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Interview with Dr. Tessa Hofmann

Already one year has gone after the barbarous destruction of Armenian monuments in Old Jugha. However, we have not seen appropriate reactions by the international community. How do you explain this situation?

I fear that we deal with a blend of reasons. Time passes quickly, crimes are as rapidly forgotten, because in this “globalized” world we are daily confronted with a huge amount of problems that demand our attention. This competition of attention concerns human rights NGOs as well as international organizations and the media. Media attention is certainly the most relevant mean to attract attention of human right defenders, the general public and politicians, who are nowadays more than ever aware of the media influence. Only few prominent Non-Armenian media such as *Le Nouvel Observateur* (France) and *Le Temps* (Switzerland), and *La Stampa* (Turin, Italy) published comments and informations. If we search for “Jugha cemetery” in the World Wide Web with the help of “Google”, we find Armenian related sites of Diaspora and Armenian NGOs. The World Wide Web depicts a situation of an internal circle.

One year after the final destruction we have to come to self-critical conclusions and questions: Why did we not succeed by raising alarm in time – six years ago? Why did we not succeed in mobilizing the Armenian Diaspora and its quite powerful institutions and organizations, with few exceptions? Was that because of lacking information about a remote crime in a remote borderland of Azerbaijan? Many Armenians in the Diaspora seem to have heard about Jugha and Nakhijevan only, when it was much too late. Why have not Armenian journalists abroad dedicated a bit of their energy and time to the information on Jugha? In the best of all cases we learn from this experience and improve our networking and advocating skills. Networking in this particular case would include human rights NGOs from Azerbaijan. Were they contacted and confronted with the facts? And if reactions were indifferent, evasive or declining – did anybody communicate these reactions to the media?

The only document, issued after the destruction of Armenian cultural monuments, was a resolution by the European parliament that included a delegation to Nakhijevan. Also the Council of Europe intended to send a fact finding mission. But until this day no expert got the permission to enter the territory of Old Jugha. Can we hope that these delegations are nevertheless sent and what has to be done to achieve this?

Again, things are moving not automatically. NGOs from Armenia and the Diaspora have to insist that these missions are realized. If Azerbaijan continues to refuse admission, the next demand towards the European Parliament and Council of Europe must be an official reprimand of Azerbaijan or even the suspension of financial aids. Member states of the Council of Europe must learn that they are accountable for ethnocide.

How do you explain that there was no reaction by UNESCO, an organization obliged to defend the cultural heritage and cultural rights of nations?

Obviously the UNESCO decided to interpret the destruction of Armenian cultural and spiritual monuments in Nakhijevan as part of a larger problem: the preservation of minority cultures or monuments in areas where the representatives of this culture do no longer reside as a result of war, expulsion or even genocide. The UNESCO rightly demands mutual respects for cultural and spiritual monuments both from Armenia and Azerbaijan. But by linking the destruction of Armenian monuments in Nakhijevan with the question of the preservation of Azeri monuments in Nagorno Karabakh or the Republic of Armenia, UNESCO is missing its point. Its behavior reminds the older of us of the late Soviet leaders' perception of the Nagorno Karabakh conflict as one of parity: All sides involved are equally bad guys, Armenians and Azeris. The victims of such a refusal to explore, differentiate and modify are the truth and most of all the people concerned, or, in the case of UNESCO, unprotected monuments. This is unacceptable, in particular with regards to the real practices of UNESCO:

Azerbaijan has one property – the Walled City of Baku with the Shirvanshah's Palace and the Maiden Tower – inscribed into the World Heritage List and eleven more properties submitted on the UNESCO Tentative List (see <http://whc.unesco.org/en/statesparties/az>), including the “Susha [sic!] historical and architectural reserve” (<http://whc.unesco.org/en/tentativelists/1574/>). The description of this property contains not a single word about the Armenian past and presence in Shushi. As to Nakhijevan, only the 12th century Mausoleum in the village of Karabaglar is on the Tentative List (since 1998). Beyond the financial support for the preservation of the Walled City of Baku UNESCO finances conferences, a Museum and various projects in Azerbaijan.

Coming to conclusions: The practice of nominations of properties for the World Heritage List of protected sites is incomplete and unsatisfying, as far as minority cultures are concerned. For in all cases of conflicts, states tend to exclude minority monuments from nominations. Or even if such monuments are nominated, the reasoning for their insertion on UNESCO lists may be distorted and one-sided, as in the case of the “Susha historical and architectural reserve”.

Recently a group of European political representatives met the Director General at the Headquarter of UNESCO in Paris. Do you have information about the details of this meeting?

The meeting had been organized by the *Switzerland-Armenia Parliamentary Group*. On October 17, 2006, an international delegation of eleven MPs from Switzerland, France, Belgium, Canada, Greece and the United Kingdom handed over a hundred pages documentation with the title “The Destruction of Jugha and the entire Armenian Cultural Heritage in Nakhijevan” to UNESCO, in Paris, which contents also a Memorandum for the

attention of the Director-General Koichiro Matsuura and the representatives of the General Conference member states. Among others, in the introduction of the documentation, it is said: “The Switzerland-Armenia Parliamentary Group places its confidence and trust in UNESCO, so that by their actions and recognized influence further cultural tragedies may be avoided throughout the world.”

Alas, a hope in vain. At a press conference after the meeting the frustrated MPs told, that they had asked Mr Matsuura: “What have you done to stop Azerbaijan to continue the destruction of the Armenian cemetery during all these six long years?” They got the evasive reply: “There is a suspicion that Armenia is doing the same kind of thing in Karabakh!” An unproved suspicion was the only reason given by the head of UNESCO for the complete inactivity of his organisation in regards to the proven destruction of Armenian spiritual and cultural monuments in Nakhijevan. At this point the Canadian MP Jim Karygiannis angrily replied: “We speak to you about apples, and you tell us about oranges.”

Steven Sim, an eye witness of the Armenian architectural heritage destruction in Nakhijevan, who participated in the international delegation, asked Mr Matsuura: “Why is it so difficult to denounce the evidence of the destruction of Jugha, while you did denounce immediately and unmistakably the destruction of the Buddhas in the Bamian Valley”, the UNESCO Director-General answered: “The UNESCO has been alerted by the Afghan Government itself just before the destruction, so we could not do otherwise than denounce it”.

(About the press conference see <http://www.yevrobatsi.org/st/item.php?r=0&id=2094>) But two days later, on October 19, the UNESCO received an Azerbaijani delegation headed by the First Lady, Ms. Aliyeva, for the opening of a festival "Azerbaijan: cross-road of civilizations and cultures". The internet issue of the newspaper “Democratic Azerbaijan” published on 25 October the UNESCO General-Director’s declarations at this occasion. According to the Azerbaijani paper, the GD said among others: “UNESCO highly values Azerbaijan’s contribution to the preservation of world cultural heritage”. Despite a repeated official request from the *Switzerland-Armenia Parliamentary Group*, to confirm or to counter these assertions, the UNESCO Press office has given no answer until this day (20 November).

The Nakhijevan destruction is a telling example how an international body like UNESCO should not operate. If UNESCO insists on the protection of minority cultures, it has to consider every case of violation individually. I can only hope that despite our frustration from the abortive meeting with Mr. Matsuura the dialogue with UNESCO will be continued in one way or the other. This dialogue about the application of principles of minority rights protection must be continued. Since the UNESCO and the United Nations in general are state orientated bodies, this is a commitment for Armenia’s diplomacy, first of all. It may be worth a thought whether Armenia seeks support and inspiration from those countries which suffer from similar problems of ethnocide, such as Cyprus does in its occupied North. Since 1974, small Cyprus had to struggle against the systematic destruction and illegal export of invaluable mosaics, frescos and other artifacts from antic, early-Christian and Byzantine times. The perpetrators are the military authorities in the Turkish occupied north as well as the international mafia of art dealers. The head of the Cypriote

Orthodox Church played an important role in the protection and re-gaining of stolen properties.

What do you think about an initiative to erect a Christian memorial at the ancient cemetery? Will this memorial not meet the same fate as the destructed cross-stones?

Let us not forget that the Hin Jugha cemetery was used for about a millennium, and that under the recent firing range there lie still the bones of many generations of Armenian Christians. This place definitely has a spiritual character, and it is for that reason that one wishes to have a religious memorial, a cross or a chapel for the dignified commemoration of the dead.

In addition to this, my suggestion is to make this site a place of international learning by establishing an interpretative center which documents by photographs and some replicas of the destroyed cross-stones the irreversible losses, the way of the destruction and the crime of ethnocide. Of course, a pre-condition for such projects of commemoration and learning is that the recent firing range comes under the auspices and control of an international body.

How do you evaluate the destruction of the Armenian cross-stones from a human rights point of view? Is this not first of all a political crime, completed with the methods of ethnocide?

The destruction of this unique Armenian cemetery clearly forms ethnocide or the cultural aspect of genocide. For Raphael Lemkin, the author of the UN Genocide Convention, the destruction of a national culture was part and parcel of genocide. In his book “Axis rule in Europe” (1943) Raphael Lemkin gave a telling WW2 example of cultural genocide: the burning of the Talmudic library of Lublin, as reported by Germans:

For us [the Germans; T.H.] it was a matter of special pride to destroy the Talmudic Academy which was known as the greatest in Poland. . . . We threw out of the building the great Talmudic library, and carted it to market. There we set fire to the books. The fire lasted for twenty hours. The Jews of Lublin were assembled around and cried bitterly. Their cries almost silenced us. Then we summoned the military band and the joyful shouts of the soldiers silenced the sound of the Jewish cries.

Although the relevant cultural aspect of genocide was originally included into Lemkin’s draft of the genocide convention, it was, together with other aspects, deleted in its final version. The reasons were exclusively practical: In order to get the acceptance by the General Assembly of the United Nations, the smallest common denominator was sought. This is also the reason why the UN definition of genocide does not include the aspect of political persecution. Otherwise Soviet Union would have voted against the UN Genocide Convention. Thus the notion of

cultural genocide remains academic, not legal. However, since the first Hague Convention (1899) a lot of legal instruments for the protection of cultural heritage had been developed (see http://portal.unesco.org/culture/en/ev.php-URL_ID=2185&URL_DO=DO_TOPIC&URL_SECTION=-471.html). Under the impression of the destruction of the famous Buddha statues of Bamian (Afghanistan) the UNESCO issued its Declaration of 2003 (see attachment in Russian). But laws and resolutions are one thing, law enforcement quite another. Jurists have to prove, whether there can be found a way to file a case against the destruction of the Hin Jugha cemetery.