

THE ISSUE OF PROTECTION, RESTORATION AND CONSERVATION OF HISTORICAL MONUMENTS IN THE CONTEXT OF AZERBAIJANI MONUMENTS IN THE SOUTH CAUCASUS

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ABSTRACT

Historical monuments and other forms of material culture constitute important sources for the study of Azerbaijan's social, cultural, and architectural history. This article examines the development of the legal and institutional framework for monument protection in Azerbaijan, with particular attention to the transition from the Soviet administrative system to the policies adopted after independence. It analyzes the role of state programs, national legislation, and cooperation with UNESCO, ICOMOS, ICCROM, and other international organizations. The article also considers the effects of armed conflict and changes in territorial control on cultural heritage in and around Karabakh, as well as the inventory, conservation, and restoration measures undertaken after 2020. Rather than treating legislation and restoration projects as isolated measures, the study places them within a historical sequence and evaluates the relationship between institutional capacity, documentation, physical preservation, and post-conflict reconstruction. It concludes that effective heritage protection requires reliable inventories, transparent assessment, professional conservation standards, and sustained cooperation with relevant international institutions.

Keywords: Historical monuments, Cultural heritage, Restoration and conservation, Karabakh, Legal framework

1. INTRODUCTION

Historical monuments are primary sources for the study of political, social, religious, and cultural change. In Azerbaijan, archaeological sites, architectural monuments, and other examples of material culture document long-term settlement and the interaction of different communities and traditions in the South Caucasus. Their scholarly significance therefore extends beyond their symbolic value: their physical fabric, location, inscriptions, and successive alterations provide evidence that can be examined through historical, archaeological, and architectural methods.

The protection of this heritage has developed through several administrative stages. The late Soviet system relied on centrally approved monument lists and specialized state bodies. After Azerbaijan regained independence, the institutional structure was reorganized, new legislation was adopted, and cooperation with international heritage organizations expanded. Armed conflict and prolonged restrictions on access to a substantial number of sites created additional problems of documentation, maintenance, and damage assessment. Following the restoration of Azerbaijani control over a number of territories in 2020, inventory and reconstruction became central components of state heritage policy.

This article traces that institutional evolution and examines the relationship between legislation, administrative capacity, international standards, and post-conflict restoration. The analysis also distinguishes between documented physical conditions, official assessments, and political interpretations. This distinction is necessary because cultural heritage in conflict settings can become part of competing historical narratives, while conservation requires verifiable evidence and consistent professional standards.

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2. INSTITUTIONAL DEVELOPMENT OF MONUMENT PROTECTION

Azerbaijan's present system of monument protection retains elements of the Soviet administrative legacy. The lists of monuments placed under state protection were approved by the Cabinet of Ministers in 1968, 1981, and 1988. The last Soviet-era list was prepared on the basis of earlier lists that had equivalent legal status. After independence, buildings and structures directly associated with revolutionary and communist ideology, including monuments dedicated to political leaders, were removed from the register (Hacıyev, 2010, p. 14). This process illustrates how a change in political order affected not only heritage administration but also the criteria by which particular objects were recognized as historically significant.

Until 1992, the Department of Monument Protection under the Ministry of Culture was responsible for the preservation of historical and cultural monuments. In 1992, the State Committee for the Protection and Restoration of Historical and Cultural Monuments was established under the Cabinet of Ministers. It operated until 2000 and assumed responsibility for the protection and use of monuments throughout the republic. Contemporary assessments indicate that the transfer of authority was accompanied by institutional and professional difficulties that reduced administrative effectiveness. After the committee was abolished, its functions returned to the Ministry of Culture, where the General Department for the Protection, Restoration and Use of Historical and Cultural Monuments was established (Məmmədov, 2006, p. 77).

This sequence demonstrates that formal reorganization alone did not ensure continuity in preservation. The effectiveness of a heritage institution also depended on professional expertise, stable management, accurate documentation, and the allocation of responsibility among central and local authorities. The post-2000 return of relevant functions to the Ministry of Culture can therefore be understood as an attempt to restore institutional coordination after a period of administrative fragmentation.

The list approved by the Cabinet of Ministers on August 2, 2001 remained substantially dependent on Soviet-era documentation. As a result, inaccuracies concerning the identification, location, and classification of some monuments continued into the post-independence system. This dependence on inherited records explains why the preparation of a new inventory became a recurring policy objective. The number of registered historical and cultural monuments, reported as exceeding 6,300, further illustrates the scale of the administrative task (Kalankatuklu, 1993, p. 78).

The State Program for the Restoration and Protection of Immovable Historical and Cultural Monuments and the Improvement and Development of Historical and Cultural Reserves for 2014-2020, approved by presidential decree on December 27, 2013, represented an effort to address the limitations of the inherited system. It connected protection, restoration, conservation, research, and public presentation within a single policy framework. Its importance lies not only in the number of proposed activities but also in the recognition that legal status, documentation, physical preservation, and scholarly research are interdependent.

Article 2.1.1 of the State Program provided for the compilation and approval of a new list of immovable historical and cultural monuments under state protection. Article 2.1.3 called for the improvement of legal acts governing immovable monuments and historical and cultural reserves. These provisions addressed two linked problems: an incomplete or inaccurate register can weaken legal protection, while legal rules cannot be implemented effectively when the identity, boundaries, and physical condition of protected sites are uncertain.

Article 2.2.3 addressed the determination of monument boundaries and protection zones, passporting, mapping, and the creation of databases that meet contemporary requirements. These measures are essential to historical research because the scientific value of archaeological and architectural evidence depends substantially on its state of preservation and documentation. Once a monument or its context has been severely altered, the recovery of reliable information becomes more difficult.

Article 2.3.7 provided for the publication of books on immovable cultural heritage situated in territories that were then outside Azerbaijani control (Azərbaycan Respublikası, 2014). The implementation of this

objective required an accurate inventory, a scientific information base, electronic maps, and publications in Azerbaijani and other languages. A related draft State Program for 2020-2030 was prepared by the Ministry of Culture together with the Public Union 'Organization for the Protection of Historical and Cultural Monuments in the Occupied Territories of Azerbaijan.' It proposed measures for protection under international law, damage assessment, research, and the prevention of destruction or appropriation (Mədəniyyət. 2022).

The domestic legal framework includes Article 77 of the Constitution of the Republic of Azerbaijan, which defines the protection of historical and cultural monuments as a civic duty, as well as the laws 'On Culture' of February 6, 1998 and 'On the Protection of Historical and Cultural Monuments' of April 10, 1998. These provisions operate alongside international instruments, including the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage and the 1992 European Convention on the Protection of the Archaeological Heritage (Azadinform.2021).

Monuments are classified as being of world, national, or local significance on the basis of the opinion of a designated scientific organization and a decision by the relevant executive authority. Construction, reinforcement, improvement, conservation, repair, restoration, reconstruction, and regeneration concerning state- or municipally owned monuments are financed through state and local budgets under the applicable administrative decision (e-qanun). The same framework assigns the relevant executive authority responsibility for compiling and approving classifications in accordance with international standards (Azərbaycan Respublikası.2014).

The legal framework distinguishes among conservation, restoration, reconstruction, and regeneration. Conservation is intended to stabilize existing material, including through protective layers, groundwater control, enclosure, and other measures that reduce environmental damage. Restoration seeks to preserve or recover historically substantiated features. Reconstruction requires particular caution because attempts to recreate an assumed original appearance on the basis of legends, drawings, or engravings may introduce elements that cannot be verified from the surviving fabric. Accordingly, authenticity and documentary evidence should guide intervention decisions.

Azerbaijan has sought to develop international cooperation in cultural heritage preservation by studying foreign experience and participating in the activities of UNESCO, ICOMOS, ICCROM, and other organizations. Azerbaijani specialists have attended international conferences and professional sessions, while selected examples of the country's heritage have been included in UNESCO frameworks (Mədəniyyət. 2022). Such cooperation supports professional exchange and international visibility, although inclusion in an international list does not replace the need for effective domestic monitoring, maintenance, and documentation.

Restoration and conservation have generally been financed from the state budget, local budgets, private contributions, and assistance from foreign or international organizations. The restoration of the small German church known as the Kirkha or Kappelhaus in Baku, financed by the German government, illustrates the role that bilateral cooperation can play. International participation may provide specialized expertise and resources, but sustainable preservation continues to depend on local institutional capacity and long-term maintenance after a project is completed.

April 18 is observed as the International Day for Monuments and Sites following the initiative associated with ICOMOS in 1982 and its approval by UNESCO in 1983. The day is intended to increase public awareness of the diversity and vulnerability of cultural heritage. In the Azerbaijani context, it has also provided a forum for discussing the condition of monuments affected by conflict and restricted access (Ombudsman, 2022).

3. CONFLICT, TERRITORIAL CHANGE AND CULTURAL HERITAGE

The Karabakh conflict altered demographic patterns, administrative control, and access to cultural sites.

These changes affected the ability of Azerbaijani institutions and specialists to inspect, maintain, and document monuments over an extended period. A historically rigorous assessment of this heritage must therefore consider both direct physical damage and the institutional consequences of disrupted access. It must also distinguish evidence obtained through field inspection from statements made before access was restored.

The Azikh and Taglar caves are significant prehistoric sites in territories over which Azerbaijan re-established control following the 2020 war. Finds from these caves were displayed in the exhibition 'The First Inhabitants of Europe' at the Museum of Man in Paris in 1981. At a conference held on April 18, 2017, Ombudsman E. Suleymanova and V. Isayev stated that military use and other activity during the period of Armenian control had damaged the caves and other cultural sites; they also described measures pursued by Azerbaijani state institutions in response. These statements document official concerns, but comprehensive assessment requires field-based archaeological and conservation reports capable of identifying the type, date, and cause of each alteration.

Political commentary has also been used in debates over the history of the region. For example, Russian political scientist Modest Kolerov discussed the history of Yerevan and the Irevan Khanate in a 2016 interview (Hacıyev, 2010). Such commentary may illustrate contemporary political narratives, but it should not be treated as a substitute for archival sources, demographic records, archaeological evidence, or peer-reviewed historical research. Its inclusion is therefore relevant primarily to the study of memory politics and competing interpretations of the past.

Reports concerning monuments in territories formerly under Armenian control describe destruction, alteration, lack of maintenance, and the reuse of religious buildings. Because the causes and chronology of damage may differ from site to site, broad collective labels are analytically insufficient. A more precise approach is to classify documented cases according to intentional destruction, military use, neglect, environmental deterioration, unauthorized alteration, removal of inscriptions or decorative elements, and incompatible new construction. This classification makes it possible to compare evidence and to assess responsibility under applicable legal standards (Hacıyev, 2010, p. 55).

The reported condition of Islamic religious heritage is particularly serious. According to figures cited in the article, 63 of 67 officially operating Muslim mosques in Karabakh and seven surrounding districts were completely destroyed, while four were partially damaged and rendered unusable. The surviving structures included the Agdam Friday Mosque and the walls of the Ashaghi Govhar Agha, Yukhari Govhar Agha, and Saatli mosques in Shusha. Reports that some mosque buildings were used to keep animals have been presented as evidence of use inconsistent with their religious and cultural function (Mahmudov & Şükürov, 2005, p. 56). Independent documentation of individual sites, including dated photographs, architectural surveys, and material analysis, is necessary for a legally and historically robust assessment.

The dispute also includes allegations that monuments were altered or supplied with new decorative elements and masonry in ways that changed their historical attribution. Such claims should be evaluated through comparative photographs, conservation records, inscriptions, material analysis, and documentation of restoration interventions. The same evidentiary standard should apply to all monuments regardless of their religious or ethnic association. This approach reduces the influence of political rhetoric and places authenticity, provenance, and physical evidence at the center of the analysis.

The protection of cultural property during armed conflict is governed principally by the 1954 Hague Convention and its protocols. In 2012, Azerbaijan initiated discussion within the UNESCO Committee for the Protection of Cultural Property in the Event of Armed Conflict concerning the protection of cultural property in occupied territories (AzərTAc, 2022). The committee requested the Secretariat to prepare a document addressing the legal provisions applicable to occupied territories and mechanisms for their implementation. This process provided a framework through which states could raise documented concerns and seek international consideration.

The practical value of international mechanisms depends on access, reliable evidence, and the willingness of the relevant parties and institutions to conduct or facilitate assessment. Where international fact-finding missions are absent, later inventories may help establish physical condition but can face difficulties in determining when particular damage occurred. Claims for responsibility or compensation therefore require site-specific evidence, a defensible methodology for valuation, and a clear connection between the documented act and the applicable legal obligation.

The article identifies the 1954 Hague Convention, the European Convention on the Protection of the Archaeological Heritage, and the Convention Concerning the Protection of the World Cultural and Natural Heritage as relevant instruments [medeniyyet.az]. These instruments establish important principles, but their application should be analyzed separately because they differ in subject matter, enforcement mechanisms, and the obligations they impose. A general reference to multiple conventions is not sufficient by itself to establish the legal characterization of a particular event.

4. INVENTORY AND POST-2020 RESTORATION

Following the 2020 change in territorial control, the Azerbaijani government began a preliminary inventory and monitoring process under Presidential Decree No. 1170 of October 29, 2020, “On the Organization of Temporary Special Management in the Liberated Territories of the Republic of Azerbaijan.” Representatives of the Ministry of Culture monitored monuments and other cultural institutions to record their condition and establish measures for initial protection.

By the end of the reporting period cited in the article, 312 historical and cultural monuments had been monitored, and 106 additional objects of historical, architectural, or archaeological significance that were not included in the state register had been identified. Monitoring also recorded 571 cultural institutions: 286 libraries, 237 houses of culture and clubs, 19 museums, 24 children's music schools, one cinema, two theaters, and two galleries. Most were reported to be in a destroyed or severely damaged condition. The inventory was presented as a response to the absence of international fact-finding missions during the preceding period (Mahmudov & Şükürov, 2005, p. 45). The results were used to describe the condition in which the territories came under Azerbaijani administration.

Site-specific reports include the destruction of four nineteenth-century tombs in the Karagach cemetery, among them the tomb of Ugurlu Bey (Qarabağ Azərbaycanlı İcması, 2022). Such examples demonstrate why the inventory should record coordinates, legal status, architectural description, photographs, material condition, evidence of earlier interventions, and the degree of urgency. A standardized record enables later comparison and reduces the risk that reconstruction will proceed without sufficient documentation.

The State Program and post-2020 monitoring should be viewed as successive stages in the same policy process. The earlier program identified weaknesses in registers, protection zones, databases, and legal regulation; the later monitoring supplied new field data from territories that had previously been inaccessible to Azerbaijani institutions. The effectiveness of the restoration phase therefore depends on whether these new observations are integrated into a transparent and regularly updated national information system.

A round table held at the Heydar Aliyev Center on December 13, 2021 addressed the goals, challenges, methods, and prospects of cultural heritage restoration in the territories where Azerbaijani control had been restored. Presidential Assistant Anar Alakbarov described ongoing construction and restoration measures (Azərbaycan tarix yazır). Local specialists were joined by experts from Great Britain, Bulgaria, Italy, Latvia, Austria, Russia, Turkey, and other countries. The stated approach was to include monuments of different religious affiliations and to preserve their authentic appearance through international conservation methods.

The Heydar Aliyev Foundation has participated in both restoration and the construction of new religious and cultural facilities. In August 2021, work was completed on the museum-mausoleum complex of Molla Panah Vagif in Shusha, following reconstruction that began in February. The bust of Molla Panah Vagif

and the statue of composer Uzeyir Hajibeyli were also reinstalled. These projects reflect the use of heritage restoration as part of urban reconstruction and cultural policy. Their historical evaluation should consider not only completion dates and institutional sponsorship but also conservation methodology, documentation of original fabric, reversibility of intervention, and long-term management.

At the same round table, Manfred Wehdorn of the Austrian company Wehdorn Architekten characterized the work in Karabakh as part of the revival of the region. Francesco Giordano, chief architect of Simmetrico, stated that the proposed new Shusha mosque would refer to local building traditions through materials such as stone and wood. Architect Adalat Mammadov reported that the remains of the nineteenth-century Zangilan mosque had been conserved while a new mosque was being constructed nearby. This distinction between conserving a damaged historic structure and building a new religious facility is important: the two activities serve different purposes and should not be described as the same form of restoration.

Official discourse has also emphasized the protection of Christian monuments, including churches associated with Caucasian Albania, alongside the restoration of Muslim religious heritage (Mahmudov & Şükürov, 2005, p. 42). From a conservation perspective, the appropriate standard is equal protection based on historical evidence, legal status, authenticity, and condition rather than the present religious affiliation of a monument.

A briefing held at the National Art Museum on November 6, 2021 discussed the condition and attribution of cultural heritage in the affected territories. Deputy Head of the State Service for the Protection, Development and Restoration of Cultural Heritage Azad Jafarli referred to allegations concerning the Gazanchilar church and to Soviet-era documentation, including a passport issued in 1987. He also stated that the church had undergone several interventions after the occupation of Shusha. These competing claims should be evaluated through the original monument passport, archival plans, photographic comparison, inscriptions, and a technical examination of construction phases. Politically charged characterizations do not contribute to historical analysis; identifying the evidence for each interpretation does.

5. CONCLUSION

The historical development of monument protection in Azerbaijan reveals three related transitions. First, the administrative system moved from Soviet registers and centralized management to a national legislative framework after independence. Second, the focus of policy expanded from legal designation toward digital documentation, protection zones, conservation, public presentation, and international cooperation. Third, the restoration of territorial control in 2020 transformed a long-standing problem of inaccessible heritage into an immediate program of inventory, stabilization, and reconstruction.

These transitions also reveal persistent limitations. Inherited registers contained inaccuracies; institutional reorganization sometimes weakened professional continuity; and the absence of access or international monitoring complicated the verification and dating of damage. Post-conflict reconstruction creates an additional risk: rapid rebuilding may conflict with the slow, evidence-based procedures required for conservation. Effective policy must therefore distinguish emergency stabilization, conservation of surviving fabric, restoration based on reliable documentation, and new construction inspired by historical forms.

The geopolitical and demographic history of the South Caucasus has made cultural monuments central to competing claims of identity and territorial belonging. This context explains the intensity of public language surrounding them, but it also makes neutral terminology especially important. Terms that assign collective guilt or characterize entire peoples do not identify actors, dates, evidence, or legal responsibility. Scholarly analysis should instead specify the institution or armed formation concerned, the documented action, the affected site, the source of the evidence, and the relevant legal rule.

The role of UNESCO, ICOMOS, and related bodies should likewise be assessed critically. International

recognition can promote heritage and facilitate expertise, but it does not automatically produce monitoring access, funding, enforcement, or maintenance. Domestic institutions remain responsible for accurate inventories, professional project supervision, public reporting, and the protection of monuments associated with all communities that have contributed to the region's history.

The protection of historical monuments in Azerbaijan has evolved from a Soviet-era system of registers and specialized departments into a broader framework based on national legislation, state programs, international cooperation, and post-conflict monitoring. The 2014-2020 State Program identified key structural needs, including updated inventories, protection zones, passporting, mapping, databases, legal improvement, and publication. The monitoring initiated after 2020 extended this process into territories that had long been inaccessible to Azerbaijani heritage institutions.

The available material indicates extensive damage to monuments and cultural institutions, but historically and legally persuasive conclusions require site-specific documentation and transparent methods. Neutral academic terminology does not minimize the seriousness of destruction; it makes claims more precise and testable. Future policy should therefore prioritize emergency stabilization, authentic conservation, comprehensive digital records, independent professional assessment where feasible, and equal protection for monuments of different religious and cultural traditions. International cooperation can support these objectives, but sustainable results depend on institutional continuity, scholarly scrutiny, and long-term maintenance.

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