

HUMAN RIGHTS VIOLATIONS DURING THE APRIL — JUNE 1991 MILITARY OPERATIONS IN NAGORNO-KARABAKH AND NEIGHBORING REGIONS BY USSR INTERIOR MINISTRY TROOPS, SOVIET ARMY AND AZERBAIJANI INTERIOR MINISTRY.

The present paper concerns the developments that took place in the Nagorno-Karabakh Autonomous region (NKAR), and the neighboring regions of Azerbaijani SSR in late April-early June 1991. At that time a large-scale operation to enforce the USSR President's Decree of July 24, 1990 «On banning illegal armed groups and on confiscation of illegally possessed arms.» The operation was conducted by Azerbaijani and USSR Interior Ministry troops and by Soviet Army units. In this paper our attention have mainly been focused on human rights violations committed by state bodies, since we deeply believe that prevention of human rights abuses by any party is the foremost duty of the state body and, therefore, flagrant human rights violations by state organizations are absolutely impermissible.

Data compiled by Memorial observers present in the zone of conflict, materials prepared by other human rights organizations, and mass media reports are used in this paper. Also used are the materials of the open hearings of the Human Rights Committee of the Russian Supreme Soviet on the topic of human rights as well as information received by Memorial from various other sources.

STAGES OF THE CONFLICT

The conflict in the NKAR and the neighboring regions of Azerbaijani SSR dates back a long time and has deep ethnic and political roots. The policies pursued for a long time by Communist parties and state bodies of the USSR, Armenia and Azerbaijan have, to a great extent, aggravated the conflict.

The conflict assumed its present acute stage in February 1988 when mass rallies demanding that Nagorno-Karabakh be joined to Armenia took place in Armenia and NKAR. On February 20, 1988 a session of the Nagorno-Karabakh regional Soviet has adopted an appeal to Azerbaijani, Armenian and USSR Supreme Soviets. In this appeal the region's MPs asked for permission to secede from Azerbaijan and join their region to Armenia.

Both Armenian and Azerbaijani sides of the conflict are to blame for its further aggravation.

In late February 1988 clashes between residents of Askeran, a settlement with a predominantly Armenian population, and groups of Azerbaijanis moving to Stepanakert, broke out. Firearms were used; two Azerbaijanis have been killed, at least one of them — by an Azerbaijani policeman.

On April 27-29, 1988 outright pogroms of Armenian population in the Azerbaijani city of Sumgait, located near the Azerbaijani capital Baku, accompanied by mass violence, looting and murders. The pogroms caused a flood of refugees from Sumgait to Armenia and to the city of Stepanakert. There have been no timely investigation of the pogroms' causes, the culprits were neither established nor punished; this undoubtedly have caused further escalation of the conflict.

The resolutions of the USSR Supreme Soviet, USSR Council of Ministers and CPSU Central Committee, adopted in March 1988 and concerning this ethnic conflict, were mostly

proposing half-measures and, consequently, failed to stabilize the situation. In summer and fall of this year cases of violence become more frequent in the NKAR; refugees started leaving to both Armenia and Azerbaijan.

A session of NKAR regional Soviet announces its secession from Azerbaijani SSR on July 12, 1988, but the Azerbaijani Supreme Soviet Presidium declared this decision to be null and void. Also in July the Presidium of USSR Supreme Soviet did not uphold the request of the Armenian Supreme Soviet on NKAR entering the Armenian SSR.

In November and December 1988 pogroms, followed by violence and murders of civilians, take place in both Azerbaijan and Armenia. This period produced the largest number of refugees on both sides.

In January 1989 an emergency rule is introduced in Armenia. Presidium of USSR Supreme Soviet suspends the powers of the NKAR regional Soviet and introduces a new form of governing — a NKAR Governance Committee.

On November 28, 1989 the USSR Supreme Soviet adopted a resolution declaring the Governance Committee redundant and ordering the Azerbaijani SSR to «create a republican steering committee and restore the activity of the NKAR regional Soviet.» Armenian Supreme Soviet responded with a resolution of December 1, 1989 «On reunification of Armenian SSR and Nagorno-Karabakh.» In our opinion, this step has greatly facilitated further escalation of the conflict. The November 28, 1989 resolution of the USSR Parliament has been only partially implemented. Representatives of the NKAR did not enter the committee created by the Presidium of the Azerbaijani Supreme Soviet; the regional Soviet was not allowed to resume its activity. Measures to increase the degree of sovereignty of NKAR, to enforce law and order, protect safety and life of citizens, and to ensure the Constitutional solution of all arising problems, stipulated by the resolution, were not implemented. The Republican steering committee is a body not provided for by the Constitution; it combines the functions of state and party authority and its activity is governed, among other documents, by the Statute of the CPSU. Top Azerbaijani Communist party and government officials are on the Committee.

In its turn, the session of the NKAR regional Soviet proclaimed its activity resumed and did not recognize the republican Committee. Therefore, a diarchy formed in the NKAR. The inner logic of the conflict inevitably led to aggravation of tensions at the Armenian-Azerbaijani border where fighting broke out in January 1990; field artillery was used. Pogroms of Armenian residents' homes took place in Baku on January 13-17 and were accompanied by murders.

On January 15, 1990 an emergency rule was introduced in the NKAR and in neighboring regions. A Commandant's office has been formed; it is responsible for implementing the emergency rule. On January 20, 1990 Soviet Army units moved into Baku. This move caused numerous civilian casualties and was allegedly undertaken in order to protect the Armenian population. In fact this was done to save the ruling Communist regime.

The Memorial society is in possession of valid evidence that the actions of the military Commandant's office and the USSR Interior Ministry troops, subordinated to it, did not comply with the USSR Law «On the legal status of the emergency rule.» The available information reveals that the military authorities not only committed grave violations of the existing laws, but were in fact guilty of total lawlessness. Detention of citizens was carried out without prior

issuance of warrants required by the law and even without compilation of protocols of detention. Citizens were fined 500 to 1,000 rubles for sending a telegram with complaints to USSR and Armenian Supreme Soviets, people's phones were disconnected by arbitrary decisions of the military Commandant; the phone numbers were then used for Interior Ministry purposes. The programs of the regional TV station were all but banned from the air, as were Armenian TV transmissions from Yerevan. The editor and editorial staff of the Sovetsky Karabakh daily were subordinated directly to the military Commandant; moreover, a special military officer was seconded to supervise the newspaper's publication. Searches in citizens' homes were often conducted in their absence and sometimes even without witnesses. Identity checks in rural areas were often accompanied by acts of marauding and violence towards the civilian population. Multiple cases of beatings and infliction of heavy bodily injuries were registered. For instance, on May 25, 1990 the servicemen quartered in the city of Stepanakert answered an attack of unidentified persons on the military patrol by a punitive action against the civilian population. The servicemen shot at residential premises and attacked those passing by. As the result of the action several civilians received wounds (including bullet wounds) and one person was killed.

Interior Ministry troops, instead of assisting in stabilizing the situation by isolating the conflicting forces, were involved in performing political functions — an action they were singularly unprepared for. Soon those troops became just another party to the conflict.

The state authorities did not protect the population from violence; this facilitated the emergence of illegal armed groups. The civilian population has often supported these organizations and regarded their members as avengers for the other party's wrongdoings. Such armed groups were formed by Armenian as well as by Azerbaijani sides of the conflict. The year 1990 and the first four months of 1991 saw the ever-increasing activity of those armed groups, which led to Army and Interior Ministry servicemen being killed and wounded and to deaths among the civilian population. Groups of Armenian vigilantes infiltrated the predominantly Armenian-populated areas of Azerbaijan (NKAR and the neighboring regions). Illegal armed groups were formed in Armenia almost in the open until the new Armenian Supreme Soviet session convened in the 1990. According to reliable sources, during the first four months of 1991 more than 80 cases of armed attacks on civilians by Armenian vigilantes and more than 60 cases of such attacks by members of Azerbaijani armed groups were registered. No less than 20 civilians died on each side; many more were wounded. Cattle thieving and taking of hostages became common practice. A number of attacks on military patrols has increased. The attackers are using firearms; several servicemen were killed. During the whole of 1990 in the zone of emergency rule there were 117 attacks on military patrols, while in January-April 1991 there were 128.

Special purpose police units (abbreviated OMON in Russian) of the Azerbaijani Interior Ministry were ordered to move into Nagorno-Karabakh and neighboring regions. Those police units assumed the functions of Azerbaijani vigilantes. Among the servicemen in those units the percentage of those who had served time on criminal charges is considerable; OMON servicemen have committed jointly with armed civilians attacks on Armenian villages. For instance, in January 1991 a village of Tsahkadzor in Shusha district of the NKAR has been torched. In the airport of Stepanakert OMON servicemen are regularly pilfering the cargo, harassing and beating passengers and pilots. Introduction of those troops has considerably complicated the situation in Nagorno-Karabakh. Those facts have caused USSR Interior Ministry to offer Azerbaijani President and Azerbaijani Interior Ministry to withdraw OMON units from

the NKAR. This was not achieved; in fact, the number of Azerbaijani OMON troops has increased. In the Khandarsky district of Azerbaijan that is situated to the north from the NKAR the Armenian population lived in an enclave centered around the large Armenian village of Chaikend (Getashen). [Two names of villages and cities are given when the village name is different with Azerbaijanis and Armenians.] In winter of 1989-1990 residents of three villages (Kushchi-Armavir, Azat and Kamo) were forced to leave the places of their residence because of continuing armed attacks, unceasing pressure from district authorities and commanders of Interior Ministry units. Executive committees of district Soviets were purchasing their homes, and the procedure of leaving was a peaceful one. The deserted villages were populated by Azerbaijani refugees from Armenia who left in 1988. However, residents of Chaikend (Getashen) and Martunashen (Karabulakh) refused to leave their places in spite of repeated offers from the authorities. At the beginning of 1991 about 3,000 persons were living in Chaikend and about 315 — in Martunashen. These villages, located less than 1 kilometer from each other, found themselves in a virtual blockade: food supplies and medical assistance was airlifted from Armenia by helicopters. Residents of those villages have all their relations with district and republican authorities severed. Residents of neighboring Azerbaijani and Armenian villages have regularly fired on each other's territory. Firearms as well as mortars (in Chaikend) and anti-hail artillery pieces (fired from Azerbaijani villages) were used in the skirmishes. Civilian victims of the fighting included women and children. Armenian armed groups, consisting of male local residents and persons coming from NKAR and Armenia, were located in Chaikend and Martunashen. In Azerbaijani villages the armed groups, as well as Azerbaijani OMON servicemen were also present. Servicemen at the permanent position of USSR Interior Ministry troops in Chaikend were undermanned and were able to stabilize the situation single-handed. Several attempts to disarm Armenian vigilantes, undertaken by USSR Interior Ministry forces, did not succeed. The documents in Memorial's possession give ample grounds for conviction that the decision to deport residents of a number of Armenian-populated villages of NKAR and some neighboring areas was taken at the sessions of the Azerbaijani Defense Council of April 10, 1991, Presidium of Azerbaijani Supreme Soviet session (April 14, 1991) and at the meeting of Azerbaijani President with top leadership of Azerbaijani KGB, Interior Ministry and Procurator's office that took place on April 16, 1991. M.N.Asadov, a Minister of Interior Affairs, was charged with supervising the deportation operations. At those sessions the federal government's policy was sharply criticized, ways of solving the Nagorno-Karabakh crisis with a own means and drastic increases in the number of a KGB and Interior Ministry troops were discussed.

It is highly unlikely that conducting large-scale operations, planned by the a government, was coordinated with USSR KGB, Interior Ministry and Defense Ministry. According to data in Memorial's possession, top leadership of the USSR KGB, Interior and Defense Ministries in their recommendations, sent to the USSR President, advocated use of force as means of solving the conflict and recommended to step up the blockade of NKAR and operations against the vigilantes.

On April 19, 1991 the command of the USSR Interior Ministry troops ordered the regional military commandant's office to withdraw military units stationed in Chaikend. During the last ten days of April the servicemen left the village in spite of the telegrams sent by Chaikend residents to the USSR President and the headquarters of the USSR Interior Ministry and pleading to leave the Interior Ministry troops in the village. Right after the withdrawal bombardments of

Chaikend and Martunashen became more frequent, electricity supplies to the villages were cut, phone communications were severed and interior ministry troops forbade helicopter flights from Armenia to the enclave. The villages found themselves under a siege. On April 24, 1991 Armenian armed groupings have fired Alazan anti-hail rockets at the district center — the city of Shusha. This was done as a retaliatory strike for the blockade of Chaikend and Martunashen. Several houses were destroyed in Shusha; three civilians were wounded.

Armenian Supreme Soviet has addressed the USSR Supreme Soviet on April 25, 1991 with a proposal to convene an extraordinary congress of USSR People's Deputies to discuss the situation in Nagorno-Karabakh and at the Azerbaijani-Armenian border. The USSR Supreme Soviet did not uphold these proposals.

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DEPORTATION OF RESIDENTS OF ARMENIAN VILLAGES IN NAGORNO-KARABAKH AND NEIGHBORING REGIONS IN MAY-EARLY JULY 1991

In May-early July 1991 residents of 19 Armenian villages (slightly over 5,000 persons) were deported from the territory of NKAR and the neighboring districts. USSR Interior Ministry troops and Soviet Army units participated in the operations. Forced deportation of Chaikend (Getashen) and Martunashen (Karabulakh) residents took place from April 30 till May 8, 1991. About 3,000 persons were deported. 2,287 children, women and elderly people were taken to Stepanakert (Nagorno-Karabakh) by military helicopters on May 4-7, 1991 and from there several days later to Armenian city of Idzhevan. More than 700 men were transported on May 8 by bus straight to Idzhevan. On May 13-16, 1991 residents of Agbulag (Dzhrabert), Arpagjaduk (Karing), Arakjul, Banazur, Binyatlur (Karmrakar), Djilan (Saralanch), Dolanlar (Arevshat), Karaglukh (Dashbashi), Mjulkudara, Petrosashen, Spitakashen, Tsamdzor, Tsor and Handzazor (Agdjakent) of Gadrut district of NKAR were subjected to coercive deportation. Their total number exceeds 1,350 persons. About 600 of them managed to escape to the town of Gadrut or neighboring villages, while the other 750 residents of those villages were taken to the deportation camps located near the Khandzoresk village on Azerbaijani territory on the Azerbaijani-Armenian border. On May 18, 1991 residents of Mets Shen (Berdadzor, Kaladarasi), Yetsaokh and Kirov settlements of the Shusha district of NKAR, more than 550 persons all told. 326 of them were evacuated or managed to escape to Stepanakert; others were taken to the deportation camps located near the Khandzoresk village.

On May 20, 1991 the detainees from the Khandzoresk camp were delivered to Armenian territory. During the last ten days of May a number of residents returned to Banazur, Arakjul, Karaglukh (Dashbashi), Tsamdzor, Khandzadzor (Agdjakent) and Arpagyaduk (Karing) returned to their homes from their flight to Gadrut. However, on July 3-4 they were deported again.

In early June a number of residents who escaped to Gadrut returned to the village of Tsor. As of September 1991, they are living in the village. A military position manned by USSR Interior Ministry troops has been installed in the village in late May.

EVENTS IN CHAIKEND AND MARTUNASHEN ON APRIL 30-MAY 7, 1991

At night of April 29 the villages of Chaikend (Getashen) and Martunashen (Karabulakh) were surrounded by a large number of tanks and armored personnel carriers.

Operation participants. We do not have a complete list of army units that participated in the action, but it is known that units of the USSR Interior Ministry division (deputy division commander - Colonel Mishin), Soviet Army units No. 5478, 5477 and Baku operative regiment of the USSR Interior Ministry. Tank and field engineering units of the Soviet Army as well as the Azerbaijani OMON units were also involved. General of the Army Sokolov, Commander, 4th Army of the Transcaucasian military district, and first deputy Azerbaijani Minister of Interior Affairs Mr R.Mamadov, who were around Chaikend in early May, are the organizers of the operation. It should be mentioned that prior to the described events Soviet Army units abstained from taking part in military actions in the zone of emergency rule.

Major-General Shatalin, Commander, USSR Interior Ministry troops, was well informed on the events taking place in Chaikend during all stages of the operation. The military Commandant's office of the zone of emergency rule was removed from handling this operation.

Start of the operation (Chaikend). Servicemen in armored personnel carriers (APCs) entered the village without meeting any resistance in the morning of April 30, 1991. While occupying the village they explained to the residents that the operation to seize illegally kept arms is underway.

However, at 9 a.m. people started to gather in the center of the village; it was said that Azerbaijani OMON units are entering the village and in the remote houses of the village they are beating residents, pillaging and destroying the residents' property. OMON members were moving towards the village center; panic broke out among the residents. The servicemen refused to defend the Chaikend residents from the violent actions of the OMON. Members of the armed groups could not fight the OMON since the village was already controlled by the Army units. According to testimonies of witnesses servicemen as well as OMON members took part in violent actions against civilians.

Violence (Chaikend) There are many testimonies of the victims. Here are several of them: Sergei Mezhanian: «... When running, I saw soldiers and OMON members gathering at Volodya Hamperian's house; they forced him to leave the house. His wife, Tagun Hamperian, said that she will not leave the house; at that moment one of the OMON members cut Volodia's lip with the bayonet of his rifle. Volodia fell unconscious and his wife was forced out of the home. In the center of the village I saw the soldiers and OMON members acting even more violently: they broke household appliances to pieces and torched houses.»

Tamara Galustovna Nanian: «Five armed servicemen and three Azerbaijani OMON members broke onto the lawn of our house. They forced me to go in the house at gunpoint and requested me to give them money and gold jewellery. When I told them I did not have any, they started turning over the furniture. When my husband came in, they started beating him; I tried to interfere and a Russian servicemen shot me in the arm. A servicemen put the rifle barrel to my stomach and fired, but, thank God, the bullet hit my leg.» T.G.Nanian was taken to hospital by her husband and their neighbor. Ersik Akopkohian told that she was forced to run from her house when the servicemen and the OMON members were looting it. The servicemen pursued her and

caught up with her in the street. They delivered several blows to her head and dragged her to the tank . She managed to break free; however, according to her testimony, the consequences of blows on the head are still complicating her health.

Taking of hostages (ch). A large number of Chaikend residents gathered in the center of the village. Around 10:30 p.m. armed Armenians have taken hostage a group of servicemen, including Lieutenant-Colonel Mashkov and an Azerbaijani guide. The guide was severely beaten by the crowd. Hostage takers demanded the withdrawal of Azerbaijani OMON from the village. Three members of Armenian armed group went to parley with the leaders of the military operation. All three were killed by OMON members; in the shooting Lieutenant-Colonel Mashkov received a foot wound. Soon the OMON units and the servicemen started to withdraw from the village, firing from large-calibre machine guns. Several houses at the outskirts of the village were torched; the servicemen and the OMON members have taken about 50 persons hostages, including women, old men and even a one-footed disabled person. Servicemen who were taken hostage (there were 14 of them) were kept in several houses of the village; according to Memorial information, their living conditions were good.

Murders (ch) V.Nazarian, 30, a Chaikend resident, was shot dead as he attempted to escape during the troops' withdrawal from the village with the Armenian hostages; ten more corpses of village residents and another ten wounded persons were found in houses at the outskirts of the village. Among those killed was Ripsime Minasian, a woman of about 80 years of age, Vanes Akhumian, about 83, Beniamin Gandzhumian, 75, Papik Seyran, 84. It is downright impossible to think of those killed as members of armed groups. The other six victims were all males of varying age; according to our data none of them has rendered any armed resistance. The doctors testified that many bodies of victims were ridden with submachine-gun bullets, while one of the victims, Melsik Sogomian, was killed with an axe. After the discovery of the corpses the Azerbaijani hostage was shot in a hospital by a member of Armenian armed group.

Events in Martunashen. The village of Martunashen , as opposed to ch, was entered by army units simultaneously with Azerbaijani OMON members. Because of that members of Armenian armed groups were able to return fire and resist the attackers. One APC was put out of commission, several OMON members were wounded and, according to some sources, one or two of them were killed. The army retaliated by firing tank cannons on the village; one armed man and one civilian (Oganes Oganesian, 65) were killed, a number of houses was torched and destroyed. The armed group has left the village. Three more civilians were killed after the army and OMON units entered the village. They are Shamir Arshakovich Alkamian, 57, Razmik Agadjanian, 49 and Khachatur Davtian, 67. According to the witnesses, those persons did not bear any arms. Martunashen residents fled on April 30-May 1 to Chaikend and Shaumyanovsk.

Negotiations (ch) In the midday of April 30, 1991 talks on exchange of hostages between servicemen and residents of the village began. The military threatened to start a rescue operation to liberate the soldiers taken hostage and promised to return 29 Chaikend residents taken hostage by them if the villagers release captured soldiers and hand in the illegally held arms. The village residents, in their turn, demanded to withdraw OMON units from Chaikend , return all captured residents to the village, temporarily take women and children from the village by helicopters, ensure safe passage to Martunashen . On May 1, 1991 a group of Chaikend residents was allowed to go to Martunashen to take the wounded to Chaikend . At 15:00 on May 1 tanks started approaching the village; the beginning of an attack was announced over a loudspeaker; after that soldier hostages were immediately released with their arms. 27 of

previously detained residents of Chaikend were released by the military. The remaining Chaikend residents, who were in the hands of OMON members, were transferred to investigation wards of the Azerbaijani city of Ghandja.

Humiliation of detainees. The 27 detainees from Chaikend should undoubtedly be regarded as hostages, since their release, according to the orders of military command, was determined by fulfillment of certain demands by third parties. All detainees suffered bodily injuries of various degrees of seriousness. They were subjected to humiliations and beatings by OMON members and army servicemen. They were beaten with rifle butts, wooden sticks and metal rods, skin of their faces and heads was cut with razors and knives, their bodies had evidence of burns with cigarette lighters; even their golden dentures were torn out of their mouths. The detainees were forced to sign a statement describing the voluntary nature of their desire to leave Chaikend.

Continuation and completion of the military operation. After the exchange of hostages the village was subjected to barrages of machine gun and rifle fire on a regular basis; the servicemen were not shooting to kill but rather to harass the population. The tanks fired their cannons at the rocky hill slope above the village so that rock shards were falling on the village. The residents were ordered to hand in all remaining guns and leave the village. In the end a number of village residents, frightened by this constant harassment, expressed to the military their desire to leave the village forever. On May 1, 1991 the authorities directly participating in organizing the military action, have made public the following documents that cannot but cause bewilderment:

*To residents of villages of Chaikend
and Martunashen in Khanlar district
of the Azerbaijani republic*

In compliance with the requests of residents of Chaikend and Martunashen the Commandant's office of the zone of emergency rule enacts:

1. To secure the personal safety of residents of Chaikend and Martunashen during the process of issuing papers for their selling of private houses and personal property prior to June 1, 1991.
2. Safe passage on the territory of Azerbaijan will be guaranteed to said residents for the aforementioned period of time.
3. Those conditions are agreed upon by the USSR and republican Interior Ministries.

01.05.91

*P.Mamedov,
first deputy Minister for Interior Affairs of Azerbaijani republic*

*E.Mishin,
Colonel, deputy commander of the USSR Interior Ministry division.*

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*To residents of villages of Chaikend
and Martunashen in Khanlar district
of the Azerbaijani republic*

In compliance with the multiple requests of residents of Chaikend and Martunashen to allow leaving the district for good and to take permanent residence in other regions, the Khanlar district executive committee guarantees:

1. Issuing documents for sale of private houses and personal property and paying out the money in full in the coming 3 days in strict compliance with the law;
2. USSR Interior Ministry troops will protect the safety of citizens during their transportation on the Azerbaijani territory;
3. The abovementioned is agreed upon by the republican leadership and the USSR Interior Ministry.

01.05.91

*N.Mamedov,
chairman of the Khanlar district executive committee*

Therefore state officials, heads of law-enforcement bodies included, are forcing citizens to leave their places during a short period of time by not guaranteeing their security after the time period's expiration. This is a clear-cut coercion of citizens to sell their property.

In fact not only the sale of houses and personal property was not conducted, but it was impossible for the Chaikend and Martunashen residents to take their personal belongings with them. Almost all residents of the village agreed to leave it after unceasing barrage of rifle fire and threats. Members of armed groups staying in the village left Chaikend by mountain trails, women, elderly citizens and children were airlifted by military heli copters on May 4-7 and men left on May 8 in buses. Some persons leaving the village were arrested. All those leaving were ordered by officers of Azerbaijani Interior Ministry to sign an affidavit certifying the voluntary nature of their leaving the village.

COERCIVE DEPORTATION OF RESIDENTS OF A NUMBER OF NAGORNO-KARABAKH VILLAGES

Residents of 17 settlements of Gadрут and Shusha districts of Nagorno-Karabakh were deported after the events in Chaikend and Martunashen .

Generic scenario of the deportation Early in the morning (usually 2-3 days prior to deportation) the settlement is encircled by USSR Interior Ministry troops or Soviet Army servicemen. Azerbaijani OMON units enter the settlement and start searching the houses. This is accompanied by robberies and violence. The residents are given an ultimatum to leave the settlement for good. Similar actions continue for 2-3 days. Sometimes civilians enter the settlement with OMON units to loot the houses. Male population of the settlements was deported to the nearest Azerbaijani-populated district center (Lachin, Shusha, Djabrail). There the detainees were subjected to beatings and humiliations: they were forced to sign affidavits

certifying that they leave the places of their permanent residence for good on their own volition; after that some of the detainees were returned to the settlements, while a number of them was transferred to investigation wards. Some residents fled to Stepanakert or Gadрут. The rest were made to sign the abovementioned affidavit. According to the victims' accounts of the events, not all residents of those settlements have signed this affidavit, but irrespective of that all remaining population of the settlements was deported using buses or trucks.

The deported persons were transported to the Azerbaijani-Armenian border and further to the Armenian territory. The facts of deportation of residents of Armenian-populated villages and the accompanying violence on the part of Azerbaijani OMON units were acknowledged by Major-General Yu.Balakhonov, representative of the USSR Interior Ministry, and Colonel A.Polzov, head of the political department of the Commandant's office of the emergency rule zone, at the hearings held by the Human Rights Committee of the RSFSR Supreme Soviet. Memorial society possesses a videotape with the testimony of 1st Lieutenant A.Bezruchko, an officer of the USSR Interior Ministry troops, on the facts of deportation in the Gadрут district.

Participants of the deportation operations. The act of deportation itself was performed by OMON units of the Azerbaijani republican Interior Ministry. At the same time in the Gadрут district troops of the USSR Interior Ministry were blocking the villages, thus facilitating the process of deportation. In Shusha district these functions were undertaken by units of the Soviet Army that moved in to replace the Interior Ministry troops in mid-May.

The role of USSR Interior Ministry troops and Soviet Army units. As a whole, these forces not only abstained from prevention of citizens' deportation, but in fact abetted the members of Azerbaijani OMON in conducting the coercive deportation. There was a certain 'division of labor': the military sealed the village off from the outside while the OMON went on with its business inside the village. At the same time we have knowledge of cases when the military opposed certain actions by OMON, apparently not allowing the latter to exceed some level of violence, preset by the powers that be. For instance, the military did not allow OMON to deport residents of the Karintak village of the Shusha district, who were detained on May 15 by OMON members and taken away from the village. In the same district after the murder by OMON members of a Mets Shen village resident on May 15 the army servicemen repeatedly prevented violence being done to residents of the villages; the district's Commandant's office was even forced to provide a helicopter to take the family of the killed resident to Stepanakert (they were threatened with violence on behalf of OMON members). Installation of a military post in Tsor village on May 21 apparently prevented the second deportation of the returning residents.

The Commandant's office of the zone of emergency rule in Nagorno-Karabakh and neighboring regions is trying to shift the blame for deportations to the authorities of the Azerbaijani republic. However, according to the available information, the Commandant's office is equally to blame for violation of human rights on a mass scale with the Azerbaijani authorities.

Examples of violence towards the civilian population and looting of personal property. We would like to quote but a few testimonies from an existing multitude. Laura Vartanovna Avanesian from the Arakjul village in Gadрут district of Nagorno-Karabakh: «On May 13 OMON members attempted to rape my neighbors' daughter ... (name and family name follows). Her father tried to defend her; he was beaten up and his documents were torn up. During the first day the young men from our village and our director were taken to Djebail... There they

were beaten ... (names and family names follow). ... The OMON units were followed by young men from the neighboring villages: they were breaking into houses, entering and looting the places thoroughly. From me they took 2 cows, 2 rams and 50 hens.» L.A. Avanesian said that Colonel A.M.Zhukov, military Commandant of the zone of emergency rule in Nagorno-Karabakh and neighboring regions, was flown to Arakjul by helicopter on May 15, when the forces of Azerbaijani OMON were in the village. He forced OMON units to withdraw from the village, but refused to fulfill the residents' requests to provide army servicemen for defending the village and preventing the deportation. After his departure the deportation actions were resumed. Videotaped testimony of 1st Lieutenant A.Bezruchko, an officer of the USSR Interior Ministry troops, includes the description of his and his fellow officers' meeting a 15-year-old girl who was raped by three OMON members in Gadрут district of Nagorno-Karabakh.

Svetlana Bagratovna Grigorian from the village of Mets Shen (Berdadzor), testified: «On May 15 APCs entered the village; they were followed by two buses with OMON members. They started to beat my husband and senior brother with iron rods. My junior brother (Anushavan Bagratovich Grigorian) was taken to the cellar, his hands tied behind his back. I was unable to cope with the situation and entered the cellar, too. They wanted to open the door but there was no key. I gave them the key and at the same time the submachine gun burst sounded. I rushed to my brother, took his head in my hands and my hands were suddenly covered with blood. The bullets have hit his neck. All our men were taken to Lachin; there they humiliated them. My senior brother was so severely beaten I did not recognize him when he came back; they tore out his mustache.» The deported persons were unable to take their belongings with them; the property that they managed to load into cars was pilfered along the road to the Azerbaijani-Armenian border.

Murders. Five civilians were killed during the deportation of village residents of Gadрут and Shaumyan districts. On May 15 Anushavan Bagratovich Grigorian was murdered in the village of Mets Shen (Berdadzor); the consequences of his death are described above. At the hearings conducted by the Human Rights Committee of the RSFSR Supreme Soviet a representative of the USSR Procurator's office recognized the fact and the consequences of Mr Grigorian's death. On May 15 bodies of two middle-aged men and two middle-aged women were uncovered in the vicinity of the Arpayaduk (Karing); their names are: Aykanush Manasian, Ayaser Akopian, Suren Karapetian and Emma Karapetian. This fact is mentioned in the news releases published by the Military Commandant's office. The deportation was conducted in this village from May 14 till May 16. According to our data these murders took place during the deportation itself, although in late April - early June in Nagorno-Karabakh and neighboring regions murders of other civilians were also registered. These murders were committed by Azerbaijani Interior Ministry officers as well as by armed vigilantes on both sides.

HUMAN RIGHTS VIOLATIONS IN PLACES OF DETENTION IN THE AZERBAIJANI REPUBLIC SUFFERED BY CITIZENS DETAINED DURING THE MILITARY ACTIONS COMBATTING ILLEGAL ARMED GROUPS

During the period of late April - early June 1991 mass detention of persons of Armenian nationality were conducted on the territory of the Nagorno-Karabakh and neighboring regions. A majority of those detained had no relation whatsoever to the armed groups.

For instance, during the deportation of Chaikend residents the doctors from the local hospital were detained. In a number of Nagorno-Karabakh villages almost all male Armenians were detained and transported to investigation wards; in about a day's time a majority of detainees are released, while the others remain incarcerated in investigation wards. For instance, 120 men were taken to Lachin on May 15. A majority of them were back home in a day's time. Only 43 persons remained in custody; a total of 368 persons were detained for 3 days and more. The detention was explained by the fact that those people had allegedly violated the emergency rule regulations. According to statements made by the detainees and their relatives they were subjected to beatings and humiliations. According to the representative of the USSR Procurator's office at the hearings of the Human Rights Committee of the RSFSR Supreme Soviet 200 of those persons were released on June 18 after an investigation by the commission of the USSR Procurator's office. The commission of the USSR Procurator's office did not find any violations while checking the detention papers. However, according to our data, almost all detentions were conducted in violation of the law. For instance, in the early hours of the morning of May 16, 1991 during the curfew in Stepanakert a group of unknown persons in army uniform entered the apartments of Gamlet Grigorian and Rafael Gabrielian and, threatening to use guns, in fact abducted them and took them to an unknown location. Neither an arrest warrant nor a court ruling ordering their detention was presented. About 20 persons were abducted from Stepanakert in such or similar fashion. These persons were transported to various places of detention in Azerbaijani republic where documents justifying their detention for violating the emergency rule regulations and a rest for the term of 15 to 30 days.

G.Grigorian and R.Gabrielian were transported to the Baku prison where they were subjected to systematic beatings and torture. Both of them have sustained serious bodily injuries. Doctors G.V.Grigorian, V.M.Hachatrian, S.A.Akopkehvian and V.R.Oganesian, a journalist, who were detained on May 6 in Chaikend and incarcerated in the investigation ward of the city of Ghandja, reported that they were repeatedly beaten and saw the beatings of other detainees. The doctors suffered serious bodily injuries; this fact was confirmed by doctors of the Yerevan hospital after they were released. There are some cases of deaths of inmates during their incarceration that in fact could be referred to as homicide. Grachia Shaturovich Shakhbasian, police Major from Stepanakert, was arrested during the night of June 2, 1991; he died in the Shusha prison on June 13. The Azerbaijan Interior Ministry has offered its own version: suicide by hanging. However, there are multiple bruises and other evidence of beatings on Mr Shakhbasian's body; his skull was broken in the cranial region. Yury Grantovich Gulian, a resident of Kichan village, was subjected to detention and administrative arrest for 30 days. He was kept in Shakhbulakh labor penitentiary and died on June 6. The Azerbaijani Interior Ministry's version of his death is death from perforation of the gastric ulcer. However, there are multiple bruises and other evidence of beatings and tortures on his body.

CONCLUSION

The available information, in our opinion, enables us to say that there were flagrant violations of human rights during the April — June 1991 operations in Nagorno-Karabakh and the neighboring regions by Soviet Army units and troops of the USSR and Azerbaijani Interior Ministries.

A person's right to life, freedom and personal immunity was blatantly violated; tortures were used, people were arrested and detained arbitrarily, multiple crimes against the personal property were registered. The deportation of people was practiced on a mass scale.

The fact that mass violence was done to the civilian population by no-one else than law-enforcement bodies lends an especially cynical nature to those violations. The burden of responsibility lies with the top leadership of the Azerbaijani republic, Azerbaijani KGB and Interior Ministry. USSR Defense Ministry and the Command of Interior Ministry troops of the USSR are also responsible. These heinous crimes are also casting a shadow on the top leadership of the USSR.

In spite of the public outcry there were no measures taken to stop lawlessness, to give the deported people an opportunity to return home and bring the culprits to court. This has, in fact, brought on the full-fledged civil war when Azerbaijani OMON units attempted to continue the practice of deportation in Geranboisky (former Shaumianovsky) district of Azerbaijan.

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