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Azerbaijan's Policy Regarding Misappropriation of Armenian Cultural Heritage in the Light of International Principles (Authenticity, Integrity, Cultural Significance, Outstanding Universal Value) of Heritage Protection

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The aggressive policy of Azerbaijan towards the cultural heritage of Artsakh is not limited to destruction, demolition and physical violence against the Armenian heritage. A much more dangerous policy exists and is widely used, which, while outwardly preserving the main structure of the heritage, alienates from it the most important thing - the Armenian identity. Alienation of identity occurs through change, appropriation, Azerbaijanization, Turkification and other ways. This policy is a gross violation of the basic international principles for the protection of cultural heritage: the principles of "authenticity", "cultural significance", "integrity" and "exclusivity". This way of working is also a significant obstacle to the comprehensive preservation of heritage elements, vitality, principles of naturalness and cultural habitat. By distorting historical facts, Azerbaijan neutralizes the true tradition of heritage, violates the possibility of transferring value to generations with its main function, its integrity, details, elements and attributes. The attribution of Armenian values to Caucasian Albanians, Turks or their Azerbaijanization takes away these values from their real owners, the Armenian community of Artsakh, according to whose life experience, knowledge and skills they were created and must be preserved as such. According to the international principles of heritage, its idea, the feelings it evokes, the potential of the heritage, the information it carries, can often be more than the structure itself, but Azerbaijan consistently manipulates them. The appropriated Armenian heritage is the embodiment of the creative genius of the Artsakh Armenian community and its preservation is entrusted to the Artsakh Armenian community itself, but it is purposefully constantly alienated from its native people and the whole world.



Art and Culture/ Արվեստ և մշակույթ

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Հայ մշակութային ժառանգության բնյութագման Ադրբեջանի քաղաքականությունը՝ ժառանգության պահպանության միջազգային սկզբունքների (իսկություն, ամբողջականություն, մշակութային կարևորություն, բացառիկություն) լույսի ներքո

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Արմինե Տիգրանյան

ԵՊՀ մշակութաբանության բաժնի ասպիրանտ, դասախոս

Հիմնաբառեր՝ մշակութային ժառանգության պահպանություն, ժառանգության միջազգային սկզբունքներ, իսկություն, ամբողջականություն, մշակութային կարևորություն, բացառիկություն, հայկական ժառանգության յուրացում, ժառանգության գործառույթի փոփոխություն, Ադրբեջանի վանդալիզմ:

Ադրբեջանի կողմից Արցախի մշակութային ժառանգության հանդեպ տարվող ագրեսիվ քաղաքականությունը չի սահմանափակվում միայն հայկական ժառանգությունը ոչնչացնելով, ավերելով և ֆիզիկական բռնության ենթարկելով. գոյություն ունի և լայնորեն կիրառելի է շատ ավելի վտանգավոր քաղաքականություն, որով՝ արտաքուստ պահպանելով ժառանգության հիմնական կառուցվածքը, օտարվում է նրանից ամենակարևորը՝ հայկական ինքնությունը: Ինքնության օտարումը տեղի է ունենում հայկական ժառանգության հիմնական գործառույթի փոփոխման, յուրացման, ադրբեջանականացման, թյուրքացման և այլ ճանապարհներով: Հիշյալ քաղաքականությունը՝ մշակութային ժառանգության պահպանության միջազգային հիմնական սկզբունքների՝ «իսկության», «մշակութային կարևորության», «ամբողջականության», «բացառիկության» սկզբունքների պահպանության կոպիտ խախտում է: Նման գործելաոճը էական արգելք է նաև ժառանգության համալիր տարրերի, կենսունակության, բնականության սկզբունքների և մշակութային կենսամիջավայրի պահպանությանը: Ադրբեջանը, պատմական փաստերը խեղաթյուրելով չեզոքացնում է ժառանգության իրական ավանդույթը, խաթարում է արժեքն իր հիմնական գործառույթով, իր ամբողջականությամբ՝ դետալներով, տարրերով ու ատրիբուտներով սերունդներին անխաթար փոխանցելու հնարավորությունը: Հայկական արժեքները վերագրելով աղվաններին, թյուրքերին կամ ադրբեջանականացնելով դրանք, իլում է դրանք իր իրական տերերից՝ արցախահայ համայնքից, ում կենսափորձի, գիտելիքների ու հմտություններին համապատասխան են դրանք ստեղծվել և պետք է պահպանվեն որպես այդպիսին: Ժառանգության միջազգային սկզբունքների համաձայն, նրա հիմքում դրված գաղափարը, առաջացրած զգացմունքները, ժառանգության ներուժը, կրած ինֆորմացիան շատ հաճախ ավելին կարող են լինել, քան ինքնին կառույցը, բայց Ադրբեջանը հետևողականորեն նենգափոխում է դրանք: Հայկական յուրացված ժառանգությունը արցախահայ համայնքի ստեղծագործ հանձարի մարմնացում է և վերջինիս պահպանությունը վերագրված է հենց

արցախահայ համայնքին, բայց թիրախային կերպով շարունակաբար օտարվում է թե՛ իր բնիկ ժողովրդից և թե՛ նրա աշխարհից:

Политика Азербайджана в отношении присвоения армянского культурного наследия в свете международных принципов (аутентичность, целостность, культурное значение, исключительность) защиты наследия

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Ключевые слова: защита культурного наследия, международные принципы наследия, аутентичность, целостность, культурное значение, исключительность, узурпация армянского наследия, изменение функции наследия, вандализм Азербайджана.

Агрессивная политика Азербайджана в отношении культурного наследия Арцаха не ограничивается только уничтожением, разрушением и физическим насилием над армянским наследием. Существует и широко применяется гораздо более опасная политика, которая, внешне сохраняя основную структуру наследия, отчуждает от него самое главное — армянскую идентичность. Отчуждение идентичности происходит путем изменения, присвоения, азербайджанизации, тюркизации и другими способами. Указанная политика является грубым нарушением основных международных принципов охраны культурного наследия: принципов «аутентичности», «культурной значимости», «целостности» и «исключительности». Такой способ работы также является существенным препятствием для комплексного сохранения элементов наследия, жизненной силы, принципов естественности и культурной среды обитания. Искажая исторические факты, Азербайджан нейтрализует истинную традицию наследия, нарушает возможность передачи ценности поколениям с ее основной функцией, ее целостностью, деталями, элементами и атрибутами. Приписывание армянских ценностей кавказским албанцам, тюркам или их азербайджанизация отнимает эти ценности у их настоящих хозяев, армянской общины Арцаха, согласно жизненному опыту, знаниям и умениям которых они были созданы и должны быть сохранены как таковые. Согласно международным принципам наследия, стоящая за ним идея, чувства, которые оно вызывает, потенциал наследия, информация, которую оно несет, часто могут быть больше, чем сама структура, но Азербайджан последовательно ими манипулирует. Присвоенное армянское наследие является воплощением творческого гения арцахской армянской общины и его сохранение возложено на саму арцахскую армянскую общину, но целенаправленно постоянно отчуждается от родного народа и всего мира.

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Introduction. It is no secret that Azerbaijan's ambitions regarding the territory of Nagorno-Karabakh have always been associated with false attempts to legitimize the Azerbaijani presence in the region. In this context, the masterpieces of the Armenian heritage, created thousands of years before the

newly created concept of Azerbaijani identity, were the primary “obstacle” that would naturally “obstruct” the localization of the newly created Azerbaijani (Caucasian Tatar) people, directly undermining their “historical” ambitions with regard to this region. Therefore, Azerbaijan has chosen the way of destruction, usurpation and transformation of heritage: both in times of apparent “peace” and in times of bloody wars. The above mentioned shows that this process, contrary to international principles for the protection of cultural heritage, is not only a consequence of war, but also a clearly programmed policy, which, having begun in the last century, has not stopped until now, and it can develop differently depending on the situation.

As is commonly known, the destruction of the heritage of Artsakh by Azerbaijan consists not only in the destruction and physical violence against the heritage, but a much more dangerous policy is widely used, which, while outwardly preserving the basic structure of values, Armenian elements are eliminated, thereby changing the nature of values, and most important is that the Armenian identity is being alienated. In this case, in addition to material damage, the internal value of the structure is destroyed first of all and the totality of intangible values is damaged, which should have been comprehensively transferred to future generations. And if in the case of physical destruction of cultural property, it is more realistic to put forward international conventions (“The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict”, 1954; First (1954) and Second (1999) Protocols attached to the Convention, etc.), laws and provisions, which are violated by such practices, then, in the event of misappropriation of heritage, when the internal ideological context of the value is damaged, elements are removed, the form, name, function of the heritage are changed, undermining the future possibility of preserving the heritage, the problem of assessing the damage caused goes beyond the legislative protection framework and seeks its protection also in a broad theoretical system of heritage protection.

Therefore, the continuous loss, destruction and misappropriation of Artsakh’s cultural heritage prompts the search for urgent protection mechanisms of these values, which is conditioned by the exclusivity of this heritage (the identity of the Artsakh Armenian community) on the one hand, being a guarantee of its vitality and continuity in the future, and on the other hand, even more globally, in the context of observing the phenomenon in a global sense, it is aimed at the loss of the world’s cultural diversity.

This work makes an attempt to understand the damages of Azerbaijan’s misappropriation in the theoretical system of heritage protection from the perspective of international principles of heritage protection, which can shed some light on the local and international processes of correct perception, assessment and protection of the internal value of heritage.

The purpose of the article is to present the misappropriation policy, promoted at a high state level, conducted toward the Armenian cultural heritage that came under the control of Azerbaijan as a result of the 44-day war of 2020, from the perspective of the analysis of the main international principles of protection of cultural heritage (hereinafter referred to as "CH"): "authenticity", "cultural significance", "integrity", "exclusivity". Emphasizing the fundamental role of these principles in the universal system of heritage protection, and realizing that they are a prerequisite for reproducing the heritage in its

entirety for future generations, an attempt has been made to present the challenges that threaten the protection of changed Armenian values and the existence of the identity of Artsakh Armenians in the occupied territories of Artsakh. In order to consider Azerbaijan's policy of appropriating Armenian cultural values from the perspective of international principles of heritage protection, the problem of assessing the internal value of heritage is of fundamental importance, because very often, by outwardly preserving the architectural structure of heritage, Azerbaijan deprives heritage of its natural, real and main function.

Our objective is to show, by examining the individual directions of the implementation of the policy of misappropriation, in particular, the Albanization (Caucasian Albania is meant), Islamization, Azerbaijanization, Turkification, Russification, that is, the alteration of the function (identity) of spiritual and worldly values, that such a way of working, among other factors¹, is a significant obstacle to the preservation of the complex elements of heritage, vitality, principles of naturalness, its undisturbed transmission to generations, and ultimately the preservation of the cultural living environment. With the imperative to identify the above-mentioned issues, we have tried to examine the issue of "heritage protection" in all its possible details in order to reveal the internal motives of value (content, knowledge carried, transmitted feelings and values, the role of heritage in people's lives) and the imperative to preserve it.

It should be noted that although the principles of authenticity, integrity, cultural significance and exclusivity of heritage protection, as an essential factor for protecting heritage with its important structural elements and completeness, have been widely circulated in the last few decades by the international institutions of the field, UNESCO and its advisory bodies, nevertheless, such an examination of the policy of misappropriation of Artsakh's cultural values in the Armenian academic environment, is one of our first attempts in reality.

International principles of cultural heritage protection. Several main criteria of heritage are distinguished in the international system of CH protection (UNESCO, its advisory bodies: ICOMOS, ICCROM, etc.): authenticity, cultural significance, integrity and exclusivity.

1. **Authenticity.** CH has an essential significance for heritage protection and is determined by "*The Nara Document on Authenticity*" adopted by UNESCO in Japan in 1994. It is related to the *naturalness principles* of CH, based on the idea that the result of the collective creative work of a person/community is the result of heritage, a **real** cultural tradition. The aspects of authenticity may include heritage form and design, *materials and material composition, use and function, traditions, location and technique, spirit and emotions, as well as external and internal factors* ("The Nara Document on Authenticity", 1994). And if we add the interpretation of the Nara document of 1994 on the concept of "Cultural Heritage Protection" to what has been said, the essence of heritage protection will become clear: "*The*

¹ The policy of misappropriation of cultural property violates the internationally established, sometimes even customary law, provisions for the protection of cultural property in territories occupied after conflicts, Article 4 of the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict and, additionally, Article 9 of the Second Protocol of 1999 point 3 of the article, which prohibits any transformation of the cultural value, as well as the change in the way of its use, which aims to hide or destroy the cultural, historical or scientific evidence. Misappropriation is also prohibited by a number of other conventions and documents. Universal Declaration of Human Rights Article 27, Cultural Heritage for Society Faro Convention, Articles 1 and 4. 40,41 rules of international humanitarian law, "European Convention on the Protection of Landscape" adopted in Florence in 2000, Article 5, 1966. Article 15 of the "International Covenant on Economic, Social and Cultural Rights", 2007 "Fribourgh Declaration of Cultural Rights", 2001. "On the Protection of Cultural Diversity" and 2005 The provisions of the conventions "On the protection and promotion of the diversity of forms of cultural self-expression", of which it is a member. Provisions of the 2003 UNESCO Convention on the Protection of Intangible Cultural Heritage, etc.

Art and Culture/ Արվեստ և մշակույթ

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Հայ մշակութային ժառանգության բնյութագրման Ադրբեջանի քաղաքականությունը՝ ժառանգության պահպանության միջազգային սկզբունքների (իսկություն, ամբողջականություն, մշակութային կարեկրություն, բացառիկություն) լույսի ներքո

concept of protection implies a set of processes aimed at understanding the heritage, realizing its history and significance, popularizing the heritage, restoring and strengthening it. In this case, people's ability to understand heritage depends, among other things, on reliable and true knowledge about heritage, about which knowledge and correct understanding of information sources is a necessary prerequisite for evaluating all aspects of authenticity and reliability" (Nara Document on Authenticity, 1994, art. 9). Due to this approach, we affirm that in order to perceive the type, characteristics, significance and history of the CH¹, *there must be reliable information about the heritage*. According to this, the perception of authenticity acquires a fundamental role in all processes related to human rights protection. And as for heritage appearing in conflicts, the Nara document, without undermining the fact of authenticity, highlights the issue of recognizing the legitimacy of cultural values (Nara Document on Authenticity, 1994, art. 9). In addition, the document suggests that heritage should be examined and evaluated based on its **cultural context**. Emphasizing also the preservation of the intactness of the heritage, the document points out that in the case of restoration processes, the fact of authenticity is endangered (Managing Cultural World Heritage, 2018, 42).

2. Another milestone of the considered semantic movement is the principle of **importance/significance** of the CH, defined by the 1999 Burra Charter². It is defined as "...aesthetic, historical, scientific, social or spiritual value for past, present and future generations", which complement each other rather than exclude them (The Burra Charter, ICOMOS, 1999, art. 1:2; art. 2:1). Cultural significance in this case is embodied in the heritage itself, as a result of the interaction with its various attributes, location, form of use, meanings, inscriptions, adjacent places and objects (The Burra Charter, ICOMOS, 1999, art. 1:2). In addition to what has been said, we would like to add that the cultural importance of heritage can be hidden both in its tangible and intangible features (Burra Charter, ICOMOS, Definitions, 1981). A comprehensive definition of the cultural significance of heritage with the mentioned features was proposed by ICOMOS Australia in 2013: "*Cultural significance is the complex of the qualities of heritage, including the above-mentioned aesthetic, historical, scientific, social and spiritual values*" (Understanding and assessing cultural significance, ICOMOS, Burra Charter, 2013, p.3).

Indeed, this comprehensive concept needs an additional interpretation for each of its values, which will be done below. **The aesthetic value of heritage**, or what is the same, the aesthetic value, includes the sensory and visual aspects of the perception of heritage, which have a strong influence on people's thoughts, feelings and attitudes towards heritage. **The shape, volume, color, composition and material of the heritage, the location, the smell of the heritage and the sound of the heritage spreading around it, or the sound of the heritage itself** are among these factors (Guidelines to the Burra charter: cultural significance, 1988, art. 2.2). Here, the special environment of heritage, that is, the possibility of evoking strong feelings with one or another quality is also important (Understanding and assessing cultural significance, ICOMOS, 2013, p.3).

¹ Cultural heritage includes monuments, complex building structures and places of cultural value, as defined in Article 1 of the World Cultural and Natural Heritage Convention.

² The Charter of Burra was adopted by the ICOMOS Australia National Committee of UNESCO's advisory body, the International Council on Monuments and Sites, on 14 April 1984 and revised on 23 April 1988 and 26 November 1999.

The historical value¹ includes the aesthetic, artistic, architectural, scientific, spiritual and social aspects of the history of the heritage (Charter for Places of Cultural Significance, ICOMOS 1999, art. 2:3), related to both a historical figure and an event, period or with the extraordinary activity of a person/community (Understanding and assessing cultural significance, ICOMOS, 2013, p.3). In addition to all this, the charter adds that *the historical aspect of the cultural significance of the heritage also depends on how the historical evidence of the value or event is preserved*. Moreover, the further reading of the document opens up a revolutionary term for us: “...sometimes even some historical associations related to the heritage may be more important than the heritage itself” (Charter for Places of Cultural Significance, ICOMOS, 1999, art. 2:3).

The scientific value of cultural significance refers to the information content that the heritage carries and its ability to reveal more about some aspect of the past. It may depend on extraordinary and rare information data, their quality and the potential of transmitted information (Understanding and assessing cultural significance, ICOMOS, 2013, p.4).

The social value of cultural significance includes those features of heritage for which it has become the center of spiritual, political, national and cultural feelings of any group (Guidelines to the Burra charter: cultural significance, 1988, art. 2.5; Understanding and assessing cultural significance, ICOMOS, 2013, p.4).

The spiritual aspect of cultural significance contributes to the spiritual identity or belief system of a group, it can be a source of knowledge, traditional art or science, causing strong, spontaneous emotional and even metaphysical inspiration (Understanding and assessing cultural significance, ICOMOS, 2013, p.4). It can be reflected in the intensity of aesthetic/emotional responses or community associations and expressed through cultural practices.

It should also be emphasized that both authenticity and cultural significance are also highly dependent on intangible heritage, including traditions, practices, techniques, usages, knowledge and language, leaving the responsibility of giving these values to the people for whom it has meaning (Ibid.).

When studying the issue of heritage protection from the perspective of the “concept of cultural significance”, it is necessary to introduce the latter’s definition: *“Heritage protection is the provision of all processes of continuous care for the latter, with aesthetic, historical, scientific, social and spiritual aspects of cultural significance* (Charter for Places of Cultural Significance, ICOMOS 1999, art. 1:4). The further reading of the Charter offers us another revolutionary definition: **“Heritage conservation is, first of all, preservation of associations and meanings related to heritage...”** (Charter for Places of Cultural Significance, ICOMOS 1999, art. 14). We should also add the content of point 1.3 of the Operational Guide to this idea, which considers the conservation of heritage under the mentioned principles to be the most essential factor for its future (Charter for Places of Cultural Significance, ICOMOS, 1999). Furthermore, shedding light on the issue of heritage restorations and unnecessary interventions, the document adopted in 2013 adds that *“any intervention that is made with the heritage, leading to the loss of one or another detail of cultural importance, in historical, aesthetic, spiritual and social aspects, deprives the heritage from its meaning, destroying it”* (Understanding and assessing cultural significance, ICOMOS, 2013, p.4). Another observation is very noticeable here: *heritage can have cultural significance, regardless of the period of its existence, traditional or modern ideas about beauty, the way*

¹ The historical value of the heritage can also indicate patterns of development of history in the region on a state, national or global basis, a high degree of creative or technical achievements for a certain period, etc.

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Հայ մշակութային ժառանգության բնյութագրման Ադրբեջանի քաղաքականությունը՝ ժառանգության պահպանության միջազգային սկզբունքների (իսկություն, ամբողջականություն, մշակութային կարեկրություն, բացառիկություն) լույսի ներքո

it was built, the number of people who value it (Understanding and assessing cultural significance, ICOMOS, 2013, p.7.). The document outlines another revolutionary interpretation: *“heritage can be in a destructive state, but its cultural importance is preserved and it is physically preserved without internal value and ideology”* (Understanding and assessing cultural significance, ICOMOS, 2013, p.7.). As a matter of course, recognizing the value of both dimensions, the document outlines the destructive nature of the second approach.

3. The next essential criterion for the protection of CH is the integrity of the heritage, the concept whereof began to be formed with the “World Cultural Heritage Convention” of 1972 and further developed until 2012, during the 36th expert meeting of UNESCO in Al Ain (International World Heritage Expert Meeting on Integrity for Cultural Heritage, Al Ain, 2012). In particular, as defined in paragraph 88 of the Operational Guidelines adopted in 2005, *heritage integrity is the measure of integrity and inviolability of cultural areas or sites, their elements and values* (Background Document on the Notion of Integrity, UNESCO, Al Ain, 2012, p. 2.). Therefore, by preservation of integrity we mean *ensuring the integrity of the features and processes that convey the meaning of heritage*. And next, the operational guide makes another important point: *it is important for the preservation of the integrity, so that the heritage is free from the negative consequences of the impact* (Operational Guidelines for the Implementation of the World Heritage Convention UNESCO, 2011). Talking about negative consequences, we mean any human intervention, as well as the natural effects of natural phenomena. In other words, integrity is the completeness of the monument and is mainly related to the complete presentation of the processes related to the monument and the features bearing its importance, where the state of preservation of the attributes is extremely important (Operational Guidelines for the Implementation of the World Heritage Convention UNESCO, 2011, par. 88). Here it is noteworthy to consider two dimensions of arguments: the first of which refers to the presence of elements to fully present the heritage information, and the second to the natural state and integrity of the given elements, which will contribute to the preservation of these properties. Based on the definition given by Herb Stovel, the 36th UNESCO Expert Meeting noted that *“...if authenticity is the ability of heritage to convey its significance, then integrity is the ability of heritage to ensure and maintain that significance over time”* (Stovel, 2007, p. 24-25).

Moreover, the continuous development of the concept of integrity has created an opportunity at UNESCO expert meetings to distinguish the terms *“structural”, “functional” and “visual”* integrity of heritage, to demonstrate the importance of preservation of heritage functions, various processes related thereto, and the totality of visible and sensory elements in the domain of the latter, apart from material elements (Rapport de la Réunion d'experts sur l'Evaluation des Principes généraux et des criteria pour les propositions s'inscription de biens naturels du patrimoine mondial, 1996). While identifying the principles of authenticity and cultural significance, this concept again includes the social and cultural practices, values, economic processes, and intangible values associated with diversity and identity of heritage¹. Focusing on the issue of heritage protection, we can note that protection of heritage in

¹ For example, a monument of religious significance includes its environment, associated practice areas, and ancillary buildings supporting traditional forms of preservation.

accordance with the principle of its integrity presupposes, first of all, *the preservation of attributes that transmit heritage values, while taking into consideration the relationship between individual elements and the whole, including the community* (Operational Guidelines for the Implementation of the World Heritage Convention UNESCO, 2011, par. 119).

As for the harmful human impact, paragraph 90 of the Operational Guidelines gives us further explanation: *“In order to preserve the integrity, all properties of the heritage must be intact”* (Operational Guidelines for the Implementation of the World Heritage Convention UNESCO, 2011, par. 88).

The Operational Manual “World and Natural Heritage” developed by UNESCO in 2005 states that attributes can be tangible and intangible and the form, structure, material, composition, application, function, traditions, techniques of implementation of the material value, management systems, location, environment, language and other forms of intangible CH, as well as spirit and feelings are determined by them (Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2005, par. 88). Integrity, according to UNESCO’s “Operational Guidelines for the World Heritage Convention” published in 2005, is directly related to *the completeness of the monument* (Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2005, par. 88) and means the comprehensive state of all elements and attributes of the monument, and the heritage protection in that case is the protection of complete complex elements. Moreover, in 2018, UNESCO, which has the primary mandate of the United Nations for the protection of the world’s cultural heritage, and a number of international non-governmental organizations in the field, ICCROM, ICOMOS, IUCN, published the manual “Managing World Cultural Heritage” in Paris, where, clarifying particularly the problem of the elements and features of the monument, it was noted: **“Elements of monuments are called features, and they can be the physical properties or composition, as well as natural processes, social programs or cultural activities affecting or related to the physical features of the monument”** (Managing Cultural World Heritage, 2018, 39). In this case, every element and attribute of any cultural value is as important as the heritage itself in its basic structure. And attributes in this sense are not only separate tangible values, but can also include the entire context of inheritance including nature and the people who value it. And moreover, very often it is the CH attributes that give it the essential quality of importance (Managing Cultural World Heritage, 2018, p. 39).

4. The next principle of heritage protection defined by the “World Heritage” Convention of UNESCO of 1972 is the *exclusivity* (Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2005, par. 49-53), according to which, *any cultural heritage is a manifestation of human creative genius, and any destruction of heritage deprives the world of genius creations*. In addition, the unique or at least exceptional evidence of this or that cultural tradition or history of heritage, its aesthetic importance, significant stages of architecture (individual or complex) or human history, significant connection with historical events or living traditions can also be seen in the domain of exceptional comprehensive value, familiarity with ideas or beliefs, artistic and literary works, etc. (Managing Cultural World Heritage, 2018, 39). The most important thing here is that *the documentation and verification of the creative genius or the cultural importance of the heritage belongs to the community that created it and it is the community that decides whether it is genius or not*.

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The directions of misappropriation of Armenian values by Azerbaijan. As it has been repeatedly mentioned by both local and international specialists and professional groups¹, during and after the military operations of the 44-day war unleashed against Artsakh by Azerbaijan, there were many cases of targeting heritage with many violations of international laws. However, it is also worth emphasizing that after the tripartite agreement of November 9 on the cessation of military operations (statement of the Prime Minister of the Republic of Armenia, the President of the Republic of Azerbaijan and the President of the Russian Federation, 10.11.2020), in the already occupied territories of Artsakh, Azerbaijan's operations not only did not stop, but continued with a new momentum, threatening the existence of almost the entire heritage of Artsakh. The basis for such an assertion is that a year after the war, the open policy of destroying the Armenian CH was replaced by *the denial and falsification of the Armenianness and Armenian cultural values, often also the fact of their existence*, creating for Azerbaijan the illusion of a hidden “tolerance” and “multicultural” country. Moreover, the misappropriation policy was mainly implemented with the direct involvement of high state officials, the president, ministers and other political figures and “scientists” working with state support. It is clear from the factual data that all those Armenian monuments are subject to misappropriation, the physical destruction of which would cause additional obstacles from the point of view of international justice, or simply the physical evidence.

It should be noted, however, that the policy of misappropriation is also multi-layered and has many ways of manifestation², but within the scope of the discussion of this article, we have highlighted several dimensions of the latter, the first of which is *the Albanization of the Armenian CH*, and the second one is *the alteration of the function (identity) of spiritual or worldly values (Islamization, Azerbaijaniization, Turkification and Russification)*. The fact that the decision of the International Court of Justice of The Hague (Netherlands) of December 7, 2021³ (The Hague, International court of justice, No. 2021/34, 7 December 2021) did not prevent the above mentioned process, shows Azerbaijan's open intolerance to international principles and reaffirms the determination to implement the policy of erasing the Armenian heritage in every possible way.

Albanization of Armenian cultural heritage. The Azerbaijani state policy makes a clear room for a concept developed in the middle of the 20th century (The Ombudsman of the Republic of Artsakh, 2021)⁴, according to which the Christian Caucasian Albanians, who are now a historical nation, were declared the ancestors of Azerbaijanis, with the aim of uprooting the historical roots of the Armenian people, reducing their right to live and create in the region, making room for the Azerbaijani presence.

¹ After the 44-day war, with the efforts of H. Petrosyan and A. Leiloyan, the website www.monumentwatch.org, “Monument Watch of the Cultural Heritage of Artsakh”, became a reality, where the general and private cases of Azerbaijani anti-Armenian policy are presented within the limits of academic courtesy.

² Among the directions of destruction of Armenian values are physical destruction of heritage, desecration of heritage, robbery and vandalism, use of heritage for military purposes, etc.

³ The court's decision refers to violations of the “International Convention on All Forms of Racial Discrimination” adopted by the United Nations in 1965. According to the decision, Azerbaijan was obliged to take all necessary measures to prevent and punish acts of vandalism and desecration related to Armenian heritage, including but not limited to churches and other places of worship, monuments, landmarks, cemeteries and artifacts.

⁴ The Albanization theory has deep roots in Azerbaijan dating back to the 1950s, when the Azerbaijani academician Ziya Buniatov tried to claim that the ancient churches of Nagorno Karabakh were built not by Armenians, but by the extinct Caucasian Albanians.

As noted by H. Petrosyan, “Besides the atheistic propaganda in terms of the mechanisms of the misappropriation of Armenian heritage by Azerbaijan, the values of the Armenian heritage were destroyed, transformed, re-profiled, the republican monopoly of heritage research belonged to the Azerbaijani scientific community, whose main thesis was to declare the entire Armenian Heritage Azeri-Caucasian Albanian” (Petrosyan, 2010, p. 137-148). The aforementioned theory was implemented by denying the fact of Armenian cultural values, churches and cross-stones and by presenting them as belonging to the Caucasian Albanians (PACE resolution 2583 recognized it as an “Azerbaijani fabrication” (Council of Europe, Resolution 2391 (2021), art. 18:4). That theory has been repeatedly condemned by a number of international researchers. International researcher of Armenian origin Ye. Hambardzumyan notes on this occasion that “the goal of the theory of Albanization, which has been discredited for a long time, or that the goal of continuous erasure of Armenianness, is the elimination of any connection between the disappeared Caucasian Albanians and living Armenians on the one hand, and on the other hand, the connection with the vanished Christian civilization, which claimed to create an ancient and native identity for Azerbaijanis in the South Caucasus” (Ye. Hambardzumyan, “Why Armenian Cultural Heritage Threatens Azerbaijan’s Claims to Nagorno-Karabakh, 2021”). And according to Adam Smith, the Armenian churches, and Dadivank in particular, may not have been created by a kingdom called Caucasian Albania, which existed around the 8th century (Khatchadourian, Smith, The US can help prevent the destruction of cultural heritage in Nagorno-Karabakh. Here’s how, 2020).

After the war, the president of Azerbaijan, contrary to the historical truth (the statement of the Armenian National Academy of Sciences regarding the Armenian cultural genocide program implemented by Azerbaijan in Artsakh), involved totally about 2-3 thousand Christian Udi people¹ living in the territory of Azerbaijan in the policy of denying the affiliation of Armenian spiritual entities of the occupied territories of Artsakh, and took on definite actions, continuously organizing visits of the representatives of the Udi community, practicing actions of disrespecting the real ritual tradition of the Armenian Church: churches of the occupied territories in Dadivank (Azerbaijan declares Dadivank as Caucasian Albanian, Monitoring the cultural heritage of Artsakh), Hadrut Spitak Khach Monastery² (Hadrut Holy Cross Monastery is declared as Caucasian Albanian-Udi by Azerbaijan, Monitoring the cultural heritage of Artsakh), Tsakuri³ (the statement of the President of Azerbaijan about Tsakuri church, Monitoring the cultural heritage of Artsakh), St. Hovhannes Church of Togh (another manifestation of Azerbaijani religious and national “tolerance” in the churches of Tsakuri and Togh, Monitoring the cultural heritage of Artsakh) etc.

Alteration of the function of cultural heritage (Islamization, Azerbaijanization, Turkification, Russification, transformation). Alteration of the function of cultural heritage, or alienating identity, is a part of Azerbaijani policy, in case whereof the intangible elements of heritage (ritual, stories, tradition,

¹ The basis for such practices was the fact that the Udi people are the only Christian descendants of the Caucasian Albanians, making them the “political tool” with which, as the bearers of the Caucasian Albanian culture, they “have the right” to own the Christian heritage of Artsakh.

² It is noteworthy here that the destruction of the identity of Armenian churches is indicated by those visits, and it seems that the visit of the representatives of the Caucasian Albanian-Udi community is the impetus for the destruction of the authenticity and history of Armenian churches.

³ With the rhetoric of the president of Azerbaijan, an attempt is made to deny the Armenianness of the Tsakuri church of Hadrut region, declaring it to be Caucasian Albanian, the cross-stones are considered to have been built or installed during the occupation, and the inscriptions -are a later addition.

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etc.) are deeply damaged. The problem is that the function of heritage is defined by the community from the very moment of creation, becoming part of the way of life of the community that created it. In the context of this concern, we can cite the example of the transformation of the Kataro church by the Azerbaijani armed forces into a meeting place and a place for calling for Muslim prayers (use of the Kataro monastery for military purposes, Monitoring the cultural heritage of Artsakh). Namaz was also performed in the Monastery of St. Yeghishe the Apostle in Mataghis, Artsakh (Udi preaching in St. Yeghishe Church in Mataghis, Monitoring the cultural heritage of Artsakh), as well as in the courtyard of the Holy Asvatsatsatsin Church in Tsakuri (Azan in the courtyard of the Surb Asvatsatsatsin Church in Tsakuri, Monitoring the cultural heritage of Artsakh). Illegal restorations by the Azerbaijanis also caused significant damage to the Holy Ghazanchetsots and Kanach Zham churches (about the Azerbaijani “restoration” of the Ghazanchetsots Saint Amenprkich Cathedral in Shushi, the Kanach Zham Church in Shushi is being destroyed by the Azerbaijanis, Monitoring the cultural heritage of Artsakh), also desecrating the latter’s Christian ritual with illegal rituals, considering it to be Russian Orthodox (about presenting the Kanach Zham Church in Shushi as a Russian Orthodox church and the illegal rituals organized there, Monitoring the cultural heritage of Artsakh). Besides all this, the pastoral function of the structure of the Kanach Zham Church was also transformed, turning it into a cafe (the pastoral house next to the Kanach Zham Church in Shushi was transformed into a cafe, Monitoring the cultural heritage of Artsakh). The Holy Armenian Apostolic Christian Church of Talish has been Russified (the Holy Church of Talish, Monitoring the cultural heritage of Artsakh). Apart from the spiritual heritage, Azerbaijanis have changed the function of the Tigranakert Royal Springs Park, once rich in cultural values in the Askeran region, turning it into a barbecue shop (Azerbaijanis have turned the Tigranakert Royal Springs Park into a barbecue shop, Monitoring the cultural heritage of Artsakh). An obvious act of cultural heritage misappropriation is the renaming of the heritage, the alienation of belonging from its native community, and in pursuit of this, Azerbaijan has ordered to change the Armenian names of villages, regions and cities of Nagorno-Karabakh in the international Google map system, replacing them with Azerbaijani names (at the request of Azerbaijan, Google may remove the Armenian place names of Artsakh from its maps). And as for the Turkification, Azerbaijanization and Islamization of the heritage, it should be noted that according to the press service of the Ministry of Culture of Azerbaijan, this country proposes to include Shushi among the creative cities of UNESCO (Monitoring the cultural heritage of Artsakh). Azerbaijan submitted documents to the UNESCO Secretariat regarding the inclusion of the historical Armenian city of Shushi (the cultural capital of Azerbaijan after the 44-day war) in the “UNESCO Creative Cities Network” (Azerbaijan proposes to include Shushi in the UNESCO “Creative Cities Network”, Monitoring the cultural heritage of Artsakh). In another case, Minister Anar Kerimov confirmed at the 38th International Meeting of Turkic Ministers held in Khiva (Uzbekistan) on September 17, 2021, that “Baku is going to declare Shushi as the “Cultural Capital of the Turkic World” in 2023, activating the ties between the Turkic peoples with “TURKSOY” international organization dealing with the development of common culture (Azerbaijan is going to declare Shush “Cultural capital of the Turkic world”, Monitoring the cultural heritage of Artsakh). Apart from all this, attempts are also being made to declare Yerevan, Syunik and Sevan as Azerbaijani. In

particular, according to the post of Turkish Ambassador to Azerbaijan J. Baghjin, the special collection of teas, released by the Azerbaijani company “Lenkoran Tea” on the occasion of the 100th anniversary of the Kars Treaty, depicts (according to them) the “historical” lands of Azerbaijan, but in fact the sovereign territories of the Republic of Armenia, Sevan and Syunik and the capital Yerevan. According to them, this is a historical injustice, as these territories became a part of the fake “Armenia” as a result of the anti-Azerbaijani policy of the main colonizers of the South Caucasus (Yerevan, Sevan and Syunik are declared by Azerbaijan as “Azerbaijani heritage”, Monitoring the cultural heritage of Artsakh).

Analysis of the principles of authenticity, integrity, cultural significance and exclusivity of cultural heritage in the domain of Azerbaijani misappropriation policy. Thus, with complex claims, we can say that the policy of cultural genocide against the Artsakh CH conducted by Azerbaijan is not limited only to destroying the heritage, destructing and subjecting it to physical violence: *a much more dangerous policy exists and is widely applicable, which, while outwardly preserving the main structure of the CH, alienates the most important thing from it, the Armenian identity, the loss of which could be explained to a certain extent by highlighting the international standards of the authenticity, integrity, cultural significance and exclusivity of the heritage.*

The analysis of the principles of authenticity of heritage allowed us to conclude that Azerbaijan, by distorting historical facts, neutralizes the real tradition of heritage, depriving it of its authenticity. In addition, attributing Armenian values to the Caucasian Albanians, Turks or Azerbaijani, “takes away” the value from its real owners, the Artsakh Armenian community, whose life experience, knowledge and skills have allowed to create this all. From the study of the principle of authenticity, it became clear that *the knowledge that is placed in the basis of the heritage, must be true and reliable.* And the preservation in this case does not mean only the physical preservation of the value, but penetrating the huge domain of the intangible system, *it depends first of all on its perception, awareness of its significance and the fact of preservation with reliable information.* In this context, it was very important to emphasize that the fact of heritage authenticity refers to the credibility or truthfulness of heritage attributes (*form, structure, material, composition, function, tradition, environment, language, intangible elements, spirit, feelings*) and their comprehensive preservation. In addition, for evaluating this or that detail of the CH, it is necessary to consider the value not separated from its context, but on the contrary, in its very domain, emphasizing history, nature and the dominant role of people/Artsakh Armenians in the framework of heritage perception and evaluation. These values the expression of the collective identity of Artsakh Armenians and are viable precisely in the conditions of their communal cultural practices, aren't they? In this context, Azerbaijan's correct perception of the Armenian cultural heritage and preservation of its aesthetic/historical/scientific/social and spiritual significance, regardless of physical preservation is absolutely out of question. And it is clear that presenting itself to the international entities as a multicultural country, where the cultural values of different ethnic groups are preserved, Azerbaijan, by talking about “preservation”, does not mean the preservation of the authenticity of the heritage, but rather the alteration and distortion of the real historical and scientific evidence. That is why the recognition of the characteristics of heritage values in the context of each individual culture (the culture of Artsakh Armenians) is gaining great importance and urgency, because each cultural characteristic is valuable for its own community. In this case, the inclinations of Azerbaijan regarding the affiliation of Artsakh Armenian heritage are obviously based on unreliable and false arguments.

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By studying the principle of integrity, it became clear that the measure of the integrity of cultural areas or locations, their elements and values, and its preservation is the assurance of the integrity of the features and processes that convey the meaning of heritage. Here, the importance of preserving the heritage from the negative effects of human factors was emphasized, which, unfortunately, cannot be realized for many monuments existing in the occupied territories. As a result of Azerbaijan's policy, the completeness of Armenian monuments is undermined, because the possibility of passing the heritage with its main function, its details, elements and attributes to generations is neutralized. It was also very noticeable that the heritage will maintain its integrity if it is under the protection of a community that values it. When the president and ministers of Azerbaijan declare that the Armenian heritage of the territories under their control belongs to Azerbaijan and is protected by the state, a serious question arises: how can we consider the heritage preserved if the historical and other aspects of it are completely destroyed by the Azerbaijani propaganda machine by Russifying and Turkifying it alongside with Albanization?

By studying the aesthetic, historical, scientific, social, and spiritual aspects of cultural significance, we found out that the idea, the feelings, the heritage potential, the information carried can often be more than the structure itself. Referring to the restoration of the Holy Ghazanchetsots and Kanach Zham churches in Shushi and other illegal Azerbaijani restorations, we would like to just note that this is also an attempt to appropriate the heritage. In this case, any change in the heritage should not undermine the cultural significance of the value, which is primarily in the domain of ideological and related values, because among the aspects of the significance of the heritage, not only the physical, but also the nature of the heritage, the relationship between it and its various parts, and cultural impacts influencing the form and structure of the heritage are valuable, the significance of the site for the people and their descendants who use or have used it, the historical content of the heritage, the scientific potential and any other factors relevant to the perception of the heritage. In fact, the privacy of heritage is determined by these very values, which Azerbaijan is fervently harming. And even if *talking about cultural heritage we mean only the material structure without its peculiarities, then it cannot have the importance and exclusivity by which a cultural value is recognized*. After these complex details, we can record that any act of misappropriation of Armenian cultural values by Azerbaijan leads to the violation or distortion of this or that attribute of the heritage, and this may lead to the impossibility of preserving the cultural significance.

Even in the case of an exclusive comprehensive value, we noticed that any value is exceptional in its own nature and apart from the fact that the given community values its heritage in the way it wants, there can be no other system that claims that the given heritage does not have the right to be considered a cultural value. And even if the heritage of Artsakh Armenians means nothing for Azerbaijan, this does not result in the worthlessness of the heritage, but in the fact that the state/individual/community does not have the will and ability to appreciate the heritage in its true nature.

In this case, the appropriated Christian and secular monuments of Artsakh are the embodiment of the creative genius of the Artsakh Armenian community, they contained valuable information about the history of Artsakh, spiritual ideas, etc. And their alienation was not only from the people of Artsakh,

but from the whole “civilized” world. And although it is confirmed that the *World exceptional value means the importance of cultural and/or natural heritage, which is exclusivity beyond national borders, as well as general importance for the present and future generations of mankind* (Operational Guidelines for the Implementation of the World Heritage Convention, UNESCO, 2005, par. 49), Azerbaijan perceives it only within the narrow limits of national hatred.

Conclusion. Today, we are witnessing a reality when in the occupied territories of Artsakh, by distorting historical facts, by illegal rituals or restorations, by alteration of the main function of heritage, i.e. by neutralizing the real tradition of heritage, Azerbaijan alienates the cultural identity of Artsakh Armenians, declaring it Caucasian Albanian, Turkic, Islamic, etc. The Azerbaijani propaganda machine deprives the Artsakh Armenians and the whole humanity of the reliable and true knowledge about the heritage created by the Artsakh Armenian ethnic community, which should allow understanding the real type, characteristics, significance and history of the Armenian cultural heritage. With the presentation of the international standards of heritage protection, it became clear that it is important to preserve the natural principles of heritage, the real cultural tradition and to present it to the generations with such elements. The function of heritage is closely related to the principles of the latter’s identity, because it is complete only with the function that makes it complete. And when, in fact, the meaning and history of the heritage of Artsakh Armenians are distorted, it is also deprived of its cultural significance, because the real possibility of transferring the heritage with its main function, its details, elements and attributes to generations is neutralized. And along with all this, the heritage cannot be complete, because alienation of any attribute already undermines the completeness of the heritage, the possibility of preserving its complex elements.

We can record that any act of misappropriation of Armenian cultural values by Azerbaijan is as dangerous as physical annihilation, sometimes even with ideological destruction it becomes more dangerous than physical. Affirming also that heritage is a **universal value**, a masterpiece of human creative genius, and **the responsibility of its management is even beyond national importance**, the alienation of this or that unique cultural tradition or unique evidence of history of the Artsakh Armenian community is a cruel attempt to impoverish not only the people of Artsakh, but also all the “civilized” world.

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Art and Culture/ Արվեստ և մշակույթ

Azerbaijan's Policy Regarding Misappropriation of Armenian Cultural Heritage in the Light of International Principles (Authenticity, Integrity, Cultural Significance, Outstanding Universal Value) of Heritage Protection

Հայ մշակութային ժառանգության բնյութագրման Ադրբեջանի քաղաքականությունը՝ ժառանգության պահպանության միջազգային սկզբունքների (իսկություն, ամբողջականություն, մշակութային կարեկրություն, բացառիկություն) լույսի ներքո

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