to leave. Seryoja's daughter, Maria, said she tried to persuade her father to leave: "He said there's no way he would leave the village."<sup>120</sup> She kept in touch with her father by mobile phone – he told her some Armenian soldiers were visiting him regularly and bringing him food. On 20 October, she could no longer reach him. Maria said that her father's body was not found in the village after the ceasefire.<sup>121</sup>

In February 2021, Azerbaijan announced that it had returned all "prisoners of war" with the exception of "saboteurs," which it said included those who allegedly crossed illegally into Azerbaijan after the ceasefire agreement.<sup>122</sup> In a November 2021 report, the Council of Europe's Commissioner for Human Rights criticized Azerbaijan for the ongoing detention of dozens of prisoners of war and other captives.<sup>123</sup> In its response to the Council of Europe's findings, Azerbaijan said any Armenian nationals remaining in its custody "are either not prisoners of war or subject to return... These are persons convicted by competent courts for crimes, including in some cases, for war crimes."<sup>124</sup> In its letter response to Amnesty International, the Azerbaijan Ministry of Foreign Affairs said that there were no older people and no civilians among the Armenians still in detention.<sup>125</sup>

International humanitarian law requires each party to the conflict to "take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate".<sup>126</sup> If the people were detained and later died in detention, their families must

<sup>120</sup> Amnesty International interview by video call with Maria Sahakyan, 20 December 2021.

<sup>121</sup> Amnesty International interview by video call with Maria Sahakyan, 20 December 2021.

<sup>122</sup> Caucasian Knot, "Алиев отчитался о передаче Армении всех военнопленных," 26 February 2021, <https://www.kavkaz-uzel.eu/articles/361193/>; France 24, "Azerbaijan is 'ready' to start peace talks with Armenia, president tells France 24," 28 September 2021, <https://www.france24.com/en/tv-shows/the-interview/20210928-azerbaijan-is-ready-to-start-peace-talks-with-armenia-president-tells-france-24>

<sup>123</sup> Council of Europe, Commissioner for Human Rights, *Memorandum on the humanitarian and human rights consequences following the 2020 outbreak of hostilities between Armenia and Azerbaijan over Nagorno-Karabakh*, 8 November 2021, <https://rm.coe.int/commdh-2021-29-memorandum-on-the-humanitarian-and-human-rights-consequ/1680a46e1c>, p. 8.

<sup>124</sup> Council of Europe, *Comments by Azerbaijan on the Memorandum of the Commissioner of the Council of Europe for Human Rights on humanitarian and human rights consequences of the conflict between Armenia and Azerbaijan*, November 2021, <https://rm.coe.int/commdhgovrep-2021-13-comments-by-azerbaijan-on-memorandum-of-coe-hr-co/1680a46e1d>, p. 6.

<sup>125</sup> Letter from the Azerbaijan Ministry of Foreign Affairs to Amnesty International, 3 March 2022.

<sup>126</sup> ICRC, Customary IHL Study, Rule 117; Fourth Geneva Convention, Articles 26, 136 and 137.

be informed of that fact. Enforced disappearances are forbidden under international law and may amount to war crimes, related to prohibitions against murder and against torture and other ill-treatment.<sup>127</sup>

## 2.5 PSYCHOLOGICAL TRAUMA

**“[My family] makes me eat, they make me live... But I want to die. I wanted to die in prison but somehow I survived.”**

Sedrak Petrosyan, 90, after his release from captivity in Azerbaijan.<sup>128</sup>

Many older people interviewed for this report, including those who had experienced violence first-hand, those who had witnessed traumatic events such as the death of a loved one, or those who had lost homes or land they had lived on for much of their lives, showed signs of severe psychological distress. Several people cried almost non-stop during interviews, while others became irate. Sometimes the impact of these mental health crises appeared to be exacerbated by isolation in the new settings where they lived, where older people often had few acquaintances or activities outside family life. In only two cases – both older men who were detained in Azerbaijan and then offered psychosocial support in hospitals after being transferred to Armenia – did interviewees say they had been offered any kind of mental health or psychological support services during or after the war.

Eduard Stepanyan, 83, repeatedly burst into tears while talking about the death of his wife, Lesmonya. The two were at home in Hadrut when shelling began on 27 September 2020. Lesmonya, who had lost her right arm during the 1990s war, had gone outside to tidy up the garden when a shell landed nearby. She died of shrapnel wounds before reaching the local hospital.<sup>129</sup> Eduard said, crying: “I lost everything – my wife, my house, my gravestones [of loved ones]. I built my house with my own hands. I’ve lost so much.”<sup>130</sup>

Eduard’s granddaughter Kristina, who lives with him in an apartment in Yerevan, said his mental health had declined dramatically since the conflict in 2020:

**When we were in Hadrut he was always making jokes and being funny, but since the war he has been emotionally unstable. He cries all the time, and if you try to say Grandpa, please don’t cry, or try to change the subject, he just goes and cries under a blanket in the other room.<sup>131</sup>**

Kristina said that Eduard had never been seen by a mental health professional, though they had taken him to a local faith healer. She said this improved his mood, but only for a brief time.<sup>132</sup>

Vartan Hambardzumyan, 85, who has limited hearing and no use of his right hand due to a combine accident, became increasingly agitated when talking about the loss of his home in the village of Togh. He said he was able to fall asleep for just short periods before waking up with anxiety: “What am I supposed to do in these four walls? I can’t sleep... I have nightmares, I think all the time about my life in Togh.”<sup>133</sup>

The mental health of older people seemed to be particularly impacted if they had spent time in detention. Arega Shakhkeldyan, whose experience is described on page 24, said she was unable to leave her apartment in Stepanakert alone since returning from prison in Azerbaijan:

**I’m not able to go outside, I’m really afraid. I feel like I am surrounded. I feel like [Azerbaijani soldiers] are going to capture me again... When I’m alone I start remembering [prison], I start thinking about everything again.<sup>134</sup>**

<sup>127</sup> Rome Statute, Article 8(2)(a)(i) and (ii). See also ICRC, Customary IHL Study, Rules 98 and 156.

<sup>128</sup> Amnesty International interview in person with Sedrak Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>129</sup> Amnesty International interview in person with Eduard Stepanyan, 8 November 2021, Yerevan, Armenia. Amnesty International reviewed a death certificate which likewise indicated that shrapnel wounds to the left side of her head and resulting blood loss and shock were the cause of death.

<sup>130</sup> Amnesty International interview in person with Eduard Stepanyan, 8 November 2021, Yerevan, Armenia.

<sup>131</sup> Amnesty International interview in person with Kristina Stepanyan, 8 November 2021, Yerevan, Armenia.

<sup>132</sup> Amnesty International interview in person with Kristina Stepanyan, 8 November 2021, Yerevan, Armenia.

<sup>133</sup> Amnesty International interview in person with Vartan Hambardzumyan, 10 November 2021, Charentsavan, Armenia.

<sup>134</sup> Amnesty International interview by video call with Arega Shakhkeldyan, 14 November 2021.

Marine Garakhanyan said the mental health of her father, Sasha, 71, had rapidly declined since his months in detention. She said her family grew concerned when he showed signs of aggressive behaviour:

**For a while he became really aggressive, so much so that we were afraid he could attack us. After a while we called a psychiatrist and they gave him some medications, now he is calmer but he has been having visions for about a month. He says: “I can see people. I see snakes” ... He walks around the apartment all night, he says he can hear somebody knocking on the door, or he gets worried because somebody is on the street.<sup>135</sup>**

Sometimes older people and their family members held assumptions that people over a certain age were unable to benefit from psychological treatment or support. Susanna Martirosyan, 71, lost two sons and one grandson who were fighters on the Armenian side, and another of her grandsons was seriously injured. She lives with her daughter-in-law and five grandchildren, many of whom she helps care for, and is rarely able to leave their fifth-floor apartment because it is too difficult for her to get down the stairs. She cried repeatedly throughout the interview, but when asked about psychosocial support services, said: “My daughter-in-law took two of my granddaughters to a psychologist after their father died. But me, no, I’m too old to go.”<sup>136</sup>



*Sedrak Petrosyan in his home in Hrazdan, Armenia © Areg Balayan*

Some caretakers of older people who had experienced trauma said they were no longer able to work or freely go about daily errands because they had become the main source of emotional support and comfort for their parent or grandparent. Grisha Petrosyan, grandson of the 90-year-old Sedrak (see pages 22-23), said: “I can’t go far away to work like in Yerevan [1.5 hours away], because my grandfather gets anxious, he needs me nearby all the time.”<sup>137</sup>

Armenia and Azerbaijan are both parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR), which calls on states to “recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”.<sup>138</sup> Services must be “culturally appropriate and acceptable” to older persons, and delivered on a non-discriminatory basis.<sup>139</sup> The Armenian government and donor organizations should ensure that older people are sufficiently prioritized in the delivery of mental health services, and that such services are accessible and culturally appropriate to them.

<sup>135</sup> Amnesty International interview by video call with Marine Garakhanyan, 14 November 2021.

<sup>136</sup> Amnesty International interview in person with Susanna Martirosyan, 10 November 2021, Abovyan, Armenia.

<sup>137</sup> Amnesty International interview in person with Grisha Petrosyan, 15 November 2021, Hrazdan, Armenia.

<sup>138</sup> International Covenant on Economic, Social and Cultural Rights, Article 12.

<sup>139</sup> Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, 28 March 2017, UN Doc. A/HRC/35/21, para. 58.

# 3. LIFE IN DISPLACEMENT

**“I feel like I am in a cage. How am I supposed to live here? I want to go to the mountains, to herd my animals.”**

Vartan Hambardzumyan, 85, a displaced man from Togh village.<sup>140</sup>

**“We feel like we are a burden on our children, we live like we are renters.”**

Karen Shahnbaryan, 70, a displaced man from Lachin region.<sup>141</sup>

Of the 90,000 people who fled Nagorno-Karabakh during the 2020 fighting, approximately 30,000 remain displaced in Armenia, while the remainder have returned to Armenian-held parts of Nagorno-Karabakh.<sup>142</sup> None have returned to their homes in areas under Azerbaijani control. The Armenian government has made clear efforts to support the displaced population, including by facilitating the free temporary accommodation of approximately 15,000 people in hotels and in public buildings.<sup>143</sup> Some displaced older people interviewed for this report were offered free accommodation in the first four to six months after the fighting, but all had been required to leave and to find accommodations on the private market after that. In contrast, many of those who returned to Nagorno-Karabakh continued to have access to free accommodation or to rental support.<sup>144</sup>

For four months after the ceasefire, the Armenian government provided 68,000 drams (US\$138) per month to all displaced people, with the exception of adult men under the age of 58.<sup>145</sup> All interviewees had received these payments, and many received an additional 250,000 to 300,000 drams (US\$507 to \$609) if they had lost property during the war.<sup>146</sup> Following protests by groups of displaced people, in November 2021 the government renewed payments of 25,000 drams (\$51) for another four months, or up to 100,000 drams (\$203) for a person with a disability requiring continuous care.<sup>147</sup> These payments were also made available

<sup>140</sup> Amnesty International interview in person with Vartan Hambardzumyan, 10 November 2021, Charentsavan, Armenia.

<sup>141</sup> Amnesty International interview in person with Karen Shahnbaryan, 11 November 2021.

<sup>142</sup> Office of the UN High Commissioner for Refugees (UNHCR), *Armenia: Inter-Agency Operational Update (July - Sept 2021)*, 25 November 2021, <https://data2.unhcr.org/en/documents/details/89819>, p. 1.

<sup>143</sup> Council of Europe, Commissioner for Human Rights, *Memorandum on the humanitarian and human rights consequences following the 2020 outbreak of hostilities between Armenia and Azerbaijan over Nagorno-Karabakh*, 8 November 2021, <https://rm.coe.int/commdh-2021-29-memorandum-on-the-humanitarian-and-human-rights-consequu/1680a46e1c>, p. 4. See also: DW, “Куда податься и как жить: Армянские беженцы оставляют свои дома в Карабахе,” 28 November 2020, <https://www.dw.com/ru/kuda-podatsja-i-kak-zhit-armjanskje-bezhency-ostavljajut-svoi-doma-v-karabahe/a-55749915>

<sup>144</sup> Amnesty International interviews, November and December 2021.

<sup>145</sup> Government of the Republic of Armenia, “Աջակցության միջոցառումներ: Արթմիտիս շնչավորված ընդամենների և սնունդի միջոցառումներ,” Undated, <https://www.gov.am/am/support-measures/>

<sup>146</sup> Government of the Republic of Armenia, “Աջակցության միջոցառումներ: Արթմիտիս շնչավորված ընդամենների և սնունդի միջոցառումներ,” Undated, <https://www.gov.am/am/support-measures/>

<sup>147</sup> Sputnik Armenia, “Выплата 4-месячной финансовой помощи переселенным из Карабаха начнется 10 ноября,” 8 November 2021, <https://ru.armeniasputnik.am/20211108/vyplata-4-mesyachnoy-finansovoy-pomoschi-pereselennym-iz-karabakha-nachnetsya-10-noyabrya---35090294.html>

to displaced people within Nagorno-Karabakh.<sup>148</sup> The representative of one displaced community told Amnesty International that international organizations play a limited role in supporting displaced populations; in January 2022, for example, the International Committee of the Red Cross (ICRC) provided a one-time payment of 15,000 drams (\$29) to help displaced people living in Armenia cover utility payments.<sup>149</sup>

This temporary or one-off financial support from the Armenian government and international organizations has been insufficient to allow displaced older people to live independently, as many of them had been able to before the war. Almost all of the older people interviewed for this report had lost their homes, jobs, and other means of earning money – such as through agriculture or livestock – during the conflict. Unlike younger relatives, who were more likely to have found economic opportunities in their new communities, displaced older people were typically forced to become dependent on their children or other relatives. They could not afford to rent private homes or apartments with their pensions, which were usually just enough to cover food and medication. Many expressed concerns that they had become a “burden” on adult children, and seven chose to live in rent-free accommodations – such as abandoned huts or caravans – even if they did not have electricity, gas, or a toilet, rather than imposing on family members.<sup>150</sup>

After the ceasefire, the Armenian government also promised free healthcare services to all displaced people from Nagorno-Karabakh.<sup>151</sup> Despite this, older people were often either unaware of this or had been unable to access such services, and in some cases traveled back to Nagorno-Karabakh whenever they were in need of medical treatment, or forewent medical treatment altogether.

This chapter focuses on the current situation of displaced older people from Nagorno-Karabakh. While the primary focus is on displaced people living in Armenia, some interviews were conducted remotely with people still living in Nagorno-Karabakh itself. However, because the de facto authorities did not grant Amnesty International permission to travel to the region, a comprehensive assessment of the need there was impossible.

While the efforts by the Armenian government and humanitarian actors to help the displaced population are notable, few programmes appear to specifically address the needs of older people. The situation in Armenia reflects broader problems in humanitarian responses to crises around the world, in which older people are rarely consulted or otherwise involved in assessments, planning, and response and are often assumed to be cared and provided for by family members, even though that creates a dependency that fails to respect older people’s rights – and also fails to account for the many displaced older people living alone or acting as primary caregivers.<sup>152</sup>

Particularly in light of the disproportionate violence experienced by older people during the 2020 conflict, both because they were unable to flee and because older men in particular appear to have been targeted with violence, the Armenian government should redouble its efforts for older people, respecting and fulfilling their rights to physical and mental health, to an adequate standard of living, and to housing.

Amnesty International sent a letter to the Armenian Ministry of Foreign Affairs with questions regarding accommodation options, financial support, healthcare, and other programmes for displaced people, including displaced older people. The Ministry of Foreign Affairs responded on 9 March 2022, but the letter did not contain any specific information in response to the above issues.<sup>153</sup> Amnesty International also sent a letter about these issues to the de facto authorities in Nagorno-Karabakh, but has not received a response.

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<sup>148</sup> Amnesty International interviews, November and December 2021.

<sup>149</sup> Amnesty International interview by video call with Margarita Karamyan, March 7, 2022.

<sup>150</sup> Amnesty International interviews, November 2021, and interviews by voice call, December 2021.

<sup>151</sup> Government of the Republic of Armenia, Facebook Post, 22 January 2021, <https://www.facebook.com/watch/?v=1325834077754535> (“The displaced people of Artsakh use medical services in Armenia free of charge (video)”) (translation from the Armenian by Amnesty International).

<sup>152</sup> HelpAge International, *If Not Now, When?*, 2020, <https://www.helpage.org/what-we-do/if-not-now-when/>. See also: Amnesty International, *“My heart is in pain”: Older people’s experience of conflict, displacement, and detention in northeast Nigeria* (Index: AFR 44/3376/2020), 8 December 2020, <https://www.amnesty.org/en/documents/afr44/3376/2020/en/>; Amnesty International, *“Fleeing My Whole Life”: Older people’s experience of conflict and displacement in Myanmar* (Index: ASA 16/0446/2019), 18 June 2019, <https://www.amnesty.org/en/documents/asa16/0446/2019/en/>; HelpAge International, *Older voices in humanitarian crises: Calling for change*, 2016, <https://www.refworld.org/docid/583565884.html>

<sup>153</sup> Letter from the Armenian Ministry of Affairs to Amnesty International, 9 March 2022.

## 3.1 ACCESS TO HOUSING

**“We would like to live alone, but there is no place for us, our pension is not enough to cover an apartment.”**

Valery Tovmasyan, 73, a displaced man from Lachin region.<sup>154</sup>

Almost all of the older people interviewed for this report lived with family members or in free, informal housing, because they were unable to afford living independently. Even if they were physically able to work, older people were often unable to find suitable jobs or to take out loans; age discrimination in the workplace is common in Armenia and elsewhere, and one of the older men interviewed by Amnesty International described being rejected for a bank loan explicitly on the basis of his age. As a result, older people primarily live on their pensions, which are often barely enough to cover food and medical expenses: in Armenia, the average monthly pension is 43,983 drams (US\$171),<sup>155</sup> while the monthly rent for a one-bedroom apartment often costs double that or more, according to older people interviewed for this report.<sup>156</sup>

To avoid losing their independence and imposing on family members, several older people whom Amnesty International interviewed were living in informal housing that often lacked electricity, heating, or running water. For example, two older women lived in an unheated empty office space above a garage belonging to a relative that had a toilet but no bath or shower.<sup>157</sup> One older couple lived in an abandoned caravan inside an unheated cattle shed, in part so they could take care of their cattle.<sup>158</sup>

Sosik Minasyan, 70, is the primary caregiver for her 85-year-old husband, who is mostly deaf and has a heart condition that makes it very difficult for him to stand or walk. After they fled their village in Lachin region during the fighting in 2020, they moved to a village in southern Armenia to be near family. But Sosik felt uncomfortable relying on her children, and so, despite her husband’s poor health, moved into a one-room hut that has no toilet or electricity.<sup>159</sup> When her husband’s health deteriorated significantly, the couple spent brief periods in her son’s home, but found staying there for longer periods difficult:



Vazgen and Sosik Minasyan near their home in southern Armenia © Areg Balayan

**He [my husband] shouts at them, sometimes they don’t get along... It’s really hard to live with them, because we were living separately for so many years. I wish I had a bit more money so I could at least give something back to thank [my son] for hosting us.<sup>160</sup>**

Gagik Mkrtychyan, who also fled Lachin region, spent almost nine months living with his brother’s family in southern Armenia. But he similarly felt out of place: “They gave me a place in their home, but I really didn’t like it there, I felt very uncomfortable, like I was a burden on them.”<sup>161</sup> Instead, Gagik agreed with an acquaintance to live rent-free in an abandoned caravan that is parked in a scrapyard alongside excavators and tractors. There is no toilet and no heating, though Gagik has been able to install an electric heater. “I

<sup>154</sup> Amnesty International interview in person with Valery Tovmasyan, 12 November 2021, Goris, Armenia.

<sup>155</sup> Statistics Committee of the Republic of Armenia, *Average Pensions, 2021*, <https://armstat.am/ru/?nid=12&id=19151&submit=%D0%9F%D0%BE%D0%B8%D1%81%D0%BA>

<sup>156</sup> Amnesty International interviews, November 2021, and interviews by voice and video call, December 2021.

<sup>157</sup> Amnesty International interviews in person with Nelya and Nvard Mardanyan, 9 November 2021, Kotayk region, Armenia.

<sup>158</sup> Amnesty International interviews in person with Alla Hambaryan and Melik Arustamyan, 11 November 2021, Syunik region, Armenia.

<sup>159</sup> Amnesty International interview in person with Sosik Minasyan, 12 November 2021, Syunik region, Armenia.

The family, like other people interviewed for this report, had received the four monthly payments from the government. But the payments were temporary and insufficient to cover rent for an apartment.

<sup>160</sup> Amnesty International interview in person with Sosik Minasyan, 12 November 2021, Syunik region, Armenia.

<sup>161</sup> Amnesty International interview in person with Gagik Mkrtychyan, 12 November 2021, Goris, Armenia.

wish they hadn't attacked us so I could live [in my home]," he said. "It's very difficult for me, trying to make this place more comfortable."<sup>162</sup>



Gagik Mkrtchyan in the abandoned caravan where he lives © Areg Balayan

Older people who had lived with family described often having little privacy and sharing rooms with children or grandchildren. Displaced older people often had no choice but to live, together with their families, in accommodations that were unsuitable to older people with disabilities or health conditions. Susanna Martirosyan, 71, lives in a fifth-floor, two-bedroom apartment with her daughter-in-law and five grandchildren that they rent for 60,000 drams a month (US\$121). The family received monetary compensation of 8 million drams (US\$2,178) for the death of one of her grandsons, who was a combatant during the war, but only one person in the family has been able to find work, and they are unable to rent anything that would be larger or on a lower floor. Susanna, who said she had back problems as well as several health conditions, told Amnesty International:

**I don't go out, I don't go walking. I only leave if there's a real need, to go and see the doctor or something like that. It's like a prison here... I just stay at home and help look after the children. I cook.**<sup>163</sup>

Because Amnesty International was not granted permission to travel to Nagorno-Karabakh, it was impossible to conduct a thorough investigation

into the housing conditions of older people living there. In a June 2021 report, the International Crisis Group detailed a humanitarian crisis in Nagorno-Karabakh, particularly as a dire housing shortage had forced people to basements or other previously uninhabited accommodations.<sup>164</sup>

Amnesty International conducted interviews, most of them remotely, with 16 older people living in Nagorno-Karabakh; they described a housing shortage caused by widespread displacement and destruction of property during the war. Unlike older people displaced in Armenia, displaced people living in Nagorno-Karabakh were receiving some form of free accommodation or rental assistance: according to a representative of the Ministry of Territorial Administration and Infrastructures in Nagorno-Karabakh, 2,600 people were still receiving free accommodation in hotels or guesthouses as of March 2022.<sup>165</sup> In addition, displaced people living in Nagorno-Karabakh can receive financial support of between 40,000 and 60,000 drams (\$78 to \$118) to rent private apartments or homes.<sup>166</sup>

The fact that the authorities in Armenia provided no such free accommodation or rental support gave displaced older people less choice over where they lived, and they were often forced to live in crowded

<sup>162</sup> Amnesty International interview in person with Gagik Mkrtchyan, 12 November 2021, Goris, Armenia.

<sup>163</sup> Amnesty International interview in person with Susanna Martirosyan, 10 November 2021, Abovyan, Armenia.

<sup>164</sup> International Crisis Group, *Post-War Prospects for Nagorno-Karabakh* (previously cited).

<sup>165</sup> Amnesty International correspondence with Alyona Hairepetyan, spokesperson for the Ministry of Territorial Administration and Infrastructures.

<sup>166</sup> Amnesty International correspondence with Alyona Hairepetyan, spokesperson for the Ministry of Territorial Administration and Infrastructures.

conditions or far away from relatives, even when doing so was unsuitable. Gagik Simonyan, 64, lives in a room in a former hotel with four other men, most of them older, in the Nagorno-Karabakh town of Askeran. Simonyan said he would have preferred to live near his family in Armenia, a six-hour drive away, particularly as he needs medical treatment for bronchitis and would find it easier to have relatives nearby to help him get to the hospital.<sup>167</sup> But he said he didn't want to impose by moving in with his family, and that the Armenian government would not give him rental support to live near them:

**They have their own family, and there is no place for me to live with them. If I lived near them, it would be better, but finding a place is really hard. The government will not support me living outside of [Nagorno-Karabakh]... My pension is too little to rent a place and live on my own.<sup>168</sup>**

Most people living in communal accommodations in Nagorno-Karabakh expressed satisfaction overall with the conditions there, though some said they found the lack of privacy or connection to old communities and friends to be challenging. Kima Baghdasaryan, a 90-year-old violin teacher who went from living independently in an apartment in Shusha to sharing a room in a nursing home at first with three people, and later with one other person, said:

**It's night and day. I am suffocating here... Before the war it was wonderful, I was able to invite people to my home, I had a lot of interests; it was my home and I kept it clean; I cooked things. Here there is nobody I can talk to.<sup>169</sup>**



*Kima Baghdasaryan on a bench near the nursing home where she lives © Areg Balayan*

Many older people in Nagorno-Karabakh worried that they might not be prioritized for new housing that the de facto authorities in Stepanakert have been building in Nagorno-Karabakh. Aghavnik Petrosyan, 73, lived with her husband in an unheated garage in Stepanakert for seven months after the ceasefire. She was grateful that after complaining to the local authorities, the two had been given a private room in a nursing home, but worried that it might be a long time before they were given any permanent accommodation: "They say they're building an apartment for 300 families [from Shusha], but I don't know if we'll receive one. They say they'll give them to the families of those who died, and to families with many children. I don't know when our turn will be."<sup>170</sup>

<sup>167</sup> Amnesty International interview by video call with Gagik Simonyan, 14 December 2021.

<sup>168</sup> Amnesty International interview by video call with Gagik Simonyan, 14 December 2021.

<sup>169</sup> Amnesty International interview in person with Kima Baghdasaryan, 13 November 2021, Goris, Armenia.

<sup>170</sup> Amnesty International interview by video call with Aghavnik Petrosyan, 16 November 2021.

As a state party to the ICESCR, Armenia has an obligation to respect and fulfill the right to an adequate standard of living, which includes the right to adequate housing.<sup>171</sup> The CRPD, which Armenia has also ratified, similarly guarantees the right to adequate housing for people with disabilities, including older people with disabilities, and requires states to “take appropriate measures to ensure to persons with disabilities access, on an equal basis with others,” including through the “identification and elimination of obstacles and barriers to accessibility” in housing and other facilities.<sup>172</sup> As the authorities build new housing in Nagorno-Karabakh for people displaced by the recent fighting, they must ensure they do not discriminate, including on the basis of age, in the allocation of housing.

## 3.2 ECONOMIC AND SOCIAL ALIENATION

**“In my village I was able to do herding, but here there is nothing to do, I just hang around. The only people I talk to are the kids.”**

Aram Gasparian, 77, a displaced person from Tumi village.<sup>173</sup>

**“I always feel like I am temporary here. Even though we have nice neighbours, we speak the same language, I feel like a foreigner.”**

Lyudmila Gyulishanyan, 65, a displaced person from Hadrut.<sup>174</sup>

During the conflict in 2020, many older people lost their homes, their jobs, their businesses, and their agricultural land. Few older people interviewed had any savings, and their homes, land, livestock or farming equipment had typically been the only valuable assets they owned. Only one interviewee was formally employed after the conflict, and one couple had managed to walk their cattle over the mountains and continued doing agriculture in Armenia. But the vast majority were unemployed and had lost access to other informal means of earning money such as herding and farming. Interviewees were all receiving pensions, but said that money was insufficient to cover their needs, particularly with regards to accommodation. This financial dislocation often further entrenched feelings of social isolation and dependence on others.

Karen Shahnbaryan, 70, who owned a herd of 20 cattle and grew various crops before he had to flee his home in Lachin region, said he was physically capable of working but did not have the financial capital to start again. His pension of 43,000 drams (US\$86) was barely enough to cover his daily needs: “What is 43,000 that I can live on it? My pension is enough for a cannister of gas and a cannister of diesel... [To farm again], I would need feed and corn for animals, I would need a barn for them. Of course I am strong enough to take care of them, but I need all these things in order to be able to.”<sup>175</sup>

Similarly, after returning from detention in Azerbaijan, 71-year-old Valery Poghosyan (see page 22) had lost access to his home as well as the small woodworking business he owned after his village was taken over by Azerbaijani forces. After recovering from a series of health problems that followed his time in detention, Valery wanted to work. He had access to land from an acquaintance and hoped to build either chicken coops and greenhouses or a billiard café. But he was denied credit at the bank due to his age:

**The bank says I'm a pensioner and so they won't lend to me. They are worried I'll die and leave them with a debt. If they gave me credit, I would be able to cover it, and then I wouldn't need to go and ask for help [from others]. I don't want to ask for help...**

<sup>171</sup> ICESCR, Article 11.

<sup>172</sup> CRPD, Articles 9 and 28.

<sup>173</sup> Amnesty International interview in person with Aram Gasparian, 11 November 2021, Kotayk region, Armenia.

<sup>174</sup> Amnesty International interview in person with Lyudmila Gyulishanyan, 10 November 2021, Charentsavan, Armenia.

<sup>175</sup> Amnesty International interview in person with Karen Shahnbaryan, 11 November 2021, Syunik region, Armenia.

**I don't have nightmares [from my time in captivity]. My nightmare is that I won't be able to restart my life again and live like a human being. At one time I was a wealthy person, and now I have nothing. I am capable of doing it, I just need a push, I don't need a lot of money.<sup>176</sup>**

For those still living in Nagorno-Karabakh, the shifting frontline has brought risks for engaging in agriculture or herding. Before the fighting in 2020, Samvel Galstyan, 60, herded other people's livestock for a living. He said he has had to give that profession up: "I wouldn't like to take care of animals now, it's too much responsibility... Before the war, you could lose animals in the forest or something could happen to them, but now [herding] is impossible, you need to be very, very careful and watch them all the time because they can run to the other side [of the conflict line]."<sup>177</sup> As noted above, a 55-year-old farmer was killed, reportedly by sniper fire, while working his land near the city of Martakert in Nagorno-Karabakh in October 2021.<sup>178</sup>



Samvel Galstyan © Areg Balayan

Even for those who had not been involved in agriculture or business, the loss of access to their homes during the Azerbaijani takeover often meant the loss of their only valuable asset. Nelya Mardanyan, 62, lived with her 67-year-old sister Nvard, who is partially blind, in a three-bedroom apartment in Hadrut, which they had recently renovated. The house had contained more than 800 books, some of them valuable. Nelya, a Russian language teacher before the conflict, said she was not working while displaced in Armenia, and the two lived in an unheated office space owned by a relative. Nelya said of their situation:



Nelya and Nvard Mardanyan sitting in their home in Hrazdan, Armenia © Areg Balayan

**As we were approaching old age, we wanted stability. Younger people are just building their lives, but we have no energy to build anything here, what would we build with? We have empty pockets... We have received [four] monthly payments from the government, but frankly I would rather receive compensation for our house, so that I can buy a place and grow older somewhere that is mine.<sup>179</sup>**

In some cases, older people were living in poverty in part because they had been unable to access financial compensation for loved ones who had been killed or disappeared.

Maria Asriyan, 83, struggled financially after the death of her brother, Yury, who was beheaded during the conflict. Maria, who fled Azerbaijan as a refugee in the 1990s, lives half the year in a cement room attached to the back of a relative's house near Yerevan, and half the year in Nagorno-Karabakh. She said that she spent four months trying to find her brother's body, spending much of her 50,000-dram (US\$101) pension on taxis to various ministries and official bodies in Yerevan, and even more to travel to Stepanakert to speak with authorities there.<sup>180</sup> Often, she would go to one morgue only to have them tell her the body was elsewhere. After finally finding her brother's body and having his funeral, she tried to access compensation

<sup>176</sup> Amnesty International interview in person with Valery Poghosyan, 13 November 2021, Goris, Armenia.

<sup>177</sup> Amnesty International interview by phone call with Samvel Galstyan, 14 December 2021.

<sup>178</sup> ArmenPress, "Russian peacekeepers investigate killing of Armenian farmer by Azerbaijani sniper fire," 11 October 2021, <https://armenpress.am/eng/news/1065224.html>

<sup>179</sup> Amnesty International interview in person with Nelya Mardanyan, 9 November 2021, Kotayk region.

<sup>180</sup> Amnesty International interview in person with Maria Asriyan, 11 November 2021, Ararat region, Armenia.

for his death, which most next-of-kin received from the Nagorno-Karabakh authorities. She was repeatedly rejected.<sup>181</sup> She said:

**I paid for things however possible – it’s not money that was coming from the sky, I was using my pension. I did not even receive compensation for his funeral... This [process] squeezed all of the juices out of me. My hands are shaking. I can’t write all these letters, these countless letters.**<sup>182</sup>

Maryanush Movsisyan, 74, was also struggling financially since the disappearance in October 2020 of her husband Vladimir Lalayan, a doctor. Unlike several other families of missing persons, she said she was not aware of compensation mechanisms and had not filed to receive any.<sup>183</sup> Maryanush, who was living on her pension of 28,000 drams (US\$57), owned an apartment in Armenia, but said her water had been turned off because she had been unable to pay the bill. Most months, she is unable to buy enough food:

**How can I live on that kind of money? I can’t buy proper food. My neighbours, when they cook, give me some portion of it. They buy potatoes and pasta for me.**<sup>184</sup>

As discussed above, Armenia has an obligation to respect and fulfill the rights to health and to an adequate standard of living, which includes the rights to adequate food, housing, and sanitation.<sup>185</sup> The ICESCR also enshrines the right to work, and requires state parties like Armenia to “take appropriate steps to safeguard this right”.<sup>186</sup> Non-discrimination is part of the protection of all rights, including the right to work.<sup>187</sup> Although age is not mentioned explicitly, the listed grounds of prohibited discrimination is not exhaustive and includes “other status”,<sup>188</sup> which the Committee on Economic, Social, and Cultural Rights (CESCR), which monitors the ICESCR’s implementation, has said includes age discrimination.<sup>189</sup> The Committee has “stresse[d] the need for measures to prevent discrimination on grounds of age in employment and occupation”<sup>190</sup> and said that “the range of matters in relation to which such discrimination can be accepted is very limited”.<sup>191</sup>

### 3.3 ACCESS TO HEALTHCARE

After the conflict, the Armenian government pledged to provide free health care and medication to all people displaced from the most recent fighting in Nagorno-Karabakh.<sup>192</sup> Despite this, several older people said they had failed to access free healthcare in Armenia and some even traveled to Nagorno-Karabakh so as to access free healthcare, or asked relatives to bring medications that they could not access for free in Armenia. Many older people said that after food, they spent most of the remainder of their pensions on medication or visits to the doctor.

Gagik Mkrtchyan, 70, who has tuberculosis, said he would go to the hospital once or twice a year to be treated for the disease when he lived in Lachin region. After the conflict in 2020, Mkrtchyan said he had not

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<sup>181</sup> Maria told Amnesty International and provided supporting documentation that showed she was initially rejected because the authorities said the deadline had passed, even though she had only been able to find and bury the body of her brother less than a month prior. She said that in further conversations with the authorities, they said she did not qualify because she was not registered as living with him, though again provided supporting documentation that showed that she had lived with him for half of the year and was his next of kin. Amnesty International interview in person with Maria Asriyan, 11 November 2021, Ararat region, Armenia.

<sup>182</sup> Amnesty International interview in person with Maria Asriyan, 11 November 2021, Ararat region, Armenia.

<sup>183</sup> Amnesty International interview by phone call with Maryanush Movsisyan, 17 November 2021.

<sup>184</sup> Amnesty International interview by phone call with Maryanush Movsisyan, 17 November 2021.

<sup>185</sup> ICESCR, Articles 11 and 12. For more on the right to sanitation in particular, see Committee on Economic, Social, and Cultural Rights (CESCR), Statement on the Right to Sanitation, 19 November 2010, UN Doc. E/C.12/2010/1, para. 7. The CESCR said the right to sanitation is “integrally related” to the rights to health, housing, and water. See also UN General Assembly, Resolution 68/157: The human right to safe drinking water and sanitation, 18 December 2013, UN Doc. A/RES/68/157; and Report of the UN Independent Expert on the issue of Human Rights Obligations related to Access to Safe Drinking Water and Sanitation, 1 July 2009, UN Doc. A/HRC/12/24, paras 64-66 and 70-80, [https://www.ohchr.org/Documents/Press/IE\\_2009\\_report.pdf](https://www.ohchr.org/Documents/Press/IE_2009_report.pdf)

<sup>186</sup> ICESCR, Article 6.

<sup>187</sup> Universal Declaration of Human Rights (UDHR), UNGA resolution of 10 December 1948, Article 2 (non-discrimination), Article 23 (right to work); ICESCR, Article 2(2) (non-discrimination), Articles 6 & 7 (right to work).

<sup>188</sup> UDHR, Article 2; ICESCR, Article 2(2).

<sup>189</sup> CESCR, General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (art. 2, para. 2), 10 June 2009, paras. 15, 29. See also, for example, OHCHR, “Universal Declaration of Human Rights at 70: 30 Articles on 30 Articles - Article 2,” 2018, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23858&LangID=E>

<sup>190</sup> CESCR, General Comment No. 6: The Economic, Social and Cultural Rights of Older Persons, 8 December 1995, para. 22.

<sup>191</sup> 3 CESCR, General Comment No. 6: The Economic, Social and Cultural Rights of Older Persons, 8 December 1995, para. 12. See also CESCR, General Comment No. 20: Non-Discrimination in Economic, Social and Cultural Rights (art. 2, para. 2), para. 29

<sup>192</sup> Government of the Republic of Armenia, Facebook Post, 22 January 2021, <https://www.facebook.com/watch/?v=1325834077754535>, “The displaced people of Artsakh use medical services in Armenia free of charge (video),” (translation from the Armenian by Amnesty International).

received regular treatment or medication, in part because he believed that medical treatment for him in Armenia would not be free, based on past experiences there:

**Once, about eight years ago, I went to the hospital in Goris [in Armenia] for two or three months. It was not free for me, I remember they asked me to pay for various things including x-rays. So last time I went to the hospital, in May, I went to Stepanakert. They treated me for free but did not give me any pills, and they are too expensive to buy here... I breathe more easily and don't cough as much [when I take the pills]. When it gets really bad, I cough blood.**<sup>193</sup>

Yura Bagysyan, 76, a displaced man living in Ararat region, needed treatment for a benign tumour in his urinary tract, a condition he had lived with for more than two years. It caused him severe pain and meant he had to urinate up to six times each night. He was attempting to raise 700,000 drams (US\$1,415), the cost of the operation. His monthly pension was 54,000 drams (US\$109). He said, "In Stepanakert it would be free, but I have nowhere to stay there. I need somewhere to stay, and I also need a relative nearby [to come and pick me up after surgery]... It's torture, I can't go out anywhere because I need the toilet all the time."<sup>194</sup>

Since having a stroke in 2015, Eduard Shadyan, 63, has had limited mobility in his right arm and leg and requires several medications. In the immediate aftermath of the conflict, he received those medications for free from a centre for displaced people in Armenia. In August 2021, the centre said they no longer had enough resources to cover payments for them, and Eduard had to ask a nephew, who was a doctor in Stepanakert, to procure and send the medications to him.<sup>195</sup>

It was not always clear whether older people were unable to access free healthcare because of actual barriers, or because they were unaware that care would be free. According to a representative of one displaced community in Armenia, during the 2020 conflict the Nagorno-Karabakh authorities set up a headquarters in Yerevan to provide services, including healthcare services, to displaced people.<sup>196</sup> She said that in the early months after the conflict the government was providing healthcare services through this headquarters free of charge; she believed that medication and other healthcare services should continue to be provided through the headquarters, but was not certain this was still the case.<sup>197</sup>

Several older people regretted losing access to their doctors back home, with whom they had long-standing relationships, and said their access to healthcare had become less regular as a result. Aram Gasparyan, 77, who has limited mobility due to severe back pain, said that while he had had a close relationship with his doctor in Nagorno-Karabakh, he was quickly dismissed when he went to see a new doctor in Armenia: "I went to a doctor, and he said you have a bad back because you're an old man. He didn't even try to give me a diagnosis. After that I didn't want to go back to any doctors."<sup>198</sup>

As a state party to the ICESCR and CRPD, the Armenian government must fulfil the rights of older people, including older people with disabilities, to the highest attainable standard of physical and mental health.<sup>199</sup> The right to health requires that health care facilities, goods, and services be available in sufficient quantity; be accessible to everyone without discrimination, which includes affordability, information accessibility, and physical accessibility, such as for older people and people with disabilities; and be of good quality.<sup>200</sup>

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<sup>193</sup> Amnesty International interview in person with Gagik Mkrtchyan, 12 November 2021, Goris, Armenia.

<sup>194</sup> Amnesty International interview in person with Yury Bagysyan, 15 November 2021, Ararat region, Armenia.

<sup>195</sup> Amnesty International interview in person with Eduard Shadyan, 10 November 2021, Charentsavan, Armenia.

<sup>196</sup> Amnesty International interview by video call with Margarita Karamyan, 7 March 2022.

<sup>197</sup> Amnesty International interview by video call with Margarita Karamyan, 7 March 2022.

<sup>198</sup> Amnesty International interview in person with Aram Gasparyan, 9 November 2021, Kotayk region, Armenia.

<sup>199</sup> ICESCR, Article 12; CRPD, Article 25.

<sup>200</sup> CESCR, General Comment No. 14: The right to the highest attainable standard of health (Art. 12), para. 12.

# 4. CONCLUSION AND RECOMMENDATIONS

The war between Armenia and Azerbaijan over Nagorno-Karabakh is in its third decade, making it one of an increasing number of protracted conflicts around the globe. As conflicts age, so do those who are impacted by them. Many of the older people affected by the fighting in 2020 have lived through repeated iterations of the conflict. And yet even when older people are clearly subject to disproportionate violence, as they were in the 2020 war, there are few protections that specifically meet their needs, and they remain largely invisible and on the margins of the humanitarian response.

The six-week conflict over Nagorno-Karabakh in 2020 clearly underscores the unique risks that older people face during wartime. Time and again, older people were the last to leave their villages or towns. Sometimes they had physical or intellectual disabilities that prevented them from doing so. In other cases, they found it impossible to leave behind a home or land that provided them economic security and income, or which held sentimental value or connections to their loved ones.

When older people did not flee, Azerbaijani forces often subjected them to extrajudicial executions as well as torture and other ill-treatment, or transferred them to detention facilities in Azerbaijan, where they were often beaten and otherwise mistreated, including by being denied healthcare. Often an older person's age meant that Azerbaijani forces saw them as likely participants of the 1990s war, and thus, in their view, a fair target. The toll on the physical and mental health of older people who survived has been devastating. Azerbaijan has a clear responsibility to ensure independent and impartial investigations into these violations, which amount to war crimes, to prosecute suspected perpetrators, to disclose to families the fate or whereabouts of their missing relatives, and to provide full reparation for violations. Thus far, it has ignored calls from the international community to do so.

Older people who made it safely out of Nagorno-Karabakh lingered in displacement, where they were pushed to the margins of their communities. Before the conflict, many had lived independent lives, where they owned homes separately from their families and were able to make money, often through informal means like agriculture or livestock. They had a social place and standing in their communities. Displacement wiped out these resources, making them heavily reliant on others.

While the Armenian government and de facto authorities in Nagorno-Karabakh have taken steps to support displaced populations, they should do more to ensure that older people are not left out of humanitarian responses. Just because an older person is living with their family does not mean that their needs are being met or their rights respected, and more clearly needs to be done to support them to lead dignified and independent lives.

The older people whose cases were documented in this report were civilians and are protected as such under international law. But the war between Armenia and Azerbaijan – both in 2020 but also in previous iterations of the conflict – shows the numerous ways in which conflict and displacement uniquely affect older people, exacerbating existing prejudice and discrimination against them. The time to more comprehensively address these gaps in protections for older people, in conflict, post-conflict, and peacetime situations – including with an international treaty – is now.

# RECOMMENDATIONS

## TO THE ARMENIAN GOVERNMENT AND THE DE FACTO AUTHORITIES IN NAGORNO-KARABAKH

- Given the clear risks to older people documented in this report, publicly make clear and firm commitments to prioritize the protection of older persons, in line with international law, and to refrain from any targeting of civilians, including older persons;
- Ensure that older people are prioritized in moving to safety and that they are meaningfully included in the development of evacuation plans, which should be communicated in an accessible manner. Ensure that these plans contain provisions for responding to the needs of older people, particularly those with disabilities and those who are living alone;
- Ensure that older people are meaningfully included in all strategies for civilian protection, as well as in those for humanitarian action, reconstruction, and peacebuilding;
- Ensure that all displaced people, including displaced older people, have access to adequate food, healthcare, and housing;
- Ensure that all displaced people, including displaced older people, have access to minimum essential levels of water, regardless of the ability to pay, as guaranteed under the right to water;
- Improve outreach to displaced older people via social workers or community volunteer networks; if conducting needs assessments, interview older people directly so as to avoid overlooking them in household-level surveys;
- Ensure that displaced older people receive the financial or other support needed to lead dignified and independent lives, if that is their preference;
- Take steps to ensure that displaced older people have access to livelihoods, including by prioritizing programs that allow them to return to the workplace, access capital, or access land on a non-discriminatory basis with others;
- Take steps to ensure that displaced older people have access to justice and conflict-related compensation on an equal and non-discriminatory basis with others;
- Ensure that displaced older people have access to affordable and appropriate physical and mental health care; ensure that mental health and psychosocial support services are accessible to older people and offered in ways that are acceptable and culturally appropriate to them; and
- Ensure that any legal proceedings seeking redress in international courts meaningfully include older people, including those who are survivors of crimes under international law and other serious violations of international human rights and humanitarian law as well as their older relatives. Ensure that any domestic compensation mechanisms are accessible to older people.

## TO THE ARMENIAN GOVERNMENT

- Provide financial or other kinds of support, particularly free housing or rental support, to displaced persons living in Armenia that are equal to those provided by the de facto authorities of Nagorno-Karabakh, so as to guarantee displaced people from Nagorno-Karabakh free and voluntary choice over where they live; and
- Ensure that a delegation from Armenia attends and meaningfully participates in the UN Open-Ended Working Group on Ageing.

## TO THE AZERBAIJANI GOVERNMENT

- Ensure independent and impartial investigations are conducted into allegations of war crimes and other serious violations of international humanitarian law, including crimes against older people, and that anyone against whom there is sufficient evidence of responsibility should be prosecuted in fair trials;
- Without delay, provide full and adequate reparations to all victims of violations of international humanitarian and human rights law, including older people;
- Fully respect international humanitarian law, including the obligation to protect civilians from the effects of hostilities, affording special protections to older people, among other groups;

- Given the clear risks to older people documented in this report, ensure the non-repetition of violations against older people by publicly making clear and firm commitments to refrain from targeting older persons who are civilians;
- Release those, including all older persons, who are still held in detention facilities in Azerbaijan, unless they have been prosecuted for an internationally recognized offense and are serving a term of imprisonment;
- Search for and locate the missing, informing families of their fate and whereabouts. Release those who have been forcibly disappeared, including older persons. In the event of death, locate and return their remains to their loved ones in conditions of dignity;
- Create the necessary conditions for the safe, dignified, sustainable and voluntary return of displaced ethnic Armenians, particularly older persons, to their homes in the villages and towns affected by the conflict, including through programmes of reconstruction of destroyed homes and of civilian infrastructure, and the creation of safe and adequate conditions for civilian populations, including economic and income-generating opportunities;
- Ensure that older people, as well as their representative organizations, are meaningfully included in the development of evacuation plans; ensure that these plans contain provisions for responding to the needs of older people, particularly those with disabilities and those who are living alone; and
- Ensure that older people, including their representative organizations, are meaningfully included in all strategies for civilian protection, as well as in humanitarian action, reconstruction, and peacebuilding.

#### **TO THE RUSSIAN FEDERATION**

- Allow full and unfettered access to Nagorno-Karabakh for journalists, human rights organizations, and humanitarian organizations, to ensure comprehensive monitoring of the humanitarian situation there, including among older people; and
- Ensure that peacekeeping forces are aware and trained to respond to the risks and needs of older people, and that older people are included in all strategies for civilian protection, humanitarian action, reconstruction, and peacebuilding.

#### **TO UN BODIES, INCLUDING THE SECURITY COUNCIL AND THE HUMAN RIGHTS COUNCIL**

- Increase monitoring and detailed reporting on the situation of older people in armed conflict and request periodic reports on the situation of older people in armed conflict;
- Ensure that any resolution or statement on the situation in Nagorno-Karabakh highlights the situation of older people;
- Advance discussions, including with concrete timelines and proposals for a draft, on a UN Convention on the Rights of Older Persons, in close consultation with the UN Open-Ended Working Group on Ageing; and
- Make recommendations to states undergoing their Universal Periodic Review to protect the rights of older persons in conflict, including by advancing discussions on a Convention on the Rights of Older Persons, in close consultation with the UN Open-Ended Working Group on Ageing.

#### **TO THE COUNCIL OF EUROPE**

- Ensure that the Council of Europe and the intergovernmental and expert bodies, co-operation programmes and country offices of the Council of Europe continue to monitor and highlight the situation of older people affected by the conflict between Armenia and Azerbaijan; and
- Ensure that the country-specific Action Plans of the Council of Europe for Armenia (2023-2026) and Azerbaijan (2022-2025) include specific provisions on addressing risks to older people posed by the long-lasting conflict, including the most recent fighting in 2020.

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# LAST TO FLEE

## OLDER PEOPLE'S EXPERIENCE OF WAR CRIMES AND DISPLACEMENT IN THE NAGORNO-KARABAKH CONFLICT

As the war between Armenia and Azerbaijan over Nagorno-Karabakh enters its third decade, renewed fighting in 2020 underscored the risks to one particular group: older people. Older ethnic Armenians were invariably among the last to flee their villages, and reportedly made up more than half of civilian deaths. Many were subject to war crimes by Azerbaijani forces, including extrajudicial killings and torture and other ill-treatment in detention. Some older men are still missing.

This report is based primarily on interviews with 69 people, including 42 older women and men, during research in Armenia. It examines the experiences of older people during the conflict, both particular violations as well as the war's psychosocial impact. The report also explores the unique needs of older people in displacement, and how the response by the authorities has been inadequate to meet them.

Azerbaijan should ensure that those responsible for war crimes are held accountable, and both sides should make clear and firm commitments to prioritize the protection of older people. Given the clear risks to older people documented in this report, the international community should accelerate efforts to adopt a treaty on the rights of older persons that would address gaps in existing protections.