

**ELSHAD ABDULLAYEV**

**THE NAGORNO-KARABAKH  
PROBLEM IN THE LIGHT  
OF INTERNATIONAL LAW**

*"...Considerable parts of the territory of Azerbaijan are still occupied by Armenian forces and separatist forces are still in control of the Nagorno-Karabakh region "*

*Council of Europe  
Parliamentary Assembly  
Resolution 1416  
Strasbourg, 25 January, 2005*

*TƏHSİL  
BAKU-2005*



*"Nagorno-Karabakh is an integral part of Azerbaijan... Azerbaijan will liberate its territory from occupation at whatever cost."*

HAYDAR ALIYEV

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«TAHSIL»  
PUBLISHING HOUSE  
BAKU-2005

**81.2 Ing.**  
**A14**

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**Dr. Elshad Abdullayev**

**A 14** The Nagorno-Karabakh problem in the light of international law.  
Publishing house «Tahsil», 2005, 224 p.

The book investigates the background of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, which has turned into a national problem of our people, the course of negotiations on settlement of the issue, as well as the fairness of the international community's position regarding this issue. The author's primary intent is to deliver to readers the real essence of a very complex problem, which endangers peace and stability in the entire South Caucasus today, also to prove the necessity for the world community to be guided by fair criteria in relation to the issue. The book is a valuable aid for those wanting to shed light on the reasons of the Nagorno-Karabakh conflict, which affects negatively the life of not only Azerbaijan people, but also all the peoples of the region as well.

**A 4702060204 2005**  
**053**

**81.2 Ing.**

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*Nagorno-Karabakh problem can be solved only based on international legal norms*

*The resolution adopted by European Council Parliamentary Assembly considers aggressive Armenia an invasive state and the fictitious Nagorno-Karabakh government a separatist regime*

Putting an end to aggression by Armenia against our country is the main goal of the Azerbaijan state. Recently many significant steps and urgent measures have been taken in this field for restoration of the territorial integrity of our country. This policy, founded by the national leader Heydar Aliyev and followed successfully by the President Ilham Aliyev, has produced real results and created a basis for international exposure of Armenia's aggression. Azerbaijan has succeeded in bringing the Armenian aggression to the agenda of different international organizations and achieved adoption of respective resolutions. Recently, one more resolution by the European Council Parliamentary Assembly was adopted in regard to the conflict.

The articles contained in the resolution put forward the EC's admission of the fact that Armenia has occupied Azerbaijan territories, and condemn this act of aggression. Let's note that the EC has always kept the Armenia-Azerbaijan, Nagorno-Karabakh conflict in the focus of attention. However, unfortunately, in many cases, the EC adhered to an unfair position but after the admission of our country to membership in the organization in 2001 the situation changed. 1992, following the official appeal to the European Council on providing Azerbaijan with the status of "specially invited guest", the organization adopted several significant documents concerning the settlement of the conflict. One of them was adopted in February 1992 at the European Council Parliamentary Assembly's Committee for Relations with the Non-EC European countries. The statement reflecting the EC's position concerning the conflict expressed concern over the deterioration of the situation in Nagorno-Karabakh and recommended that the parties concerned stop the fighting and settle the conflict peacefully. On March 12, 1992, the Committee of Ministers of the European Council adopted as well a statement on the conflict. This document neither assessed the problem objectively, nor reflected its essence.

In April 1993, the EC Committee of Ministers adopted one more statement regarding the Armenia-Azerbaijan, Nagorno-Karabakh conflict. In this statement, the EC Committee of Ministers backed the UN requirements concerning restoration of peace in the region and cessation of hostilities. However, it did not mention Armenia as the invader at all.

In January 1994, while delivering the initiative of holding a meeting concerning the settlement of the conflict in Strasbourg, the EC Committee for Relations with the Non-EC European countries invited representatives of the separatist regime in Nagorno-Karabakh to negotiations as well. This led to an annulment of the meeting and the Azerbaijan side did not join the negotiations.

In July the same year, negotiations concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict were conducted in Strasbourg at the initiative of the European Council. Azerbaijan took part in these negotiations taking into account the necessity of relations with the EC. The meeting decided to send a delegation to the region. On November 14, the delegation visited Azerbaijan. A few days before that, on November 10, the European Council Parliamentary Assembly had adopted its first resolution on the Armenia-Azerbaijan, Nagorno-Karabakh conflict. This resolution titled "On the conflict in Nagorno-Karabakh" did not provide a fair assessment of the problem and distorted its essence.

On June 28, 1996, Azerbaijan received the status of "specially invited guest" to the European Council. In April 1997, the EC PA adopted one more resolution on the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The resolution "On the Conflicts in Caucasus" stressed the necessity of the EC's assistance in the settlement of the conflicts in Abkhazia and Nagorno-Karabakh. The document's clause dedicated to the Nagorno-Karabakh conflict reflected the release of the occupied territories and peaceful regulation of the conflict as a recommendation by the European Council. However, one of the resolution's negative points was that it emphasized the necessity of Azerbaijan, Armenia, and Nagorno-Karabakh conducting direct negotiations. This again meant that the separatist regime in the Nagorno-Karabakh was acknowledged as an independent side, and therefore was of no real meaning.

On June 28, 2000, the EC PA adopted a decision to accept Azerbaijan as a full-fledged member to the organization. On January 17, 2001, the EC Committee of Ministers made a similar step by providing this decision with legal force. That year on January 25, the ceremony of Azerbaijan's acceptance to the European Council took place and thus, a new stage started in the history of our country's relations with Europe.

Due to the initiative and the diplomatic activity by the head of the delegation representing Azerbaijan at the EC PA, Ilham Aliyev, deputies from Azerbaijan managed to take significant measures aimed at international exposure of Armenia's invasive policy. Exactly due to this, official information at the 108th session of the EC Committee of Ministers assessed the occupation of Azerbaijan territories by Armenia as an aggressive policy.

On April 24, 2001, the Azerbaijan delegation took an active part at the discussions on the "Struggle of Europe against Economic and Transnational Organized Crime" at the EC PA session in Strasbourg. Mr. Ilham Aliyev delivered a speech at the discussion and mentioned the issues worrying our country: "Azerbaijan is particularly concerned over this issue. Because one of the centers of organized crime in Europe is exactly in our territory. The region called "The Republic of Nagorno-Karabakh" is not controlled either by the Azerbaijan government bodies or by any international organization responsible for the struggle against this crime". During the session, our delegation prepared and spread among the deputies a special draft document concerning the presence of Azerbaijani hostages and captives in Armenia and Nagorno-Karabakh. This document showed that as a result of the occupation of Azerbaijani territories,

4959 persons have vanished. One thousand ninety two of them were released from 1992 to 2001, and 176 of them are deceased. The document points out that there are 783 captives, including 18 children, 43 women, and 56 older men on the territory of Armenia and in occupied Azerbaijani lands.

Many deputies from Hungary, Russia, Luxemburg, Spain, Turkey, Netherlands, Latvia, Lithuania, Sweden, the Ukraine and other countries, signed the document, and the draft spread among the parliamentary delegations of the states taking part at the EC PA session.

The documents, prepared by the Azerbaijan delegation on destruction and appropriation of Azerbaijan cultural monuments by Armenians, destruction of the ecological balance by Armenia in the invaded lands of Azerbaijan, both reflect the tragic results of the Armenian aggression against our country.

In the period hereafter, our delegation succeeded as well to spread many important documents exposing Armenia's aggression. The proposals on the discussion of the Armenia-Azerbaijan, Nagorno-Karabakh conflict at the EC PA, are the following: "Education rights of the refugees and internally displaced persons (IDPs) in Azerbaijan in the context of further development of education in Europe", 2) "On the nuclear technologies and nuclear wastes in the occupied territories of the Azerbaijan Republic", 3) "On Observation of International Principles and Rules in the Member States of the EC". The report delivered by the chairman of the EC PA Committee for Migration, Refugees & Demography Rut-Gabi Vermot-Mangold on "The state of the refugees in Armenia, Georgia and Azerbaijan", and the report made by Ali Abbasov, member of our delegation on "The State of Culture in the South Caucasus", and other significant documents indicated the facts that approximately one million people have been driven out of their lands due to the occupation of Azerbaijan territories by Armenia and that is an act of invasion. Massive terror and acts of genocide have been committed against

the people of Azerbaijan, and monuments of historical culture have been savagely destroyed.

In the summer session of 2001, the Azerbaijan delegation had sent an inquiry by Milli Mejlis delegation at the European Council Parliamentary Assembly to the EC Committee of Ministers about Armenia, about the refusal by Armenia to recognize the territorial integrity of Azerbaijan at the 108th session of the European Council Committee of Ministers. This inquiry marked that non-recognition of Azerbaijan's territorial integrity by Armenia did not correspond either to the EC PA principles or in general, the principles of international law. The Azerbaijan delegation wanted to know the official position of the EC PA about the issue. Discussions based on the inquiry were held and the Committee of Ministers declared officially that it admits the principle of inviolability of Azerbaijan's territorial integrity and invited Armenia to sign this document as well. Consequently, Armenia changed its position on the issue and signed the document.

The summer session of 2003 conducted discussions on the "Positive experience of autonomous regions in Europe". At the proposal of Mr. Ilham Aliyev, a provision was added to the document about autonomous regions having no right to violate the territorial integrity. Despite the grave resistance by the Armenians, the sentence "grant of autonomy should be based on the sovereignty and territorial integrity of the state itself was added to the document. This was actually a very important measure that put a wall before the claims of the Nagorno-Karabakh separatist regime for independence.

One of the essential accomplishments of the many-branched activity of the Azerbaijan delegation at the EC PA is that it achieved an appointment of a reporter on the Nagorno-Karabakh conflict. The discussions conducted at the winter session of the EC PA in 2005, as well as the resolution adopted, prove the success of this step once more. The report prepared by the EC PA deputy David Atkinson "On the Nagorno-Karabakh conflict" was put to discussion at the EC PA Committee for Political Affairs and presently, that document is included in the agenda of the Parliamentary Assembly. The report points out the control over seven Azerbaijan regions by the Armenian army and separatist Armenian forces, realization of large-scale ethnic clearance operations in these territories, implementation of the plan of creation of a mono-ethnic territory, the necessity of protecting the state sovereignty, as well as the interests of Azerbaijani and Armenian communities at the settlement of the issue, and other significant matters. "Hundreds of thousands of people are still living in grave conditions as internally displaced persons. Considerable parts of Azerbaijan territories are still occupied by Armenian forces and separatist forces are still in control of the Nagorno-Karabakh region" says the resolution.



The second clause of the document severely criticizes the ethnic clearance policy run by Armenia and states that the EC PA condemns such kind of actions: "The Assembly expresses anxiety of that the military operations and the ethnic hostility widely spread prior to these operations have led to wide-scale driving out of people from their native lands for their national identity and creation of mono-ethnic territories resembling a horrible ethnic clearance conception". As it is known, Armenia, which has grossly violated the principles of international law, is presently trying to strengthen the results of its military aggression and implementing the policy of illegal settlement of Armenian population in the occupied territories of Azerbaijan. This is an integral part of the mono-ethnic territory plan, whereas this kind of policy contradicts the articles of international law, as well as those of the IV Geneva Convention adopted in 1949 on Protection of Civilian Population at Wars, which has been repeatedly mentioned by the Azerbaijan President.

The EC PA has assessed the fact of the occupation of the territories of one member-state, Azerbaijan, by another member-state, Armenia, as a rude violation of norms of international law, as well as the principles adopted by the EC. "The Assembly repeats once more that the occupation of a foreign territory by a member-state is a serious violation of this state's liability as a member of the European Council and confirms once more that the internally displaced persons from the conflict territory have the right to return to their places with safety and dignity". Let's note that this issue has been raised before the EC over and over again. Mr. Ilham Aliyev mentioned this issue at his speech in the EC PA last year, and characterized the occupation of the territory of one member-state by another member-state as a step contradicting EC principles.

The resolution expresses as well the fact that Armenia neglects the norms of international law and ignores the implementation of the UN resolutions. The third clause of the document indicates that based on the resolutions 822, 853, 874 and 884 of the UN Security Council, the EC PA calls on all sides to obey these resolutions immediately, particularly to avoid any military operations and withdraw the armed forces from all the occupied territories. Undoubtedly, this relates directly to Armenia, for exactly Armenia has occupied Azerbaijan territories, and this issue has been reflected as well in the above-mentioned document.

In general, the resolution is of an obvious objective character and confirms once more the possibility of solving the Armenia-Azerbaijan, Nagorno-Karabakh conflict based only on the principles of international law. The main importance of the document is that its provisions provide Azerbaijan with additional legal arguments in the process of negotiations, because the fact of occupation of

Azerbaijan territories by Armenia has already been confirmed in resolutions of such authoritative organizations as the UN, EC, The Organization of Islamic Conference, as well as statements spread by heads of different states. Norms of international law require punishment of Armenia as an invader, and the international community is able to apply respective sanctions for this.

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#### **AUTHOR'S NOTE**

Dear reader!

The book being introduced is investigating the history of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, the core of the problem, and the causes of its pendency today. The book is aimed at giving a clear idea of international talks for the conflict and, on the whole, of the attitude of international community towards this issue.

As everybody knows the Nagorno-Karabakh problem is of vitally important for Azerbaijan. Once solved this problem will initiate a new stage in socio-political progress for the whole region. Despite this, the international community has not given proper attention yet to this conflict that has now lasted for 17 years. The negotiation process has not yet yielded any results, which has caused, major anxiety in the world, especially in Azerbaijan.

Much was done under the leadership of the national leader Heydar Aliyev to objectively inform the world community about the conflict. While at, the same time, we have been making significant progress in other direction as well. The creation of a modern and strong state has become a reality for Azerbaijan and a just settlement of the conflict is the next stage. Currently Azerbaijan has taken the lead over Armenia both in economic and political progress. This has caused a belief that the problem can and should be settled in the framework of international legal regulations whereby the territorial integrity of our republic can be ensured. It is noteworthy that our President Ilham Aliyev is very instrumental in moving this progress forward.

We all know that the Nagorno-Karabakh problem has become a core national issue for Azerbaijani people. It is everybody's responsibility to liberate our

lands from foreign occupation. Thus, it takes a special significance for each citizen of Azerbaijan to be aware of the essence of the conflict, and its bitter and tragic consequences. I believe that the book "The Nagorno-Karabakh Problem in the Light of International Law" will be a real and valuable guide for reader in this matter.

Dear reader!

The facts in this book reflect the historical truth. But to see the future it is very important to investigate the past. Nobody doubts as to an ultimate settlement of the Armenia-Azerbaijan, Nagorno-Karabakh problem in the frame work of territorial integrity for Azerbaijan. The facts and information in this book are a weighty but optimistic argument for the future. However, this does not give grounds to rest. The struggle is going on and each Azerbaijani citizen, irrespective of a social status or position must advance and push for a just settlement of this. This book and assemblage of documents is written for such people!

## FOREWORD

The settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict is a dominant factor which will determine the conditions of our country's general development and its integration into the world community. The reforms carried out in our republic have successfully resulted in our state system of consolidation, and our prolonged stability and sound success in the economy. Azerbaijan today enjoys a major role in the world arena and is being regarded as the most dominant country in the Transcaucasia.

As our national leader Heydar Aliyev was elected, all spheres of social life underwent social changes inspiring progress inside the country. The changes have also had a decisive impact upon the international authority of Azerbaijan. Currently there is some view among the public that the Azerbaijan possesses enough economic and intellectual potential to make it possible to solve our problems with Armenia. The continuation of Heydar Aliyev's course by Ilham Aliyev is viewed as the most reliable guarantee of the country's future prosperity. This view relates not only to the approach to sociopolitical issues, but also is evident in the general public expectations concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict, which continuous to worry each citizen.

The background of this conflict, different stages of its evolution, as well as some difficulties arising at the time of the settlement process reveal the complicated and contradictory nature of the issue. Settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict has now turned into one of the most important and priority issues of the region. Azerbaijan, itself, has been

experiencing the psychological and political impact of this problem for 17 years. Over one million people have become refugees and internally displaced persons. Yet, the tragic results of the Nagorno-Karabakh problem are reflected not only in the statistical data. But we can see that the real consequences of the Armenia-Azerbaijan, Nagorno-Karabakh conflict are much more severe and tragic. This conflict means Khojali tragedy for the Azerbaijani people. This conflict is carried in everybody's memory as a miserable symptom of a difficult defeat. The main point of this conflict includes not only the loss of lives, but the main realization of loss of land. Despite the fact that large number of Azeri people has been badly treated, they have nevertheless passed the historic test of optimism about the future with unbreakable will and persistence.

The characteristics of the contradiction and the complexity of the problem are also associated with the fact as time goes by the conditions that require the resolution of the problem is changing. The realization of justice in this, new era is putting us in a more difficult and hopeless situation. The majority of our people still believe strongly in the freeing of Karabakh.

A solution of the conflict has now reached the stage where the role of the international community could be significant. Our national leader Heydar Aliyev after 1993 has been conducting his policies only in the direction of tying them with international law norms. Very important steps have been taken in this direction through both economic standpoint, the creation of strong relationships with the world's powerful countries, and diplomatic negotiations with various international organizations now has caused Armenia to be officially acknowledged as the invader.

But all those achievements have not been able to lift the factor of double standards. There have been no constructive points of view on behalf of Armenia as compared with Azerbaijan's peace loving policy. This policy continues and will continue. One of the main conditions of freeing Azerbaijan lands has been to inform the international community objectively. Nevertheless, this does not seem to be moving us forward in finally resolving the issues with Armenia. Others have argued for the continuation of war. But we must persist and keep moving forward and insisting on the rule of law and assistance from international agencies.

The book by professor Elshad Abdullayev, doctor of Law Sciences entitled "The Nagorno-Karabakh Problem in the Light of International Law" is a good investment for those who want to find out about the subject of the conflict. The book has been primarily enriched with objective facts and materials of the historic problem. In this book are stated facts from inhabiting Azerbaijan with Armenians and at a certain point in time in annexing of our land to Armenia. The author explains the dispute not only as a territorial claim, but also as to the logical

outcome of the policy of deportation and genocide against the Azerbaijani people. The fact of inhabiting Azerbaijan with Armenians and touching upon the permanent evidence E. Abdullayev explains it as an unpleasant plan for the tearing apart of Azerbaijan. The first part of the book explains the reality of the problem. It is necessary that Armenians in the past two hundred years have been creating a false opinion about Nagorno-Karabakh and about Azerbaijan, and one can admit that they were pretty successful in doing this.

The atrocities committed against Azeri people and the facts of mass genocide which took place from the beginning of the 19th century till the end of the 20th century has been reflected in the section "Tracking historical facts" in the book. The author divides these negative politics of Armenians into separate stages as he analyzes them and arrives at a conclusion that this is unlimited hate of one people to other, this is the scenario of a dirty game played by some forces. There were wide explanations of the acts of genocide against Azeri people and the results from it.

Elshad Abdullayev has been writing with a heartache about the times of the former Soviet Union when there were undertaken several attempts to put life into an illusion of "Great Armenia" and to add parts of Azerbaijan to Armenia. One can observe that there was favoritism in the Soviet Union in the relationship towards Azerbaijan and Armenia. Being under the protection of the Soviet leadership Armenians were shown as oppressed and timid people and giving them the protection welcomed their revival, improved their economic and political situation and welcomed the junction of various parts of Azerbaijan to Armenia. This had played a significant role in politics towards South Caucasus of both Lenin and Stalin governments. It is very sad that very rarely had there been any appointments to high rank on behalf of Azerbaijanis and there were purges and terrorist acts committed against Azeri intellectuals at this point of time.

Taking our attention to Armenians tricks in order to satisfy their claims on Nagorno-Karabakh in the 70s of the last century the author shows the fact that permanent and smart policy of the Azerbaijan leader Heydar Aliyev had been a barrier to this. Resolution of the Nagorno-Karabakh conflict in favor of Armenians was taken away by Heydar Aliyev. In 1977 the committee that had been working on the new Constitution of the Soviet Union there was a proposal on taking Nagorno-Karabakh from the territory of Azerbaijan SSR and adding it to Armenia SSR. The reactions by Heydar Aliyev, the first secretary of the Azerbaijan Communist Party Central Committee, and his categorical denial to the passage of this act prevented it from passing.

Without a doubt at the time of Soviet Union being in existence one could not expose or oppose Armenians openly. It could be considered as propaganda

against Soviet people unity. And for that purpose our national leader Heydar Aliyev being right used appropriate pragmatic politics. His solution of the problem did not take an emotional but instead addressed a realistic approach. In the first part of the book these issues were reflected as well. The author writes that "Heydar Aliyev without backing down in front of anyone or anybody has put his signature under very risky laws without hesitation. The placement of railroad from Baku to Khankendi (Nagorno-Karabakh) was done during his leadership and the reason behind this was to increase the amount of communications connecting Baku and Nagorno-Karabakh. This has established the fact of Karabakh being inseparable part of Azerbaijan having closer ties with the center, the autonomous region being part of Azerbaijan not Armenia."

The author of the book brings to the attention of the reader that the national leader prevented Armenians from territorial gains and by language of historical facts not allowing the connection of land with Armenia, stating that the main reason for removing Heydar Aliyev from USSR leadership was the annexation process and question of Nagorno-Karabakh. As we all know the situation in Karabakh started to deteriorate after this happened. After Heydar Aliyev was removed from power new opportunities for Armenian activity opened up. "Heydar Aliyev's removal from the position of being in Political Bureau and the first deputy to the Council of Ministers in 1987 could be described as a logical conclusion to this. The main obstacle of Armenian appetite towards Nagorno-Karabakh was removed and now the rest of the plan has the technical character," writes the author.

The flow of the events in the first part of the book after 1988 are described in chronological order, a thorough explanation is given to the misfortunes of war during the first years of it. The disorder in Azerbaijan at the beginning of the 1990's and lack of existence of a functioning governmental apparatus that would protect our national interest shows as the main reason for losing Nagorno-Karabakh. Only after coming to power our national leader Heydar Aliyev took effective steps in preventing Armenia's occupying policy. The author, notes that starting in 1993 Heydar Aliyev provided strong and effective leadership in addressing this issue: "Heydar Aliyev as a person with the good political experience, has been able to create the correct propaganda in the international community and has been able to bring the attention of the world's powers to the fact of occupation."

The book's first part ends with Heydar Aliyev's speech at the "Milli Mejlis" (the "Parliament") debates associated with the Armenia-Azerbaijan, Nagorno-Karabakh conflict in 2001. This was the optimal variant. Only Heydar Aliyev knew the depth and details of the problem. During the speech discussed at Milli Mejlis

our national leader outlined the full story of the problem and the reasons for understanding the difficulties. That is why including this speech in the book increases the influence of the book for the reader.

In the first part of the second chapter of the book there is a discussion of the issues and the adopted resolutions that came as a result of this discussion. In this book, starting from the United Nations all the way to the Organizations of Islamic Conference, the attitude of different organizations to the problem found its reflection. The author explains noncompliance to the four UN Security Council resolutions as a manifestation of the incomplete understanding on behalf of the international community.

Azerbaijan being a member of the international community while constantly bringing forth the issue in the separate arguments, bringing in the facts that confirmed that Armenia was an occupier, the world community still didn't address specific steps to punish the occupier. These factors could only lead to the conclusion of the existence of double standards. All this confirms one more time that at different points in time different documents, laws, and statements have been adopted concerning Armenia's occupying policy against Azerbaijan. This could be marked as non-willingness to punish the aggressor on behalf of the international community. There is only one way of resolving the Nagorno-Karabakh problem and this can be done only by the principal following this country's territorial integrity.

Everybody understands that Armenia is an occupying state as a result of 11 years of constant policy deliberations at the international level. At the different levels of meetings, summits, and conferences this issue has been the center of attention, and the legal issue of territorial integrity repeatedly found its reflection. In all of these documents there is evidence that more than one million people live as refugees and IDPs. In some of the forums this, unfortunately, did not correspond to the official point of view. In many cases, however, there were successes and these created excellent opportunities to put on the forefront the execution of the international norms.

The second chapter of the book gives a wide explanation of the historic significance of OSCE's role as a mediator. Here at this stage the forum dialogue is the direct result of the president's oral presentation and puts into perspective the creation of the OSCE group. It is no longer a secret that the non-constructive point of view of Armenia was the reason behind no movement in the negotiation process. Official Yerevan does not make any move toward a just resolution of the conflict and brings the negotiations to a standstill. Even at times there were opportunities for strong compromise on behalf of both sides for signing a peace, but Armenia does not back down from its occupational resolve. This event has a more thorough

explanation within the second part of the book. But even here in the period after proclaiming the ceasefire one can observe huge advancements in the economic and political differences between the two countries. The strong economic potential, powerful government and quick democratization in Azerbaijan are the major influencing factors and has proven Azerbaijan to be the possessor of the stronger ideals in the process of negotiations. There are new opportunities for interregional projects and there are many opportunities for peaceful resolution of the project, but to no avail at the time Professor Abdullayev prognoses that as the solution to the signing of a real peace: "The process that would benefit Azerbaijan does not go slowly, and changes really fast on a daily basis".

The third part of the second chapter reflects the discussion process in the framework of the European Union. Attention is given to discussions that took place with respect to the Nagorno-Karabakh problem and to the changes in the approach towards this problem that took place in the last most recent years. The author stresses the noticeable changes that took place after 2001 whereas before 2001 the accepted resolutions about the relationships between Azerbaijan and EU were not determined in light of the factual history of the events.

Professor Abdullayev stresses the major victory of Azerbaijani diplomacy at this time. The Azerbaijan delegation to the European

Union Parliamentary Assembly under the leadership of Ilham Aliyev eventually and successfully acknowledged the fact of Armenian occupation of Azerbaijan lands.

The book stresses that the attitude of the European Union towards the Nagorno-Karabakh problem was in comparison with other organizations more objective. This was due to the fact that the representatives of our delegation gave direct and accurate information, including the distribution of official documents. The result of all of this established a more just approach to the Nagorno-Karabakh problem.

A strong part of this book is in noting that through official resolutions and statements of international organizations regarding the conflict, as well as three proposals of the OSCE Minsk group. All these documents express the attitude of the international community towards the problem. Without hesitation the mentioned advantages of the book is in finding out about the Armenia-Azerbaijan, Nagorno-Karabakh conflict and this book is a good investment for those who want to know more about this conflict's place in Azerbaijan history and region.

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## I PART

# HISTORY OF THE ARMENIA-AZERBAIJAN, NAGORNO-KARABAKH CONFLICT

## 1. TRACKING HISTORICAL FACTS

While speaking about the history of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, the necessity of paying attention to the settlement of Armenians in Azerbaijan emerges first of all. The point is that Armenians were moved to Azerbaijan much later. Historical facts show that no Armenian had ever lived in Azerbaijan before the XIX century. Their settlement in this territory always served the private interests of the Russian Empire. The events taking place in the XIX century in the whole of Eastern Europe, as well as Russia (Russian-Turkish, Russian-Iranian wars) led to the gradual weakening of positions of the Northern neighbor of Azerbaijan in the region. Russia was seriously anxious as well about the presence of a Moslem and Turkish country in its southern border and that's why it started thinking about the realization of the idea of settling Armenians in Northern Azerbaijan.

Following the conclusion of the Gulustan and Turkmanchay Treaties in 1813 and 1828 respectively, the process of moving Armenians to Azerbaijan territories substantially increased. At that time 86,000 Armenians from Turkey and 40,000 Armenians from Iran were moved to the territory of Western Azerbaijan, which is presently annexed to Armenia. The Armenians were settled mainly in the territories of Nakhichevan, Yerevan and Karabakh khanates. Afterwards, the efforts on the disintegration of Azerbaijan kept on, and an Armenian province was created here. True, later in 1846 this province was abolished; nevertheless, the process of settlement of Armenians in Azerbaijan left its negative trace in its history.

Settlement of Armenians in the Caucasus was carried out stage-by-stage at different times. Approximately 200 years ago the czar of Russia signed a decree for the settlement of part of the Armenian population in Derbend and Guba. The decree "On the privileges of the Derbend and Mushkir Armenians and their right to move freely" provided Armenians with rather extensive rights and marked the necessity of their settlement in fertile lands in order to improve their living conditions.

In 1723 the czar of Russia Peter I signed a decree on allocation of special places for the settlement of Armenians in the territories of Baku, Derbend and Guba in accordance with the treaty dated on the 12th of September.

In 1726, Yekaterina II issued a decree expressing the necessity of showing special mercy to Armenians and patronizing them.

In 1729, a group of Armenian meliks was accepted to Russian citizenship by the decree of the Russian czar.

In 1799, the czar Pavel the First gave a special instruction to the Kartli-Kakhetiya czarship about assistance in the settlement of Armenians in the territory of the Caucasus.

Moving of Armenians to Azerbaijan territories was reflected not only in individual decrees and instructions, but also in the intergovernmental agreements. The Turkmanchay peace treaty signed in 1828 between Russia and Iran included an article saying that the Armenians living in Iran "are provided with the right of free movement" to the territory of Russia. In fact, this was the creation of a ground for Armenians' movement to the territories of Azerbaijan, because the territories of Russia meant exactly the territories of Azerbaijan, which were located much closer to Iran.

Following the Turkish-Russian wars in 1828-1829, an agreement was achieved about the movement of the Armenians in Turkey to the territories of Azerbaijan. In order to accelerate this process, a special committee was established in Russia and general guidelines covering 12 articles were defined. This policy referring to testaments of Peter was mainly targeted at the creation of a shield against the possible threats from the south through ethnical disintegration of Azerbaijan territories and settlement of Armenians here. Thus, Armenians were gradually settled in Azerbaijan territories, good conditions were created for them here, and fertile plots were allocated for them.

According to estimations made by the famous traveller and ethnographer I.Shopen, at the beginning of the XIX century 2400 Azerbaijani families and 12 thousand Azerbaijanis lived only in the city of Iravan. Although a part of the population moved to Iran after the city was occupied by Russians, Azerbaijanis still constituted a big majority of the city's population. That is, in accordance with the information for 1829, only in the city of Iravan four fifths or 80 percent of the population were Azerbaijanis. In compliance with the first census of the population in the Russian Empire, 313.178 Azerbaijanis lived in Western Azerbaijan-Iravan province in 1897. However, in a few years these figures changed completely.

After settling in our territories, Armenians started to think about creating their own state. This was the reason of the massive genocide actions carried out by Armenians in 1905-1906. During these years, they assassinated Azerbaijanis

massively in Baku, Tbilisi, Iravan, Nakhichevan, Ganja, Karabakh and Zangazur, thus committing terrible crimes. Historical sources confirm that during those events Armenians razed 75 Azeri villages to the ground in the territories of Zangazur, Shusha, Javanshir and Jabrayil and destroyed more than 200 settlements in the provinces of Iravan and Ganja.

Since the day the "no-capital" republic was created, Armenian chauvinists committed massive massacres in the Lambali, Shorayal provinces, in Zangazur, Goycha and other places mostly populated by Azerbaijanis. The facts show that in 1918-1920, when inveterate nationalists governed the Republic of Armenia, they greatly succeeded in the realization of the "non-Turkish Armenia" motto. As a result of the savagery committed against Azerbaijanis at that time, 565.000 out of the 575.000 of Azerbaijanis living in the present Armenian territory were either killed or forcedly driven out of their lands. After the Soviet power was established in Armenia, only 60.000 of the Azerbaijanis could return to their native lands.

In March-April 1918 thousands of Azerbaijanis were killed in Baku, Shamakhi, Mughan, Guba and Lankaran, tens of thousands of people became internally displaced persons. The massive genocide acts committed by Armenians at that time in Baku and Shamakhi were especially terrible. Around 30.000 people were killed with a particular cruelty and ferocity in Baku. 58 villages in Shamakhi were turned into ruins, 7000 people were killed (1653 of them were women, 965 - children), in the Guba province 122 villages with Moslem population were burnt and destroyed. More than 150 villages of Karabakh located in the mountainous areas were razed. The operations carried out by Armenians in these villages were some of the most ruthless events of the world history for their tragic scope. The Armenians savagely destroyed 115 villages in the Zangazur province with the same methods, plundered and burnt 211 villages in the Iravan province and 92 villages in Gars.

All of these confirm once again that settlement of Armenians in Azerbaijan served to the disintegration of our nation's historical territory, annihilation of Azerbaijanis as a nation, and obstruction of our independent state, Armenians played the most brutal role in this disgusting process. The massive deportations and genocide acts were aimed at one single purpose of preventing the formation of a mighty Moslem and Turkish state in Southern Caucasus. Both the Gulustan and Turkmenchay Treaties proved this once more. The efforts of dividing Azerbaijan territories ethnically were finally to cause the country's political and geographical division. As painful as it is, an analysis of the events taking place and the historical chronology testifies of the implementation of a certain part of these plans.

At the beginning of the XX century, the processes happening in the Southern Caucasus led to a logical consequence of a big part of Azerbaijan

territories being under Armenian subjection already on the eve of the establishment of the Soviet power. The strangest thing was that namely Azerbaijanis were the majority of the population in those territories. However, for some reason this significant factor played no role in presentation of our lands to Armenians.

Historical sources show very distinctly that there was no Armenian state ever. Interests of some major powers required creation of an Armenian state in the Southern Caucasus. It was the people of Azerbaijan, who had to suffer its heaviest consequences in their own fate.

At the end of 1920, after the soviet power was established in Armenia, the Armenians started the policy of creating an Armenian state, which they dreamt of for centuries, and territorial claims against the neighbors. The claims of the Armenians expanding their territories into Azerbaijan lands during the 70-year soviet power kept on increasing. One of the disgusting intentions the Armenian lobby achieved through nesting in the governmental bodies in Moscow, was the policy of deportation carried out against Azerbaijanis at the state level with I.Stalin's blessing on the pretext of settling the Armenians coming from abroad after the war.

Armenians receiving the Zangazur province of Azerbaijan in 1920 wanted to annex Nagorno-Karabakh to Armenia as well in 1921. The principal position, the great personality, distinguished social and political figure Nariman Narimanov adhered to, destroyed their plans. However, in late 1922, after N.Narimanov went to Moscow, they achieved the autonomy of Nagorno-Karabakh in July 1923. Nevertheless, they would not refuse the claim of getting Nagorno-Karabakh and raised issues on this repeatedly.

As it is seen, even when living within the Soviet Union, discrimination in relation to Azerbaijan and Armenia was observed clearly. Adhering to the testimonies of their predecessors, leadership of the Soviet Empire presented Armenians as a humble and poor nation, supported their revival, economic and political development, and made efforts to annex Azerbaijan territories to Armenia. This course had a special place in the Southern Caucasus policy of the Soviet Empire during the years of Stalin's leadership. Not accidentally, that at that time cadres from Azerbaijan were very rarely appointed to higher positions; terrorist acts and repressions were carried out in regard to the distinguished intelligentsia of our nation.

In the 1930s the injustice the most distinguished intellectuals, scientific figures, state and political figures of our nation faced with the brand of the "traitor of the motherland", displays once again the most antipathetic purposes this policy served. This period has left a deep trace in the memory of our nation as one of the most tragic pages of our history. The USSR, which had promised liberty and

freedom to peoples, contradicted the principles declared by it through leading a policy of discrimination against Azerbaijanis and trying to destroy the genetic fund of this nation every now and then. Until the 70s of the last century, Azerbaijanis very rarely got education at the higher education institutions of the Soviet Union, creation of professional national military cadres was prevented, and this displayed itself clearly even in relation to the soldiers serving in the army. The policy of "divide and rule" led to more tragic and heavy consequences first of all for our people.

Interestingly, both at that time and further, Azerbaijan was the republic which affected significantly the development of the USSR and made the biggest contribution to strengthening of its ground in the Caucasus. Rich natural resources of our country and extensive labor potential were among the major factors in this issue. Only one fact would suffice to note that the oil of Baku played the main role in the victory of the Soviet Army over fascism during the Second World War because more than 70 percent of the fuel manufactured at that time was produced exactly in Azerbaijan.

Following the war, in November 1945 the first secretary of the Central Committee of the Armenian Communist Party G.Arutyunov wrote a letter to I. Stalin, which raised the issue of annexing Nagorno - Karabakh to the Armenian SSR taking into account it's bordering on the Armenian SSR and ostensibly close connection with the latter's economy. I.Stalin sent the letter to G.Malenkov. He, in turn, sent the document to the leadership of Azerbaijan SSR for reply. In his letter M.J.Baghirov provided extensive information and confirmed that Nagorno-Karabakh is a historical and eternal land of Azerbaijan. At the end of the letter, he stated that except for the Shusha region, Azerbaijan does not refuse this suggestion, with a condition that the territories in the Armenian SSR, Georgian SSR and Daghistan ASSR, which are mostly populated by Azerbaijanis, border on Azerbaijan, and are integral part of Azerbaijan should be given back to Azerbaijan.

In this case, Armenians use another trick to move the Azerbaijanis living in Armenia and mainly in the regions bordering on Azerbaijan. Armenia puts forward a proposal for the deportation of Azerbaijanis in the territory of Armenia, and placing instead the Armenians coming from abroad here on the pretext of providing the cotton-growing regions in the Mughan-Mil plains of Azerbaijan with a labor force, and succeeds in accomplishing it.

A copy of the letter signed in December 1947 by M.J.Baghirov and G.Arutyunov on this issue and sent to Stalin is kept in the archive of political parties. The letter contains concrete proposals on the above-stated issues.

Consequently, on December 23, 1947 the USSR Council of Ministers adopts the resolution 4083 "On deportation of collective farmers and other

Azerbaijan population to the Kur-Araz lowlands of Azerbaijan SSR". This document signed personally by I. Stalin and beginning directly with the decision, thus containing no introduction, was prepared very hastily, as can be seen from its content. Not surprisingly, on March 10, 1948 the USSR Council of Ministers had to adopt a second resolution in addition to the first one. This second resolution, which contained an additional note to the resolution dated on December 23, 1947 and signed by I. Stalin, widely reflected the plan of measures connected with the deportation of Azerbaijanis.

The first clause of the resolution dated on December 23, 1947 stated that one hundred thousand collective farmers and other Azeri population living in the Armenian SSR should be moved to the Kur-Araz lowlands of Azerbaijan SSR in 1948-1950 "on a voluntary basis".

Thus, the Republic of Armenia and the former USSR leadership violated the main principles of General Statement on Human Rights adopted on December 10, 1948, the "International Act on Civil Political Rights" adopted on December 16, 1966, the Convention "Against addresses and punishments threatening human dignity and other cruel, inhuman or humiliating treatments" adopted on December 10, 1984 as well as other significant international legal documents.

Resolutions 4083 and 754 of the USSR Council of Ministers dated on December 23, 1947 and March 10, 1948 respectively were the next historical criminal acts against the Azerbaijan nation. In 1948-1953 more than one hundred and fifty thousand Azerbaijanis were sent into exile from their native lands in the territory of Armenian SSR. During the execution of these resolutions, which contradicted common legal norms, the present repression rules of the authoritative-totalitarian regime were widely applied, and thousands of people, including the old and the juvenile, died, not tolerating the heavy deportation conditions, severe climatic changes, physical percussions and moral genocide. Not only the criminal policy of the Armenian chauvinist circles and the former USSR leadership contributed to this process, but also the then Azerbaijan leadership's position against their own nation and their participation in the organization and realization of the crimes committed against our compatriots.

Unfortunately, the fact of deportation of Azerbaijanis from the territory of Armenian SSR was not duly analyzed in the past 50 years and these events were not appreciated from the legal-political standpoint.

The first sentences of the decree of the President of Azerbaijan Republic Heydar Aliyev dated on December 18, 1997 "On the massive deportation of Azerbaijanis from their historical-ethnic lands in the territory of the Armenian SSR in 1948-1953" say: "Due to the ethnic clearing policy carried out purposefully against Azerbaijanis in Caucasus during the recent two centuries, our people were

subjected to heavy deprivations. As a result of such inhuman policy carried out stage-by-stage, Azerbaijanis were driven out from the territory presently called Armenia - their native historical-ethnic lands and subjected to massive killing and slaughters; thousands of historical-cultural monuments and settlements were destroyed and ruined".<sup>1</sup>

Historical facts fully prove this doubtless truth that the territory now called Armenia was a pure Turkish land - a territory where Azerbaijanis lived. Only since the day the czar colonialists entered these places, Armenian seed started sowing on our lands, which soon produced their poisonous sprouts. However, despite the massive movement of Armenians from Iran and Turkey to this territory by efforts of the ruling circles of the czar Russia, they never succeeded to become the majority of the population here. As it is known, on May 27, 1918 when announced as the "Republic of Armenia", this fictitious state did not have even a capital. The National Council of Azerbaijan was obliged to acknowledge the city of Iravan as the capital of the Republic of Armenia at its meeting dated on May 29, 1918 with majority of votes under pressure of the historical condition.

We should note as well that leadership of the Armenian SSR that was obliged to agree with the return of a part of the Azerbaijanis to Armenia were never willing to put an end to their pursuits and deportation, and made use of such ruthless measures readily at every single opportunity during the totalitarian regime. The opportunities for such measures had arisen as far back as before the Second World War, in the years of the massive kolkhoz movement and repression. Strange as it is, a majority of the people in the Armenian SSR, who opposed the kolkhoz movement and were subjected to repressions in those years, were Azerbaijanis. That's why in the 1930s more than 50,000 Azeri population from Vedibasars, Zangibasars, Gamarli, Daralayaz, Aghbaba and other regions was exiled with whole families to Kazakhstan prairies, and a big part of them perished, failing to adapt to the severe climatic condition. The case was that most of the families, who wanted to get back to their home after the exile finished, were not let in Armenia. They made excuses that this so-called republic borders on Turkey. However, many of those, who came back at the cost of great deprivations, were again deported.

The resolutions of the USSR Council of Ministers 4083 and 754 dated on December 23, 1947 and March 10, 1948 respectively, which were fairly assessed as "A following historical criminal act against Azeri people" in the decree of the President of Azerbaijan Republic Heydar Aliyev, "grounded" the deportation of the Azerbaijanis living in their native lands this time at the level of state policy.

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<sup>1</sup> "Azerbaijan" newspaper, December 19, 1997.

Despite that there is no Azeri left in the Western Azerbaijan provinces, which were once populated mainly by Azerbaijanis - Zangibasar, Vedibasar, Zangazur, Goycha, Aghbaba, Derechichek, Sisyan, Gafan, Gamarli, Garagoyunlu, Girkhbulag, Sharur, Surmali, Seyidli, Sardarabad, Abaran, Garnibasar and other, these provinces are engraved in the history's memory as ancient Azeri lands.

In late 60s and, early 70s of the last century, annexation of the Nagorno-Karabakh Autonomous Region to the Armenian SSR turned into one of the issues discussed even in the Kremlin and the Political Bureau. With the help of their protectors, Armenians continued their efforts on annexing Azerbaijan territories to Armenia. In May 1969, the Supreme Soviet of this country adopted a resolution on connection of some villages in the territory of Gazakh and several other regions to Armenia. This resolution was ratified as well by the USSR Supreme Soviet. Nevertheless, the election of Heydar Aliyev as the first secretary of the Central Committee of the Azerbaijan SSR Communist Party prevented the realization of this resolution. It is not difficult to understand what it meant not to implement a resolution of the legislative body in such a huge state as USSR. However, Heydar Aliyev took a big risk in the name of his nation's national interests preventing annexation of Azerbaijan lands to Armenia. Notwithstanding this, in 1986 some territories intended in that resolution were annexed to Armenia due to the indifferent attitude of Azerbaijan leadership.

In 1977 the committee working out a new Constitution of the Soviet Union suggested disintegrating the Nagorno-Karabakh Autonomous Region from within the Azerbaijan SSR and annexing it to the Armenian SSR. The stern response of Heydar Aliyev, the first secretary of the Central Committee of the Azerbaijan SSR Communist Party, and his decisive rejection of this suggestion prevented its implementation.

Our national leader touched upon this issue at the discussions conducted in the Azerbaijan parliament in 2001 saying: "In 1977, when the USSR Constitution was to be adopted, a committee was established to prepare the constitution. The committee was headed by the then General Secretary of the Communist Party Brezhnev and representatives of the republics, including me, were members of this committee. During the period when the committee was preparing the draft, for about one year, many proposals were received claiming Nagorno-Karabakh should be disconnected and given to Armenia. Some efforts were even made to consider this issue at the committee. Understand me the right way, please; I am saying what really happened. I prevented this at that time. However, it was difficult to prevent.



Nevertheless, I did it. I prevented this with my will, protecting the national interests of Azerbaijan people by my soul and blood".<sup>1</sup>

However, famous intellectuals, politicians and scholars of Armenia were preparing people psychologically to "fight against Turks". The way to the "Great Armenia" was passing through occupation of Karabakh lands, and that is why Armenians tried to disconnect this territory from Azerbaijan by various methods. Anyway, there was quite a serious obstacle to this way - Heydar Aliyev. The first secretary of the Central Committee of the Azerbaijan SSR Communist Party began creating obstacles for the realization of the dream of annexing Nagorno-Karabakh to Armenia, not only in the political and legal, but also in the economic and psychological standpoints. Due to the far-sighted policy he was running, the plans of annexing the territories settled by Armenians to Armenia failed.

During this time, the republic's leadership did everything to provide for economic development of the region. The region's communication lines with other regions were much improved. Armenians could not find any argument to reason the "necessity" of connecting the Nagorno-Karabakh Autonomous Region to Armenia. Heydar Aliyev remembered that time as follows: "during the time when I was leading Azerbaijan - it should be said openly - we were creating mostly economic conditions for Nagorno-Karabakh and preferred development of its economy. Because this issue was always raised that ostensibly, the Nagorno-Karabakh is pressed in Azerbaijan, and Armenians cannot develop in the Nagorno-Karabakh. In order to preserve the integrity of Azerbaijan, to protect its entire territory, I am saying again, we were paying most attention to the Nagorno-Karabakh then. True, later some dilettantes blamed me because I was doing this. I am saying it also today, I was doing this, I was. I was doing this, because, not to give the Armenians an opportunity to raise this issue."

"Then things went the wrong way. After this conflict started, I was again blamed in the press, in the USSR press of ostensibly pressing Armenians while I was heading Azerbaijan. Armenians were saying these things, and even when these issues were discussed at the session of the USSR Supreme Soviet, their representatives, even the president of the Armenian Academy of Sciences Ambarsumyan - we had elected him once the honorary member of Azerbaijan Academy of Sciences, he was elected as well the member of the Georgian Academy of Sciences in order to strengthen our friendship - was mentioning my name for pressing Armenians in Nagorno-Karabakh. I was not surprised of this

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<sup>1</sup> "Azerbaijan" newspaper, February 24, 2001.

much, but I was surprised that at that time some people in Azerbaijan were again blaming Heydar Aliyev and agreed with those very words.

Finally, the utopists of the "Great Armenia" made up their mind to change the tactics and targets. Later, when speaking about this, the first secretary of the Central Committee of Armenian CP Karen Damirchyan was saying: "In the XX century Turks have had two mighty persons. Ataturk and Heydar Aliyev. One of them is alive. Be aware, as long as he is alive, we will not be able to get either Karabakh, or other territories".<sup>1</sup>

So, Armenians directed all the means of struggle in their arsenal to extinguishing Heydar Aliyev. Under the support of their Moscow high-rank defenders, Armenians resorted to different methods in order to achieve their odious goals and did not even refrain from supporting some people financially for this. Despite all the pressure and resistances, Heydar Aliyev succeeded in preventing settlement of the Karabakh issue in Armenia's favor. The region closely connected with Azerbaijan from the economic and political points of view. Later, in 1988 when the issue of Nagorno-Karabakh Autonomous Region annexation to Armenia was once again raised on public agenda, Heydar Aliyev was subjected to accusations of the Armenian propagandist network and its supporters in Moscow again. The most painful thing is that there were some Azerbaijanis among the participants of this many-branched process.

Heydar Aliyev would not hesitate to certify even the most risky decisions, not fearing anything and anybody. The railroad from Baku to Khankendi was inserted namely during his leadership, and this was mainly aimed at increasing the number of the strategic communications linking Nagorno-Karabakh to Azerbaijan. This provided much better relations of the Nagorno-Karabakh as an integral part of Azerbaijan with the center, as well as much closer economic relations of the region not with Armenia, but with Azerbaijan. The relations between the institutions serving to develop the region's economy and the plants and factories operating in other regions of Azerbaijan were strengthened.

However, the Armenians, failing to resist Heydar Aliyev and seemingly helpless to prevent the measures made by him, were not going to relinquish their intentions. In 1982, Heydar Aliyev came to USSR leadership and this incited Armenians to a more organized activity. The presence of Heydar Aliyev in politics meant the failure of the idea of annexing Nagorno-Karabakh to Armenia; therefore, Armenians started very extensive-spectrum "anti-Aliyev" propaganda.

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<sup>1</sup> Heydar Aliyev in the eyes of the world, Baku, 2003, p. 123.

Michael Gorbachov, who was appointed the general secretary of the Soviet Union Central Committee in 1985, did his best for the realization of this shabby intention. With M.Gorbachov's coming to power, Armenians gained a defender in the person of the leader of the country and tried to use this opportunity to the maximum extent. Removal of Heydar Aliyev from the Political Bureau and from the post of the first deputy chairman of the Council of Ministers in 1987 can be appreciated exactly as a logical consequence of these efforts. The main obstacle standing in the way of the Armenians' appetite for Nagorno-Karabakh was removed; further realization of the plan carried a technical character.

In 1988, Armenians started to realize the hostile policy against Azerbaijan openly. The conflict, which was even more deteriorated with the killing of two Azerbaijanis in Karabakh and the destruction of the Topkhana forest, displayed once more the seriousness of the problem. The processes were happening so quickly that Azerbaijanis had no opportunity to understand the logics of Gorbachov's indifference to the events who has received a valuable gift from Armenians, the republic's actual neglect of a big territory, or the careless and inexperienced policy of those in power. Meanwhile, the conflict's geography kept on expanding. In 1989, the Armenian SSR Supreme Soviet adopted a resolution on the unification of Nagorno-Karabakh to Armenia, which had no legal ground. This actually meant the annexation of Azerbaijan territories. Armenians had already brought the struggle to the level of military aggression, and from this standpoint, the public protest actions in Azerbaijan were too weak to change the course of the processes.

Undoubtedly, the support of outer forces played a much bigger role in the realization of Armenians' aggressive policy. In this aspect, the endeavors of the then leadership of USSR drew attention in a particularly distinct way. The operations conducted by the Soviet Army in Baku in 1990 confirmed this once more. The meetings held as a protest against annexation of Nagorno-Karabakh to Armenia were suppressed with bullets of the soviet soldiers. Hundreds of Azerbaijanis were killed and about one thousand people became missing during this military action. A state of emergency was declared in the country, which lasted for several months. All of these tactics were targeted at breaking the Azerbaijan nation's fighting determination, shaking its belief in ideas of liberty, and rendering assistance to the process of Karabakh's annexation to Armenia.

During these bloody events the people witnessed once again the negligence of the republic's leadership. Again, specifically Heydar Aliyev expressed his protest against this terror act. The whole world listened to the echo caused by his furious and resolute statement at the building of the Azerbaijan representation in Moscow on January 21, 1990. Despite of all the pressures and threats, in front of

the entire world Heydar Aliyev accused those responsible for the tragedy of his nation just a one-step distance to the Kremlin. Following the tragedy of January 20, activity of the Armenian military units at the front-line increased even more. The villages and regions occupied one after another testified of the inch-by-inch loss of Karabakh.

In February 1991 at the session of the Azerbaijan Supreme Soviet, Heydar Aliyev was calling everybody to confess this common truth: "I think, the 'normalization of the situation in Nagorno-Karabakh' means putting the issue in a narrow frame. 'Restoration of the territorial integrity of Azerbaijan' - the issue must be put like this. We should look for a way out of this". This was not only a rejection to the direction of the discussions conducted in the parliament.

Heydar Aliyev was trying to make the society aware of the existing realities. The reality was that Karabakh had been lost due to the political indifference of Azerbaijan power, and this reality being understood, the entire prospective activity should be directed to changing it. Heydar Aliyev was saying at that session: "We should analyze how it happened that we lost Nagorno-Karabakh!" It was a rather interesting and fair question. However, undoubtedly, the political team headed by A.Mutallibov was not interested itself in the analyses of the answer to this question.

At a time when military operations at the front-line began to receive a wider scope, Armenians started making plans for the occupation of Nakhichevan. Nevertheless, they failed to realize these plans. In the summer of 1990, Heydar Aliyev came to Nakhichevan. The situation in the autonomous republic was very strained. The population of Nakhichevan, who were fated to live under grave conditions of the economic blockade, believed that this return was a big turning point in their destiny. Heydar Aliyev succeeded in making serious changes in Nakhichevan in a very short time and with limited opportunities. Immediately after he was elected, a deputy to the Nakhichevan ASSR Supreme Soviet, the word "SSR" was removed from the autonomous republic's name exactly at his initiative. The three-color flag of the Azerbaijan Republic was accepted as a national emblem. On September 3, 1991, the Supreme Soviet of Nakhichevan adopted a resolution on the appointment of Heydar Alirza oghlu Aliyev as the chairman of the Supreme Soviet. The new leader of the autonomous republic paid attention to the settlement of economic problems and fulfilled the mission of de-escalating the bloody fights going on at the front. Heydar Aliyev's coming to power compelled Armenians to postpone their plans on the start of military operations in the direction of Nakhichevan.

Since 1992, the geography of the military operations the Armenian armed forces conducted in the territories of Azerbaijan expanded even more, and the

republic's regions began to be occupied one after another. The horrible genocide act carried out by Armenians in 1992 in Khojali makes it possible to imagine the scope of the Armenian brutality clearly. Six hundred thirteen Azerbaijanis were killed in this terror operation, which was realized by the support of the 366th motoshooting regiment of Russia. Sixty three of the people killed at the Khojali tragedy were children, 106 were women. Four hundred eighty seven men were made invalids, 1275 were captured and a big part of these captives were old people, women and children; 8 entire families were killed.<sup>1</sup> Khojali was engraved in history as one of the most distinct examples of the hostile attitude Armenians have had towards Azerbaijanis for centuries. However, it should be confessed that the then leadership also has a big moral and political responsibility for this tragedy.

In May 1992, Shusha was occupied by the Armenian invaders. With occupation of Shusha, the entire Nagorno-Karabakh actually came under the control of Armenians. If one takes into account the city's geostrategical importance, this was the biggest defeat of Azerbaijan since the beginning of the Nagorno-Karabakh conflict. Shusha was situated in such a position that it was possible to protect it even with a little force. Nevertheless, the anarchy and chaos present in Azerbaijan, non-control of the armed forces from a single center, and the absence of a standing army were the main facts stimulating this defeat. Shusha was also known as one of the ancient cultural centers of Azerbaijan. Its loss shook as well the nation's moral-psychological fighting spirit.

The scope of the military operations carried out by the Armenian invaders expanded even more after this city's occupation; in only a few days, on May 17-18, the enemy captured Lachin, which was situated between Armenia and the Nagorno-Karabakh region of Azerbaijan.<sup>2</sup>

Occupation of Lachin was a serious shock for Azerbaijan for several important reasons. The first point is that occupation of the above-mentioned region showed that the war had left the boundaries of Nagorno-Karabakh. This actually proved that the expansionist policy of Armenia did not serve the "provision of the Nagorno-Karabakh Armenians with the right to determine their own fate", but exactly to the mythology of the "Great Armenia". Let's note that at the initial stage of the military operations, they were claiming that their aim was only the liberation of Nagorno-Karabakh. Occupation of Lachin proved that these claims were not based on this logic, but that the expansionist intention of Armenia covered much wider boundaries.

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<sup>1</sup> "Khalg newspaper", February 26, 2003.

<sup>2</sup> "Azerbaijan" newspaper, May 17, 2002.

The second important point concerned purely military-strategic issues. The case was that after Lachin was invaded, Armenians got the opportunity of rendering direct military assistance to Nagorno-Karabakh. Lachin began to play the role of a communication corridor between Nagorno-Karabakh, invaded by Armenians, and Armenia itself. Armenian armed units in the territory received arms and ammunition, as well as food through this corridor. Therefore, the mentioned region became a very significant tool that provided Armenians' superior position in the war. Nevertheless, even the fact that the war had left the boundaries of Nagorno-Karabakh did not cause active intervention by the international community in the process. On the contrary, Azerbaijan had to observe the indifferent attitude of the world community once again.

Despite the fact that Azerbaijan succeeded to run successful military operations in the front-line, especially in directions of Gulustan and Aghdere in the summer of 1992, this action did not keep on until the end. The struggles for power inside the country, and inexperience of the power, created a new stimulus for new defeats. On April 1993, Kalbajar located outside the territory of Nagorno-Karabakh was invaded. Following the occupation of Kalbajar, the Security Council of the United Nations Organization adopted its first resolution<sup>1</sup> on the Armenia-Azerbaijan, Nagorno-Karabakh conflict. However, the measures intended in this resolution have not been implemented up to this date.

In the summer of 1993, Azerbaijan confronted the threat of civil war. In order to put an end to all of this, create social-political stability in the country, and provide the general safety of the community, Heydar Aliyev was invited to Baku after the necessary insistence of the overwhelming majority of the people. Heydar Aliyev succeeded to eliminate the threat of civil war that pressed the country, and he provided the creation of social-political stability. Due precisely to his wise actions, Azerbaijan escaped from the threat of civil war. Therefore, June 15, 1993 entered the history of Azerbaijan state as the Day of National Salvation.

On October 1993, Armenians invaded the Zangilan region of Azerbaijan. This was the last occupational operation of the Armenian army in the front region. Because Heydar Aliyev's coming to power had changed the situation radically, in only several months the presence of a strong authority in the country had begun to draw attention. The famous address of Heydar Aliyev to the country's citizens following the occupation of Zangilan marked the beginning of the army-building history in Azerbaijan. This address resulted in the volunteer military service of tens

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<sup>1</sup> "Armenian intervention to Azerbaijan and international organizations". Baku, 1998, p.87.

of thousands of men. In a very short period of time, the army was subjected to a single command, significant reforms were made in the military field, and all of these were carried out in parallel with the process of the creation of social-political stability.

Later Heydar Aliyev had to prevent many diversions as well in order to achieve social-political stability. This showed itself in A.Humbatov's efforts to create a fictitious republic in August 1993, in the events of October 4, 1994 and in March 1995. The people's support of Heydar Aliyev in each of these events, and their defense of his position, was memorized as an historical fact displaying Azerbaijan people's adherence to the ideas of national statehood. The whole world saw that Azerbaijanis are determined to protect decisively their national interests as one nation. Thus, Heydar Aliyev's coming to power in 1993 was recorded in our history also as one stage of the formation of the national statehood mind.

Outburst of the Armenia-Azerbaijan, Nagorno-Karabakh conflict at that time was also causing serious obstacles for provision of safety and stability in the entire region. The fact that this problem, which aggravated even more after the collapse of USSR, became a subject of international discussions toughened the chances of solving it.

However, it was possible to settle the problem initially through directing it to a positive course. The authority teams, which headed the country in the first years of independence, were thinking only about "how to maintain the power". Many times, they used the Nagorno-Karabakh conflict for political interests. Just because of this Armenia had succeeded to form a false opinion in the world community about the true essence of the conflict and win the information war.<sup>1</sup> Azerbaijan started to implement the policy targeted at prevention of this failure exactly in 1993. The successes achieved in the front-line after Heydar Aliyev's coming to power were accompanied by new accomplishments.

As a politician, who was deeply informed of the controversial and unfair realities of the modern world, Heydar Aliyev first of all succeeded to build propaganda properly at the international level and thus to direct the world states' attention to the real reasons of this fact of invasion.

The national leader Heydar Aliyev's return to power stimulated the creation of a quite successful model of Azerbaijan's system of political relations and the community's aggregation around a single ideology. Not depending on who and how evaluates it, this event makes the basis of a stage, which is of exceptional importance in Azerbaijan history, and the management system created by Heydar

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<sup>1</sup> "Armenian intervention to Azerbaijan and international organizations". Baku, 1998, p. 87.

Aliyev defines the most successful parameters of the country's economic and political development.

After returning to power, Heydar Aliyev had to solve several serious problems, which Azerbaijan inherited from inexperienced leaders. Important steps were made to create successive social-political stability in the country. The decline in the economy was put an end to, and Heydar Aliyev's famous statement in November 1993 about the state of the army thereto entered the history as the starting point of the military system formation process. In a short period of time, Armed Forces of Azerbaijan struck a serious blow to the Armenian army's position in Horadiz. Consequently, more than 20 occupied villages were released. The Horadiz operation was the biggest victory Azerbaijan achieved during the Karabakh war and this caused serious concern in Armenia. Very rapid formation of the military system in Azerbaijan made the opposite party abstain from its invasive plans, and in May 1994, the president of Armenia was obliged to agree to sign the a ceasefire agreement. Let's note that proposals about ceasefire were put on the agenda also before this, but Armenians would not agree with this at all. The changes taking place in the force proportion after Heydar Aliyev's coming to power created a completely different situation and this time Armenia had to suggest a ceasefire. In May 12, the fire at the contact point of Armenian and Azerbaijan armed forces ceased.

However, the ceasefire did not mean the end of the war. Achievement of the ceasefire simply provided Azerbaijan with an opportunity to gather and form its own forces, and in a very short period it was possible to create social-political stability in the country and eliminate economic tremors. "In 1994 we stopped the fire. Some people say different opinions about this. Today I state once more that the ceasefire in May 1994 was a very significant measure and we did it quite consciously. The passed time also shows that - despite that, the problem has not been solved yet - this measure had to be taken. Now, unfortunately, many people have forgotten the war, they are living peacefully, they are calm. Unfortunately, they have forgotten how the situation was during the war. People live peacefully, our economy advances, foreign investments expand, the process of state building keeps on, our independence strengthens, and Azerbaijan runs a daring foreign policy. All of these were impossible to realize in condition of the war".<sup>1</sup> These ideas of our national leader provide an opportunity to assess once more the significance of the ceasefire.

The agreement was not significant only for these reasons. Azerbaijan made successful diplomatic maneuvers in the creation of a political-psychological

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<sup>1</sup> "Azerbaijan" newspaper, February 27, 2001.



ground for the fair and objective settlement of the conflict exactly after the ceasefire. A profound idea needed to be formed in the international community about why, how and when the conflict started, and the double standards in the international organizations and states attitude towards the problem needed to be eliminated. Now, after already 11 years have passed since the armistice, it may safely be said that these complex tasks have been successfully implemented.

In general, our country suffered great losses because of the Armenia-Azerbaijan, Nagorno-Karabakh conflict. More than 20 percent of our republic's territory is occupied. Around one million people have to live as refugees and internally displaced persons. More than 18.000 Azerbaijanis died, more than 20.000 were wounded and more than 50.000 men became disabled. More than 4,000 industrial and agricultural enterprises, 660 schools and kindergartens, 250 hospitals and medical institutions, 724 cities, villages and settlements were plundered, burnt and destroyed.

In 2001, Milli Mejlis (National Assembly) of Azerbaijan Republic conducted extensive discussions on the Armenia-Azerbaijan, Nagorno-Karabakh conflict at the initiative of the national leader Heydar Aliyev. During those discussions, our great leader performed a comprehensive and essential speech clarifying the points which serve to form the profound ideas about the essence of the conflict: "Why did it happen? Not because Azerbaijan people are weaker than Armenians. No. Our centuries-old history displays the abilities of Azerbaijan people. First, because Armenians, Armenia had long prepared for this, while Azerbaijan had forgotten about this issue. Those very years were forgotten. Secondly, when this conflict started, I mean, after the Armenia's territorial claim emerged, all the Armenians - both in Armenia and those living in all parts of the world forgot all the internal controversies and attitudes; all of them united. All of them united around the idea of "miatsum"<sup>1</sup> and brought us to today's situation uniting all their force. Differently from them, our nation failed to unite when this event started, the persons heading the people displayed inconstancy and in a couple of years, the issue of Nagorno-Karabakh was forgotten. Internal controversies, fights, and struggles for power burst out. That's why under such circumstances Armenians occupied the territories of Azerbaijan very easily".<sup>2</sup>

The Armenia-Azerbaijan, Nagorno-Karabakh conflict still maintains its topicality as an important problem in the life of the Southern Caucasus. In fact, it is fully natural. The fact that the conflict's hotbeds remain inextinguishable on the background of the significant changes taking place in the region affects negatively

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<sup>1</sup> In Armenian it means: Unite.

<sup>2</sup> "Respublika" newspaper, February 24, 2001.

the general situation and plays a role of a determinant factor in relations of the states, which have got interests here.

The issue has already left the limits of the regional plane for several years and begun to attain international importance. However, still the forces able to affect the process really (both the authoritative international organizations and individual states) do not want to use concrete pressure mechanisms in order to achieve the overall settlement of the problem. Certainly, it is important to consider the influence of different factors here, but anyway the conflict should be solved and there is only one way for that: international legal norms.

The above-listed facts are separate details of the conceptual activity process directed at the conflict's settlement based on the principles safeguarding national interests of Azerbaijan. Following Heydar Aliyev's coming to power in 1993, many things have changed in Azerbaijan, including in the field of the elimination of Armenia's act of aggression. Azerbaijan, which was unable to demonstrate its will even in the geographic region it was located in during the Azerbaijan Popular Front-Musavat leadership, became a strategic partner of the world's most powerful states during Heydar Aliyev's leadership.

In the past years our country got an opportunity to be represented in such an authoritative organization as the Council of Europe with a full-fledged membership status. It succeeded to use this tribune for forming a set of objective ideas in the world's public opinion about the causes and effects of the Karabakh problem. This is another front, and now we have a basis to say without hesitation that in the battles on this front, it was Armenia who got the knock from Azerbaijan.

In 1994, the Contract of the Century determining the region's economic perspective was signed and the foundation of the Baku-Tbilisi-Ceyhan was laid, which many people called a legend. Armenia remained outside this project, in which the world's most powerful states took part, and so, lost the battle once again.

Azerbaijan has signed a trilateral mutual safety pact with Turkey and Georgia and put Armenia actually face-to-face with the reality of living surrounded by three strategic partners. Armenia has been left alone in this front, too.

The USA prolongs violation of the 907th amendment it applied to Azerbaijan. Instead it shows Armenia among the countries which support terrorism and are engaged in human trafficking. The report of the US State Department qualifies Nagorno-Karabakh as an integral part of Azerbaijan and notes that it was occupied by Armenia. The amount of the financial aid allocated to Armenia keeps on reducing from year to year. In his speeches, the president George W. Bush expresses his concern over the fact that Azerbaijan territories have been occupied. This is another victory for Azerbaijan.

Azerbaijan is becoming one of the most powerful states in the post-soviet space for its economic parameters, while Armenia has been compelled to pledge its state-owned enterprises instead of the foreign debts. Azerbaijan has become the most trustworthy country in the Southern Caucasus from the standpoint of social-political stability, development of democracy and internal safety, while in Armenia terror is a common attribute of the political life.

Therefore, it may surely be said that perhaps Armenia needs a continuation of the peaceful negotiations and their successful conclusion more than Azerbaijan does. This is linked with both the country's internal social-political situation and the fact that the region is on the threshold of significant changes. From next year, Azerbaijan will start exporting its petroleum to world markets through Baku-Tbilisi-Ceyhan oil pipeline, which means new economic progress and a new political situation. This process is surely not in favor of Armenia - either from the economic or from the political point of view. Increase of Azerbaijan's economic potential from day to day puts the aggressive party to a more unsuccessful position in the negotiations process. Moreover, if taking into account the problems existing inside the country, one can easily imagine Yerevan's state.

All of these factors augment Azerbaijan's chances to dictate its own conditions in the negotiations. Every day a more favorable condition appears for the achievement of the conflict's fair settlement. Apparently for this reason the president Ilham Aliyev has repeatedly stressed in his speeches that Azerbaijan does not hurry. In his inauguration speech, Mr. President said: "The Armenia-Azerbaijan, Nagorno-Karabakh conflict is the hardest problem for our country. We have long been living in the state of ceasefire. Unfortunately, the activity of the OSCE Minsk group, which has been directly dealing with this issue, does not produce any results yet. We do not lose our hopes yet. We still hope that the co-chairmen will deal with this problem in a more serious and responsible way. This problem should find its solution. This problem can be solved only based on the international legal norms: Azerbaijan territories must be released from occupation, one million refugees and internally displaced persons must return to their native lands, territorial integrity of our country must be restored. Azerbaijan will never reconcile with this situation, with the fact that its territories are under occupation. Everybody should know that despite that we are supporters of peace, we want the war not to start again and this issue to be settled in a peaceful way, but our patience is not endless. Azerbaijan will release its territories at any cost".<sup>1</sup>

The recent observations also show that Azerbaijan is willing to adhere to the principles it has defined in regard to the conflict's settlement, and it has very

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<sup>1</sup> "The Successor of the great road". Baku, 2004, p.18.

serious reasons. First, Azerbaijan's position is a fair position and based on the fundamental principles of international law. Second, the conflict's consequences have affected Armenia no less than Azerbaijan. The fact that this country keeps our territories under occupation has put it aside all of the trans-regional projects and now Armenia is at a one-step distance to economic catastrophe. Third, Nagorno-Karabakh has caused quite a heavy blow as well on advantages of the states having interests in the region; therefore they also need the conflict to finish. Fourth, this conflict brings negative features to the character of relations both in the Southern Caucasus and in much greater scope international relations. This should not be avoided.

**2. PRESENTATION OF THE AZERBAIJAN PRESIDENT  
HEYDAR ALIYEV AT THE DISCUSSIONS IN MILLI MEJLIS  
ON FEBRUARY 23, 2001 ON THE PROBLEM  
OF NAGORNO-KARABAKH**

- Respected Milli Mejlis!

Respected deputies, ladies and gentlemen!

I greet you, Milli Mejlis of Azerbaijan, the newly elected Milli Mejlis sincerely and wish you successes in the works you are going to do in the forthcoming five years.

This Milli Mejlis is the second Milli Mejlis elected after Azerbaijan gained state independence. The Milli Mejlis elected in 1995 did much for strengthening of Azerbaijan's independence, for development of the process of legal, democratic and worldly state building, for conduction of socio-economic, legal-political reforms, and the main essence of the performed activities is the laws adopted. I can say it boldly that in the past five years Milli Mejlis of Azerbaijan worked very productively, adopted laws, which are of great importance and a complex character. These laws have been very important for development of the independent state of Azerbaijan, for conduction of economic reforms, provision of superiority of the law and creation of a legal state. At the same time, Milli Mejlis has contributed its share to our general work through inter-parliamental relations and other means in realization of the foreign policy of Azerbaijan state. Therefore, today we should appreciate the activity of the Milli Mejlis, which was elected based on the first Constitution of Azerbaijan following our independence, the activity of the former Milli Mejlis properly and with pleasure.

I suppose the Milli Mejlis which is elected the second time is of higher quality for its structure and level. I am completely sure that the Milli Mejlis, which

has newly started its work, will work even more fruitfully than in the past and make efficient use of the gained experience. Thus, it will fulfill the responsibilities falling on it for even more strengthening of the state independence in Azerbaijan and implementation of the tasks standing before the independent state as a supreme legislative body. I am meeting with you the first time, I congratulate you for being elected as deputies to the Milli Mejlis and wish successes to the new Milli Mejlis once more and once again.

The issue put for discussion today is not of a character to be fully discussed. This issue is put forward for discussion by the Milli Mejlis at my initiative. A question emerges, "why was not this put to discussion at the Milli Mejlis before and is put now?" I am explaining.

First, because recently proposals have been put forward, claims have been expressed in the Milli Mejlis, particularly in the opposition camp, that the heaviest, most difficult and the biggest problem, which impedes our development - the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, release of the occupied territories of Azerbaijan, and return of the internally displaced persons (TDPs) back to their native lands - should be discussed in the Milli Mejlis. Some people have even put forward such a proposal that a committee must be created in the Milli Mejlis to deal with this issue. However, as the President of the Azerbaijan Republic, I have not considered these proposals expedient. Therefore, in recent years I have tried to fulfill the duty falling on my share, naturally not alone, but together with all the authoritative bodies, appropriate executive bodies and leadership of the Milli Mejlis.

The Minister of Foreign Affairs Vilayat Guliyev gave information about the main issues for this period. Today this issue has been put in Milli Mejlis for you to take part in its discussion, or to say it more exactly, for you to appreciate properly the current situation and for uniting the efforts of yours, and not only yours, of the entire Azerbaijan community, all the political forces of Azerbaijan, including all of the opposition forces. We have decided that the course of the meeting should be fully recorded and it will be broadcasted that not only the Milli Mejlis, but also the Azerbaijan community citizens be deeply aware of the issue.

My purpose is that, I want you to know, and the Azerbaijan community to know what has been done for settlement of the problem so far, what has been possible to achieve and what the priority thing to do is. This conflict has a long history. For the first time in 1988 Armenians, I mean the Armenians in Armenia and Nagorno-Karabakh, began a very serious and severe movement for the disconnection of Nagorno-Karabakh from Azerbaijan and its annexation to Armenia, and they almost finished this activity successfully.

The word "miasum" is forgotten now. It is an Armenian word. Nevertheless, it is a word which is repeated several times a day by every Armenian living in Armenia, in Nagorno-Karabakh, or in any part of the world.

Because I have long been familiar with these issues and was dealing directly with the problems of the Nagorno-Karabakh Autonomous Region when I was heading Azerbaijan, I know well in general the history of this problem and its complexity. This territorial claim of Armenians is not a new thing. You know that in the past, when both Azerbaijan and Armenia, generally the Caucasus was within Russia, there was no republic and no border between the republics.

Since the czar Russia became owner of Northern Azerbaijan following the wars of 1804-1813 and 1826-1828, it strengthened its own leadership here gradually, from year to year, and finally applied its own polity. That is, for many years it applied the polity applied by the Romanovs generation and already then this part of Russia was divided into provinces and districts. The czar's governmental representatives governed the provinces, districts and the entire government bodies. That is, there were no borders. Everybody lived wherever he/she wanted to live.

However, at the same time, we have our history. We know in what territory Azerbaijan was. We know it well. We know it all, and remembering our history we say it with a heavy heart that the territory of Azerbaijan used to be much bigger, much wider than it is now. However, at certain stages of history some parts of this territory passed to Armenians - once, twice, thrice.

In 1918, the People's Republic was created in Azerbaijan for the first time. At the time the People's Republic was established, a war was going on in the Nagorno-Karabakh province. Then the People's Republic fell quickly and the Azerbaijan Soviet Socialist Republic was created. In 1922, the USSR was created. Azerbaijan was one of the organizers of the USSR. At that time, the borders were defined. Today remembering the past, we can say with full assurance that Azerbaijan was encroached as well in those years, a part of Azerbaijan lands was given to Armenia, and the borders were not properly divided. In 1923, the Nagorno-Karabakh Autonomous Region was created. Its history is also known. Armenians think that at that time there was unfairness towards Armenians. Nevertheless, we considered and consider it today that Azerbaijan was encroached. Because creation of an autonomous province in Nagorno-Karabakh for that a part of its population belonged to the Armenian nation means that a certain territory within Azerbaijan was made autonomous and rights based on autonomy principles were provided to this territory.

Then Armenia, and I can say that mostly the nationalist circles of Armenia, not all of them, but chauvinist intellectuals, the dashnak party - which as you

know, appeared at the end of the last century, functioned in different countries and does it as well today - all of these forces raised periodically the issue of disconnecting Nagorno-Karabakh from Azerbaijan and giving it to Armenia in the period when the USSR existed.

I said that I know these things well because of my former activity. This issue was raised in 1950s, 1960s. The feature of the field I was working in at that time was so that I know these very well. Finally, I have headed Azerbaijan since 1969. These issues were raised as well then. In 1977, when the USSR Constitution was adopted, a committee was arranged to prepare the Constitution. The committee was headed by the then General Secretary of the Communist party Brejnev. Representatives of the republics, including me, were members of this committee. During the period the committee was preparing the draft constitution, for about a year, many proposals were received that, Nagorno-Karabakh should be separated and given to Armenia. There were even some efforts to consider this issue at the committee.

Understand me the right way; I am saying what really happened. I prevented this at that time. However, it was difficult to prevent. Nevertheless, I did it. I prevented this with my will, protecting the national interests of Azerbaijan people by my soul and blood. However, in the meantime, the situation in Nagorno-Karabakh was always provoked. Therefore, during the time when I was leading Azerbaijan - it should be said openly - we were creating mostly economic conditions for Nagorno-Karabakh and preferred development of its economy. Because this issue was always raised that ostensibly, Nagorno-Karabakh is pressed in Azerbaijan and Armenians cannot develop in Nagorno-Karabakh. In order to preserve the integrity of Azerbaijan, to protect its entire territory, I am saying it again, we were paying most attention to Nagorno-Karabakh then. True, later some dilettantes blamed me because I was doing this. I am saying it also today, I was doing this, and I was. I was doing this, in order not to give the Armenians an opportunity to raise this issue.

Then the things went the wrong way. After this conflict started, I was again blamed in the press, in the USSR press of ostensibly pressing Armenians while I was heading Azerbaijan, of having changed the demographic situation there, having taken some measures for Armenians to leave those places and consequently the number of Armenians in Nagorno-Karabakh fell down. Armenians were saying these and even when these issues were discussed at the session of the USSR Supreme Soviet, their representatives, even the president of the Armenian Academy of Sciences Ambarsumyan - we had elected him once the honorary member of Azerbaijan Academy of Sciences, he was elected as well the member of the Georgian Academy of Sciences in order to strengthen our friendship - was

mentioning my name. That is why now Armenians want to annex Nagorno-Karabakh to Armenia.

My goal in saying all of these to you is that you know, this is not a new problem. The Armenian party was working on this. This fact should not be neglected as well, that this process began very speedily in 25 days after I was estranged from all the posts. A month after that all of the Armenians in Nagorno-Karabakh revolted and made a decision that Nagorno-Karabakh should be annexed to Armenia. Then these tragedies started and its consequences are obvious.

Today I think that we have not gathered here to seek for the guilty - who is to blame, who is not, why the territories were occupied - not. I would like to ask you to leave these issues aside. However, I want to express my opinion about one issue.

Why did it happen? Not because Azerbaijan people are weaker than Armenians. No. Our centuries-old history displays the abilities of Azerbaijan people. First, because Armenians, Armenia had long prepared for this, while Azerbaijan had forgotten about this issue. Those very years were forgotten. Secondly, when this conflict started, I mean, after the Armenia's territorial claim emerged, all the Armenians - both in Armenia and those living in all parts of the world forgot all the internal controversies and attitudes, all of them united. All of them united around the idea of "miasum" and brought us to today's situation uniting all their force. Differently from them, our nation failed to unite when this event started, the persons heading the people displayed inconstancy, and in a couple of years, the issue of Nagorno-Karabakh was forgotten. Internal controversies, fights, fight for power burst out. That's why under such circumstances Armenians occupied the territories of Azerbaijan very easily.

I am saying it again and ask that today we do not touch upon these issues during the discussions. This is a case for the future - if needed. The purpose of my coming here today and my address to the Milli Mejlis, my initiative is that both the Milli Mejlis and the community, the people, to know it. Nevertheless, not only that they know it. Let's together, all of us, think about this hard situation. Not only think, but also cooperate together so that the persons to deliver speeches here will not touch upon the history, not blame anybody, or say that somebody is to blame, the other is not. Today we do not need all of these. None of these is needed. Today we need to decide how to fulfill the task standing before us.

What have we done so far? The Foreign Minister said this. And I will say a few words. However, what should we do in the present situation? Twenty percent of Azerbaijan territories have been occupied - first Nagorno-Karabakh, then the seven regions around Nagorno-Karabakh. We have got one million refugees from the invaded territories - if to take into account as well those driven out from



Armenia. Particularly the people, who have been driven out from the occupied territories, have been living in oppressive conditions in tents, not for a year or two, but for 12 years.

In 1994, we stopped the fighting. Some people say different things about this. Today I state once again that the ceasefire in May 1994 was a very urgent measure and we did it fully consciously. The past period also shows that - despite that the problem has not been solved - this measure had to be taken. Now, unfortunately, many have forgotten the war, they are living peacefully, they are calm. Unfortunately, they have forgotten how the situation was during the war. People live peacefully, our economy advances, foreign investments expand, the process of state building keeps on, our independence strengthens, Azerbaijan pursues a courageous foreign policy. All of these were impossible to realize in a condition of the war.

When stopping the fighting, we were hoping that we would achieve a peaceful settlement of the issue during the armistice. Anyway, maybe some people do not know. At that time, we escaped from a big tragedy. Then mainly Russia was mediating in this issue, although the Minsk group was also present. However, Russia had taken the initiative. The cease-fire agreement was signed and the Defense Minister of Russia asked immediately to let the Defense Ministers of Armenia and Azerbaijan come to Moscow so we could consult on how to release the territories thenceforth. We believed this. We sent our Defense Minister there. At that time, we had a Defense Minister, whose surname was Mammadov. Unfortunately, some of the Defense Ministers then were not decent persons. But what happened the next day? Then there was no co-chairman of the Minsk group, only a chairman. Jan Eliasson from Sweden was the chairman. He had been to Armenia, and then he came here. He was also taking part in the ceasefire. I negotiated with him. Suddenly I was informed that the Moscow TV broadcasts that Grachov (Defense Minister of Russia) is conducting a big meeting and making decisions about what should be done in Azerbaijan. I became very angry at once. I looked for our Defense Minister in Moscow. What happened? It appeared that such a negotiation is going on there, with agreement of Rasul Guliyev from here and participation of our ambassador in Moscow that Russia must send its separating troops to the region to provide for a ceasefire. Is Hassan Hassanov here?

**Hassan Hassanov** (ex Foreign Minister): Yes, Mr. President.

**Heydar Aliyev**: Do you remember it?

**Hassan Hassanov**: Yes, I remember it very well.

**Heydar Aliyev**: How many hours from night until the morning...

**Hassan Hassanov**: We found him at seven a.m.

**Heydar Aliyev:** At 7 o'clock I made him get on the plane immediately and come here. Do you remember?

**Hassan Hassanov:** He hid for some time. We could not even find him for two hours; he arrived late.

**Heydar Aliyev:** Yes. He hid; he betrayed us. However, things did not finish with this.

In three days after that, generals of the Russian Defense Ministry came to Azerbaijan in a big staff with the plans that "we are going to locate here and help you" so that Armenian troops leave this place. I listened to them and said, "thank you for your initiative. But we do not need it." They tried much; "maybe we should go; think once more". I said, "No. Please, go back to your place from here". We escaped such a threat at that time.

However, the positive feature should as well be noted that we have succeeded maintaining an armistice between Armenia and Azerbaijan for more than 10 years without any separation forces. This is not only our merit; perhaps we should confess the positive attitude of also the Armenian party concerning this ceasefire. I am saying it again, the negotiations conducted thenceforth have not produced the wanted result. Nevertheless, I would like to say a few words about the process of peaceful negotiations for you to have more extensive information.

In 1992, the OSCE Minsk group was created and the United Nations Organization put this organization under patronage of OSCE. The OSCE established the Minsk group and the Minsk Conference. The Minsk group includes 12 states. In 1993, when starting the work here, Italy, Deputy Foreign Minister of Italy Rafaelli was the chairman. Then in 1994, Sweden, the Foreign Minister of Sweden Jan Eliasson was the chairman. After 1994, we changed the situation. However, at the same time, right when the war was going on, representative of the Russian Foreign Minister, the known person Kazimirov was dealing with this issue. He visited the region once a month. He invited our representatives to Moscow. Then Tofiq Zulfugarov was the Deputy Foreign Minister and he was an expert of such issues. He went there and took part in the negotiations. Gukasyan, the "foreign Minister" of Nagorno-Karabakh was also brought there. In turn, we sent Bahmanov, head of the Azerbaijan community of Karabakh from here. The work kept on this way, in parallel. At the time when I witnessed it, Italy, then Sweden presided over the Minsk group. Finally, in 1994, we changed the situation at the Budapest summit of OSCE. I mean, we made it a little legal.

I'll say openly, the United States of America and Russia negotiated about a certain other issue there. Hassanov also knows it. Probably, Azimov knows it as well. He was there, too. Tofiq Zulfugarov also knows it. There Christopher met with the Foreign Minister of Russia and they agreed that Russia and Finland would

be the co-chairmen of the Minsk group in order to solve their own problems. Then we lived this period until December 1996.

In December 1996, a certain progress was achieved at the Lisbon summit. Until that, it was impossible to do anything. However, in December 1994, in Budapest we determined first the issues of Minsk group chairmanship; secondly, the first time the decision was made there, that peaceful forces of OSCE should be created, and in case the agreement is achieved, exactly the peaceful forces of OSCE, and not of any other country's, enter here to our region. We intended that the peaceful forces would include representatives of individual countries which have no interest in this region. It was a very important decision. We did it.

We achieved serious progresses at the Lisbon summit. I mean, progress to what - it is known. The first time it was written that the territorial integrity of Azerbaijan and Armenia is acknowledged; Nagorno-Karabakh is provided with the status of self-rule within Azerbaijan; and the safety of Nagorno-Karabakh population, both the Armenian and Azeri population, should be provided.

It has already been said here, at the report. I should say everything openly to you. It is not so much an admissible thing for us, but we wanted to advance a little. Therefore, we considered it as a big step forward. This project was developed in Finland, then in Vienna and brought to Lisbon. In Lisbon Armenia rejected this project completely. How many efforts we made there - we have spoken about it repeatedly. Armenia rejected. In Lisbon there is a rule that a consensus should be present. No consensus was achieved.

I have said it, you know. I was obliged; maybe, it is a rare case in the history of diplomacy that I made such a step. I did agree with the decision of the entire Lisbon summit. Thus, if one country does not agree, the Lisbon summit could not adopt a resolution. Why did I do this? Because, at least I made the participating states of the summit show an attitude to Azerbaijan. Afterwards the known statements were adopted. Again Armenia did not vote for it; 53 states voted.

What happened in the next period? After the Lisbon summit, we thought that the co-chairmen of the Minsk group should strengthen even more. Finland left the co-chairmanship; Russia stayed. The United States of America suggested its service and we accepted it. We proposed the United States of America. Neither Armenia nor Russia agreed with this. They accepted France. We did not agree with that. Finally, there were three co-chairmen instead of two, since the states failed to achieve an agreement among them: Russia, the United States of America and France. You should know that until that we had not received any written concrete proposal from the Minsk group.

I am saying again, on the one hand, Kazimirov, the representative of Russia, was working very actively. Every two to three months our representatives met with those of Armenia, even with those of Nagorno-Karabakh in Moscow or another place. No result was achieved. The Minsk group was headed already by three major powers and we demanded that they give concrete proposals.

Vilayat Guliyev spoke about these proposals here. The first proposal, "package settlement" proposal was presented in June 1997. Now you will say, somebody will say, why did you accept it? We accepted it because we wanted to see if we could achieve progress or not. I remember even when I met with Clinton in the White House, Washington on the first of August, he appreciated it very highly. He even asked me, tell during your speech - because, he also performed a speech, as me - that you accept it. I said it. Armenia did not accept it.

Afterwards the second proposal, "stage-by-stage settlement" proposal was given. We again accepted it, but not because it was expedient for us. True, it was a bit more expedient than the previous one. Vilayat Guliyev spoke about this. But we wanted a little movement to start. Armenia did not accept it, either. Vilayat Guliyev has spoken about the following processes.

Finally, Ter-Petrosyan from Armenia accepted the second proposal. We made a joint statement in Strasbourg that we will work based on this. An opposition appeared in Armenia against Ter-Petrosyan. Thus, in February 1998 Ter-Petrosyan resigned and a little after that Kocharyan was elected the president. There was nothing in 1998; the Minsk group was not giving anything. Why don't they give? They answered that "we are waiting, a new president is being elected in Armenia, a government is established", and so on and so forth. We waited and waited; at last, in late 1998 the proposal of "common state" was given to us. There is a saying in Azerbaijan, "it is much blacker than black". In comparison to the previous proposals, it was much more unfavorable for Azerbaijan.

The persons taking part in those negotiations may remember. As soon as I heard it, I said that we do not even want to discuss it. They tried much to convince me. I said, "I do not want to discuss it. You put us in such a position that two states appear in the territory of Azerbaijan - Azerbaijan and Nagorno-Karabakh, while Azerbaijan has no right upon Nagorno-Karabakh. And you cover it saying that thus, territorial integrity of Azerbaijan is maintained". I said, "What are you thinking? Are we so mad not to understand what it means?" We rejected this. But Armenia accepted this, and up to now Armenia states everywhere, performing speeches, that if Azerbaijan had accepted the formula of a "common state" at the end of 1998, now there would be peace, the conflict would have been finished. Certainly, in their favor. The situation is like this.

You should know that today, while leading this discussion, I am saying to you, all three of these proposals have been left in the past. They cannot come back again. I think the last proposal was a big sabotage against Azerbaijan and we rejected it totally. After that the Minsk group has not presented any proposal.

Both yesterday and today I heard that there were different stories when these issues and proposals were presented to the mass media. Even the opposition parties, I don't know, organizations and so on in our country gathered and made a racket that Heydar Aliyev wants to accept the "common state" formula; I don't know, he wants the parliament to accept it, et cetera. You know, the terrible thing is that the misfortune of our people, our nation, is this.

Hey our citizens, the persons living with groundless political ambition, you have been invited here. Do listen. If Heydar Aliyev has not backed Azerbaijan's interests in this issue, stand up and cut off his head.

Nevertheless, they concoct it; they make a hubbub. Yesterday the ANS TV-channel informed us that 50 political parties have made a decision to hold actions. You know, I would advise the ANS TV-channel to live much more based on the principles of fairness, not the sensational. In fact, there are not even 40 parties in Azerbaijan. Those calling themselves parties are not parties; even if we consider them, again their number does not reach 50. All the registered parties are known and they have been invited here. However, Murtuz muallim said that some of them have not come. Why don't you come? On the one hand, you want discussions; you want us to say our ideas openly so that you know everything. On the other hand, not knowing anything, you just concoct things and make a false noise. One says, we need to hold an action; another says, we should raise the people up. I want them to know, nobody can do it. Azerbaijan has got its Constitution and laws. Those times have passed. Azerbaijan state is a powerful state. Everybody can act within the framework of the Constitution, negotiations, democracy, political pluralism and superiority of the law. Nevertheless, if anybody wants to act outside of all these, he will receive a due answer.

As the President of Azerbaijan, I state that the cases taking place in the past cannot repeat. The persons having created a condition of civil war here in 1993, those who divided Azerbaijan, and those who supported these persons - I do not want to expand it now - now ostensibly think about Azerbaijan and think more than we do? Therefore, I state that none of the published proposals have been accepted and will not be accepted.

This morning I was told that Armenia expressed its discontent that Azerbaijan has violated confidentiality and published the proposals. This information was given as well yesterday. They have even addressed the Minsk

group. I was told in the morning that ostensibly they have also published this last proposal, which contained the "common state" formula.

First of all, we have not promised anybody to keep this a secret. Yes, I supposed and suppose today that the negotiations process should be kept a secret. Information must be given after the result is achieved. I am saying it to you also today. I am saying it to the entire community, to the people. If we achieve any result, if we come to any decision, any conclusion, nobody, including the president Heydar Aliyev can hide it.

Undoubtedly, first the Milli Mejlis must discuss it. After that it should be presented to the people's discussion. If the people and Milli Mejlis do not accept it, can the President of Azerbaijan Heydar Aliyev solve an issue alone? First of all, you should know that neither today nor tomorrow Heydar Aliyev can accept anything that contradicts Azerbaijan's interest.

Secondly, if due to any compromises, there appears a conclusion that yes, this can be done, this will never be kept in secret. The negotiations process is going on secretly and will keep on secretly as well. Because, if we take the course of this negotiation process to the market, to the community, nothing will happen.

However, what is my purpose today? Today my purpose is that you know everything. The community, the people know it and say, "What do we need to do?" Why am I saying this? Because, after the "common state" formula proposal, the Minsk group has not given any proposal.

In April 1999 in Washington, at the 50th anniversary of NATO, the leadership of the United States of America, President Clinton and the Secretary of State Mrs. Albright, asked that we meet with Kocharyan and speak. We met and spoke. There it appeared that we could reach an agreement on certain issues. Therefore, this negotiation process continued. In 1999, we met several times. I went to Geneva two times for this, then we met at the border. In October 1999, more closeness in the positions became possible. However, in 1999, after the terror act in the Armenian parliament, Armenia refused the certain, though little, agreements achieved.

Now, after these meetings have started, the Minsk group says, the co-chairmen of the Minsk group say, OSCE says, the European Council says that two days ago heads of the European Union were here. And they say to let the two presidents solve the problem, and we will agree with this, however they solve it. The two presidents' settlement is very difficult because, the territories of one president's country are occupied, and it has one million refugees. The other president's country has got big economic difficulties, but its army keeps Azerbaijan territories under occupation.

Vilayat Guliyev gave the information here. Nevertheless, I would like to cite several figures. You know, since 1993 up to now I have conducted 485 meetings with presidents, the heads of 68 countries. Either I have been at an official visit, or they have been to Azerbaijan. Many of the meetings took place while we were in international organizations. Do know, at all of these meetings, even at the meeting with the sultan of Brunei, I have raised this issue. I have asked them to help Azerbaijan, to support Azerbaijan.

I have got the number of these meetings. For example, I have discussed this issue with the President of the United States of America, with its foreign Minister 18 times; with those of France - 16 times; Russia - 28 times; with all of the heads of Turkey repeatedly - 78 times. I do not want to spend your time with this.

I have conducted ten meetings with the leadership of the United Nations organization - the former secretary Boutros Gali, Koffee Annan on this issue. If you remember, Boutros Gali came and performed a speech here. I have performed three speeches at the summit of the United Nations Organizations. My speeches have been published, in all of them I have criticized the United Nations Organizations that "you do not fulfill the resolutions you have adopted". What do they say? They say that "we adopt these resolutions, but we do not have a mechanism for fulfilling them". What did I tell them? I have said this at three NATO summits - in Washington, Madrid and other places. I have met four times with general secretaries of the NATO. I have said this to all of them. At OSCE summits - I have already said this - in Budapest, Lisbon and the last time in Istanbul.

I see it at press; they write that the issue was ostensibly solved at the Istanbul summit and so on. Falsehood. Why do you write the things you do not know? Why do you invent the things you do not know? No issue was solved there. There the State Secretary of the USA Albright, Foreign Ministers of France, Russia and Turkey, chairman of OSCE, I think the Prime Minister of Norway and us, the two presidents discussed the issue and failed to come to any conclusion.

We are a member of the Commonwealth of Independent States. There was not a single meeting of heads of the states where I did not raise this issue. Our friends, brothers, other countries have pronounced it that Armenia is the aggressor. The word "fight against separatism" appears in some documents of the Commonwealth of Independent States. Armenia rejects it. But I suggest that the word "fight against separatism" should be written. All the heads of states ask me to withdraw my suggestion as well as our brothers, Central Asian countries.

The Organization of Islamic Conference has conducted two summits. I have delivered a speech, spoken there. The Economic Cooperation Organization - the

ECO has held four summits. Heads of the Turkish-speaking countries have had five summits. I have conducted numberless meetings.

I want to say as well that Turkey - our friendly, brotherly country - considers Armenia as an aggressor and states it everywhere. The Organization of Islamic Conference is the only organization that we can write the formula of Armenia's aggression to Azerbaijan in the resolutions and protest this aggression. Iran states that Armenia has encroached upon Azerbaijan. Nevertheless, except for these, no country of the world says that Armenia has encroached upon Azerbaijan. The Security Council of the United Nations Organization has adopted four resolutions. I asked Vilayat Guliyev to have a look at those resolutions. This morning I have also looked through them. All four of those resolutions write that the occupation troops must leave the invaded territories of Azerbaijan. However, the word "Armenia" is absent; I mean the word "Armenian armed forces" is not present in them. Anyway, in one of the resolutions it is written that Armenia should be demanded to influence on Nagorno-Karabakh. In reality, it is an Armenia-Azerbaijan war. In reality, Armenia has encroached upon Azerbaijan. However, no document of an international organization, except for the ones I have mentioned, regards Armenia an aggressor in any statement of any state.

We say - I have rammed this formula to people's brain - the Armenia-Azerbaijan, Nagorno-Karabakh conflict. But what do others say - the Nagorno-Karabakh conflict. Because all of them think that this conflict is not something between the two countries, but between Nagorno-Karabakh and Azerbaijan. I have said it repeatedly, if this is the case, let Armenia step aside. It is our business what kind of negotiations we will conduct with Nagorno-Karabakh and what we will do. We can settle it in a very short period. However, presently Nagorno-Karabakh and Armenia are one single country. They have been a single country for already 11 years. Nevertheless, nobody wants to recognize this truth.

Now everybody turns to me regarding my meeting with Kocharyan. You are, I don't know, a strong leader, strong-willed person, and so on and so forth. You solve the problem. I say, "How should I solve it?" You say it as well to Armenia, let Armenia also display a constructive position in this issue, like us. Then we will solve it. They say, "Armenia is miserable, Armenia is poor". I don't know, "Armenia's economy is in a hard condition", et cetera.

There is a friendly relation to Armenia in big countries, the American Congress, or parliaments of other countries, but not to Azerbaijan. Although we have been subjected to aggression, they are the aggressors. We saw this as well at entering the European Council. True, the opposition tried here, so to say, to blame Azerbaijan leadership once again that we have no democracy and so on. Therefore, do not accept us to the European Council.



I have said it openly and said it as well when delivering a speech in Strasbourg. I said it in front of the entire European Council that double standards should be avoided in the world. Today I am saying again that double standards exist in the world.

Once I asked one person: "elections have taken place in Armenia, Azerbaijan and Georgia. What is the difference among these elections? Tell me the truth". He said, "There is no big difference". I said, "Why do you blame us that elections have been violated in our country, but not them?" They do not answer, pass through these issues. I do not think that elections have been violated in our country. At the same time, I do not think that everything is fully perfect in our country. I do not. I have said it repeatedly, everything has got a certain stage. If to take that stage, Armenia, Azerbaijan and Georgia - we all are at the same stage. However, for the economic development we are much better than both Georgia and Armenia. We are very good for internal stability. What does a country need? A country needs peace. A country needs internal political stability. A country needs economic development. However, these issues have been left aside; some people keep talking about democracy, democracy and democracy. The persons speaking about democracy simply misuse it. I have said and I am saying, democracy is present in Azerbaijan, democracy develops and will keep on developing. Nobody should misuse this issue. Nobody can affect Azerbaijan in this issue with his/her different means. Our Azerbaijan has its own way. Our people have its own mentality. Nobody should think that today here, in Azerbaijan, democracy will be just like in France. Many years must pass for this.

I am saying it in order to bring these double standards to your account. This double standard is presently applied in the Armenia-Azerbaijan conflict: "they are poor, they need to be saved. Your country has got natural resources, a great future", and so on and so forth, solve it. How should I solve it? Now you are also asking: "How should I solve it?"

From all the negotiations conducted, the proposals presented by the Minsk group, I understand one thing that they want to solve the issue either by providing Nagorno-Karabakh with a status close to independence, or to give it full independence. Only this and nothing else is evident from the Minsk group's proposals. We have not agreed with this and cannot do it.

I do not want to disclose our negotiations with Kocharyan. However, one thing is evident that they have invaded our territory and their main purpose is that to tell it shortly, Nagorno-Karabakh can never again be subordinate to Azerbaijan state. This is what they think.

I am conducting these negotiations and will keep on doing this. Some time ago, the president of France Chirac gave me a call. Because on January 26 we -

Kocharyan and I met there privately, then three of us met together. Some time ago, he called me - Kocharyan was again in France - to ask, "Could you come here to meet face to face?" I did not refuse. On March 4 I will have a private meeting with the president Kocharyan in Paris, and on March 5 the three presidents, the president Chirac, president Kocharyan and the President of Azerbaijan, will meet.

Now who can say that France has adopted a resolution about "genocide"? Why are you going there and so on? These are different issues. Settlement of this issue has nothing to do with that. We have expressed and express now our protest against the unfair decision of France. I have said this directly to the president Chirac. But at the same time, France is a co-chairman of the Minsk group. If there is any opportunity, if it is possible to achieve something here, we should use this and cannot refuse this. Therefore, I am going to this meeting. I cannot say what will happen and what will not. However, I want to say that the situation is very complex.

Vilayat Guliyev said here that the Minsk group has stopped its activity, but the Minsk group has not stopped its activity. For example, the fact that one of the co-chairmen of the Minsk group, the president Chirac is engaged in this issue displays that the co-chairmen of the Minsk group have not stopped their activity. When saying co-chairmen of the Minsk group, we mean their representatives, but the heads of the states are the leaders.

For example, when the Russian President Vladimir Putin came here I spoke to him privately for two-to-three hours very comprehensively. Then we had telephone conversations. Therefore, presently the Minsk group has not stopped its activity. I have stated more than once that the Minsk group and its co-chairmen should know that the direct meetings of the Armenian and Azerbaijan presidents should go in parallel with the Minsk group's activity. This does not replace its activity and will not. I have said it repeatedly and I am saying it again. We should strengthen the Minsk group's activity and make a profound use of our opportunities.

I explained the situation to you. So far, I have done everything possible. Not only me, but also all of our appropriate executive bodies take an extensive part in this; Milli Mejlis takes part in this. However, naturally, the main part of the negotiations falls on my shoulders. At the same time, both our foreign minister and the deputy foreign ministers conduct negotiations. Negotiations keep on as well at other levels. Representatives of our parliament raise this issue when going to different countries. I mean, we all do this. Nevertheless, either the persons working at our executive body or directly me hold the main negotiations with the Minsk group. What is my purpose? The situation is like this. You have said that we have discussed this at the Milli Mejlis. Someone says "let's create a committee". Tell me

what this committee is going to do, what it is able to do, what proposals it can give?

It is nothing for the political parties of Azerbaijan - opposition or non-opposition - to make a noise. The time of these noises has already passed. Before the elections some people deliver speeches saying "we have got an idea". Give your idea! You blame Azerbaijan President Heydar Aliyev for not being able to solve this issue for 7 years. I am telling you the situation as it is. You say that you can solve it - give your perception. You don't give it to me or to the Milli Mejlis, so give it to the Minsk group. If you do not give it to the Minsk group, give it to the United Nations Organization. Give, give and give! But none of you has any conception, any proposal, or any idea about the complexity and deepness of this issue.

However, despite this, today I am turning to you once again. I am turning to the members of the Milli Mejlis, to the representatives of our community, particularly to our scholars, men of culture, writers, and all the other intellectuals, who are so to say, the cream of our community. I am turning to all the political parties, even those which display a hostile attitude to me - give your proposals. If you do not respect me, then do not. This is your business. Give them to the Minsk group. Bring it, as some people delivering speeches on TV used to put a paper like this saying "this is one of our ideas, and that is the other". However, only God knows what is written on this paper. If you want, take that paper five times and put it back saying this is one proposal, two proposals, and three proposals and so on. If you have got a proposal regarding this issue, take it and give to the Minsk group. I will create a condition that the co-chairmen of the Minsk group meet with you. Give it to them in a written form, explain how to solve this issue through that way.

Nevertheless, some statements are spread that I don't know, Nagorno-Karabakh should be provided with cultural autonomy, Nagorno-Karabakh should not be given a province autonomy and so on. Let's think sensibly. They did not tolerate this province autonomy, which was created in 1923. They started the war, the conflict; so much blood was shed; they invaded our territories. Now is it possible to bring back to the very province autonomy? It is impossible.

Some people say, "Do the war; we should have a strong army". Azerbaijan has got a strong army. I have discussed this several times at the Council for National Security. Azerbaijan has got a strong army. It is possible to do the war. But, do we need it? Whoever is the supporter of the war, let him write, so we'll see what will happen at the end of this war? First, seven regions of ours besides Nagorno-Karabakh are under occupation. People live in tents. How much time will be needed and how much blood will be shed to release every occupied region? Second, how will the current world community accept the war? Third, from the

beginning the world community has had such an idea that Azerbaijanis have slaughtered Armenians there. Now, if we start the war, they'll say, "yes, Azerbaijanis want to slaughter Armenians now, just like in the past". However, I do not avoid the war. If our entire community comes to this conclusion and reason it, and the people wanting the war determine a concrete strategy that we need the war, and how we should do the war, - our army is strong enough to do this. Do not worry at all.

Some people say, "no, let's form a strong army in five to ten years, then we'll start". Others say, "Let's freeze the issue". How long should we freeze it? Well, say we froze the issue for five more years. Do the poor refugees have to live in the tents for five more years?

What will we do after that? Some people have an idea that in Armenia the economy is in a very hard condition, people leave the country and so on. There is some truth in this. The economy of Armenia is in a grave condition. However, Georgia's economy is in an even graver condition. Everybody, all the world experts, representatives - just two days ago I received heads of the European Union, they have got full information - say that our country's economy is higher. How long should we wait so that Armenia's economy gets destroyed, Armenia gets completely destroyed, Nagorno-Karabakh gets destroyed? Then we go and get these lands back? How long should we wait? If there is such an idea, let's reason it as well. I mean, I am ready to consider every proposal with full seriousness, full responsibility. That's why I gave this information to you.

Today's discussion should aim at proposals. I am asking the persons who are going to deliver speeches, do not speak about either history, or who is to blame, who is not to blame, why did it happen to us - do not speak about these, put these things aside. It is a matter of the future. What should we do today? Through which method should we achieve this? The occupied territories must be released. At least, the occupied regions around Nagorno-Karabakh should be released.

Perhaps I was not thinking to speak so comprehensively. However, anyway, I suppose this is such a complicated matter that there was a need for me to give you profound information concerning this. I am waiting for your proposals. I am waiting for your assistance. I wish our people to unite, get hand in hand and solve this issue.

Thank you.

**FINAL SPEECH OF THE PRESIDENT OF THE  
AZERBAIJAN REPUBLIC  
HEYDAR ALIYEV AT THE MEETING  
OF MILLI MEJLIS DATED ON FEBRUARY 24**

- Respectful Milli Mejlis!

Respected deputies, ladies and gentlemen!

The discussion going on for two days at the supreme legislative body of Azerbaijan, Milli Mejlis on investigation of the ways of settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict is, I think, of great importance to both for us, I mean the participants of this discussion and the Azerbaijan community, our people.

I am very pleased that the discussion took place. I think this discussion showed once more to everybody how difficult, how grave the situation is. Some speeches wondered why this discussion was so late, said we should have done it in time, that we should have given our proposals and solved the issue. I do not agree with these. Because, the discussion conducted just yesterday and today displayed that there is nobody to give a concrete proposal. In the recent years I, as the President of the Azerbaijan Republic, and the persons directly engaged in this issue together with me have tried to achieve a peaceful settlement of this issue. First of all, this was done through the Minsk group of OSCE and at the same time, through all the international organizations of the world, with the help of the major powers of the world. Since we ran these works and failed to come to a concrete result, we considered it unnecessary to bring this issue to discussion and simply talk about it. The discussions conducted both yesterday and today confirmed this idea for me once again.

Speaking, expressing feelings, stating once more that you love your motherland, stating that the territorial integrity is the most significant issue, stating how dear Karabakh is for us, stating that "Azerbaijan cannot live without Nagorno-Karabakh" - all of these have been said already for hundreds, thousands of times for 12 years. Everybody says this. The majority of the speeches both yesterday and today contained this. Anyway, how should we solve this issue? In recent years we have tried at least, when approaching toward a settlement of the issue, when some option is acceptable for Azerbaijan, to bring it to a discussion of the Milli Mejlis to see how Milli Mejlis reacts to this. If the negotiations we have conducted so far have not satisfied us, that is, if we have not agreed with the proposals given to us and the proposals put forward during the negotiations, what is the use of bringing the issues we have not agreed with to discussion? Some people said both yesterday and today that we would have discussed the ways out if you had taken this matter

to discussion several years before. Ok, let's suppose that we are to blame. Though I do not think so, however, let's assume this conditionally. What do you say today?

I am saying it particularly to those, who pull us to pieces. One says we gave a proposal in 1994, I don't know, for discussing the issue at the Democratic Congress. You know, this is a blatant lie. In 1994, those opposition forces were dispersed; they ran and hid. They were saving their lives. All of them crept into any hole for the fear of Surat Huseynov. Could they give a proposal at that time?

I do not want to cite names, but I have to cite one name. Following the events of 1993, the ex Prime Minister Panah Huseynov hid for more than three years. Then he was ran across somewhere and arrested. He stayed there for a while. I said, "OK, he ran and hid, now he has come". I thought and said, "Perhaps this man's faults should be forgiven". I even asked to bring him to me from the jail.

I spoke to him for three hours. There is a record of that conversation. During the conversation he said that everything we are doing is right' he told the mistakes his organization had made. He even criticized the attitude of the organization to which he belonged to the events during the coup d'etat Surat Huseynov tried to realize in Azerbaijan in 1994. I said, "Thank God that he has grown wiser". I then asked the law-enforcement bodies to release him, let him go. Maybe he will really be able to explain it to the others. He left.

However, in a few months, that person raised a general alarm in the opposition, confused everything, and he himself, not deserving anything, started instigating people against each-other that "you will become a leader, you will become a leader and you will become a leader"... So, now they say that we gave our proposals. Those persons were in such a condition in 1994. Why are you lying? Why are you lying?

I am saying it openly; no opposition party has ever given a single concrete proposal. If they want to refute my words, let them bring out those proposals, state them, and publish them. If there is really a rational idea there, I am ready to apologize to them.

You know, the people taking such a disorderly position, living with the claim for authority, and sacrificing Azerbaijan's independence, sovereignty, integrity, and Azerbaijan's position to their own personal ambitions, cannot consider themselves as citizens of Azerbaijan. For these reasons today I have the right to say that so far we have not received any proposal from any organization, from anywhere. We have done what we could. I said it as well yesterday.

I was closely operating with the Minsk group since I started my activity in 1993. I said it yesterday, "I have met with the cochairmen of the Minsk group 98 times during their joint visits to Azerbaijan". Every meeting lasted for two, three, four hours. Have we conducted empty talks? Finally, what does the proposal given

by the Minsk group in 1997 show? It shows that they regard the possible settlement of the issue only based on the current reality.

I think the things we have done so far have been useful. It would be impossible to do anything more than this. However, both yesterday and today, when we took this issue to discussion of the Milli Mejlis and during the discussion, both the community and the people sitting in this hall know how the situation is. Now, when the situation is like this, we should understand the real situation and follow the possible and real ways. It is impossible to do anything with the hubbub now.

I could not receive a proposal here. Yes, let us do the war; it is known for a long time. Let us conduct peaceful negotiations; we have been doing it for 7 years. What should we do then? Nobody said anything else. Finally, I am negotiating with the Armenian president Kocharyan. Nevertheless, why are these not solved peacefully? Because, I said it yesterday, I am saying it as well today: the Armenian armed forces occupied Nagorno-Karabakh as far back as in 1990. As far back as in 1989, the USSR government created Ad Hoc Committee in Nagorno-Karabakh and withdrew it from within Azerbaijan. In the following wars, Nagorno-Karabakh was invaded.

Finally, in 1992, here, at the period when the fight for authority was on in Azerbaijan, when the fight for authority was going on between the then leadership and the National Front, on May 9 Shusha was occupied. On May 14, here, in this hall some forces brought Mutallibov to power. Then he was attacked. On May 17, Lachin was occupied. In May 18, the National Front took the power in this hall and elected the chairman of the parliament. In two months, it elected the president. Occupation of these two regions connected Nagorno-Karabakh to Armenia already then. These are the realities.

Regions were occupied as well afterwards. It is also a reality. These regions have been under occupation for already many years. The population has been driven out from there. Nagorno-Karabakh has been actually annexed to Armenia. Now, in such a situation no power in the world wants to take measures for withdrawing the Armenian armed forces from there or wishes to affect it - neither the Minsk group comprised of 12 states, nor the United States of America, France, Russia or other states. This is a reality.

Turkey is the most friendly and brotherly country to us. It fully supports us. However, it cannot take any measures for withdrawal of the Armenians from the regions they have occupied. Because it has no opportunities. Others may be have such an opportunity, for they assist Armenia - the United States of America, Russia, and France. However, they do not do this. On the contrary, it is quite evident who the aggressor is. They help the aggressor; they assist the aggressor;

they have enacted the 907th Amendment against Azerbaijan, and they have not eliminated it so far.

The former president of America Mr. Clinton - with whom I have met repeatedly and spoken - promised me several times. Our statement writes that the 907th Amendment must be annulled - he sent me a letter three days before resigning saying "we can annul the 907th Amendment, but you do a gesture towards Armenia". What is the gesture? Open the border at least in the Gazakh region or in any other region so that trade takes place between Armenia and Azerbaijan. Then we will eliminate the 907th Amendment.

I must say this to you. I said, "No. I cannot do this. If you, such a major power, fear the Armenian Diaspora there in America and suggest this to me, I cannot do this. We have been living under pressure of the 907th Amendment for 8 years; we can keep on living like this further." This is the real condition.

The respected ambassador of Turkey gave me information at the break. An issue has been raised at the Congress of the California state - it also has got Congress to declare April 24 the "Day of Genocide" and to issue an appropriate resolution against Turkey. So, this work is going on in Turkey and will go on. However, what is added now? It is added that the events of 1988 in Sumgayit and 1990 in Baku and consequently the claims about massive deportation of 350,000 Armenians from Azerbaijan were reflected as well. This is the Armenian Diaspora. I want to say to Arzumanli once again, the majority of the Azerbaijanis living in America live in California. Does any one of them think that Azerbaijan should be protected? True, they are the Azerbaijanis having moved from Iran. I am saying the truth, "what will happen more than this?" Most of them do not consider themselves Azerbaijanis. They say, "We are Iranians". The reality is this. Therefore, not general words, I am saying it again, concrete proposals...

All the works we have done come to the point that Armenia can withdraw its armed forces with the condition that the status of Nagorno-Karabakh is defined. If this does not happen, Armenia will not do anything. All the other countries also say this to us.

Naturally, Nagorno-Karabakh is an ancient land of Azerbaijan. It is a dear land for us. However, the truth is that the majority of the people living there were Armenians. Seven regions located around Nagorno-Karabakh have been occupied. They are living in tents as refugees. Here some people again said "let's wait, let's freeze", et cetera. I would like the persons saying these words, thinking this way - someone said here, I agree with him - give their home to refugees for one month and himself go and live in that tent for 10 days - now, this very minute. You know, this is the truth in Azerbaijan.



We are building a market economy; we conduct economic reforms. As a result of this, one part of the population engaged in business has become rich and has become too rich. One part lives at the middle level. One part lives in a poor condition, but the refugees are living in an even harder condition. The refugees are in such a condition that it is impossible to stand it. Nevertheless, the persons who are not rich, I mean they have their own house - the rich, the wealthy, they do not know where to put their money - build domains not only in Baku, but also in other places - live comfortably. The other, the middle class also lives comfortably.

We have provided economic and political stability in all the parts of Azerbaijan, in Baku. Restaurants work until 2 a.m., 3, 4, 5 a.m. at night. People make wedding parties. People invite 300-400 men and 3-4 orchestras to each wedding party. People live comfortably, and when electricity turns off for two hours, they raise a racket: "why did I not have electricity for two hours?" One has three television sets, five washing-machines, and four heating machines in his home. Do they have any idea about what condition the refugees live in? As well as the middle class. Not only do the rich go to restaurants and bars. The middle class also goes. Even the poor class, which is poor, has little money, but has a house, at least, how to say, has a cover over his head, lives under his roof. We have created this comfort.

The people coming from abroad say that the comfort, that is, the public order in Azerbaijan, is not present anywhere now. Presently one lives a very rich life, a second lives a bit lower than him; the third lives a bit lower than the second; even the poor have a certain place for living, a certain opportunity. What about the people living in the tents? Should we think about them or not? Should we give them that very difficulty? However, they say, "no, let's give Nagorno-Karabakh a status which is even lower than autonomy". Nobody accepts this. Nobody accepts, and our territories are not released. Our territories are not released; people suffer. There is no end of this.

Therefore, I am asking once again, once more from everybody; I am turning as well to the opposition; I am turning to our intellectuals. Now I saw that the persons delivering speeches in the Milli Mejlis have not got such important proposals. Nevertheless, let each of them sit down, and think, write and give it to the Milli Mejlis. Perhaps we all, the people of Azerbaijan, Azeri nation should find the way, which we have failed to find so far. We are blamed that we have failed to find it; let them come and show the way. Then we will entrust settlement of this issue to them. Let them come and show. However, do know, the issue cannot be solved through general talks. Nothing will happen if we keep on requiring that Armenians must be withdrawn from there. We should know the real condition.

Finally, my word is that as the President of Azerbaijan I consider yesterday's and today's discussion very useful for myself. Because, I found an opportunity to state everything clearly, not hiding anything from you and the entire Azerbaijan people through you. At the same time, it gave me an opportunity to see what assistance the other persons invited to the Milli Mejlis, or common citizens can render us in this, what proposals they can give. Saying these words to you I do not want at all to say that we are hopeless. No. We will surely solve the issue. However, everybody should know how difficult, how hard it is to settle the problem. I am saying it once again, whoever can show his service in this field will be highly appreciated by the Azerbaijan state. Some of the speeches here voiced the idea that we should turn to the United Nations Organizations or OSCE on behalf of the Milli Mejlis. I support these proposals.

I would like to say to you that on the 1st of March the acting chairman of OSCE, the foreign minister of Romania, will be in Azerbaijan. Whoever wants may try and meet with him to tell his ideas. I suppose, until then, we will have the time to prepare the address of the Milli Mejlis and to present it to the OSCE chairman. Twelve states are included in the Minsk group of OSCE. It has co-chairmen. So, we need to send it to the co-chairmen - to the President of America, President of Russia and President of France. Milli Mejlis can do it as well. I would ask you, if the deputies agree, to send this address to the co-chairmen of the Minsk group on behalf of the Milli Mejlis because of this discussion.

Finally, somebody said here that we should make the Security Council of the United Nations Organization issue resolutions. I agreed with him. However, I think he can send such a letter to the General Secretary of the UN Kofi Annan and to the chairman of the UN Security Council on behalf of the deputies of Milli Mejlis and Azerbaijan people, and put it before them why the resolutions they have adopted are not fulfilled.

We have not been able to do this. Maybe somebody can do it or Milli Mejlis can do it. Let them do it. Understand me, please, I am not saying this for formality, I am answering to you this way so that you think. I accept this as a real truth and want us to show our pressure and influence to these organizations from all the directions.

What about me. First, the Minsk group must continue its activity and thenceforth I will conduct intensive negotiations with co-chairmen of the Minsk group as well. I will put forward our proposals for a fair settlement of the issue and ask them to take new measures regarding the fair settlement of the matter. This issue has always taken the major place in my negotiations and will take the major place as well further, in my entire foreign political activity. We cannot refuse either the Minsk group or the OSCE because there is no other means.

I told you about our meetings with the Armenian president in Paris. These are very difficult and hard negotiations. Though these negotiations are very difficult and hard for me as a person, as a personality, we will conduct these negotiations again in Paris. If something happens afterwards, we will continue this.

I thank you once more that Milli Mejlis discussed this issue for two days and I will provide the Milli Mejlis with information concerning any positive event achieved in the future. I am saying once again, negotiations are the first stage of the work, but the main thing, some achievement, is the second stage of it. If I reach any agreement, if I agree with any option which I understand and which is acceptable for us from my point of view, I will definitely present it to discussion of the Milli Mejlis. If the Milli Mejlis does not agree, I will not do anything without Milli Mejlis. My idea is that if Milli Mejlis agrees with any proposal, we should give it to the people's discussion then. We should not do anything without the people.

I have dedicated almost a very big part of my life to this work and from now on there is nothing more important for me than this task in the field of my service before the Azerbaijan people. You can be sure that I will do my best to fulfill this task honorably as well further.

## **II PART**

### **ARMENIA-AZERBAIJAN, NAGORNO-KARABAKH CONFLICT IN INTERNATIONAL ORGANIZATIONS**

#### **1. KARABAKH PROBLEM IN THE FOCUS OF ATTENTION OF INTERNATIONAL ORGANIZATIONS**

##### **United Nations Organization (UN)**

After the Armenia-Azerbaijan, Nagorno-Karabakh conflict started, this problem did not draw the attention of the international community for a long time. The first reason of this was that at the initial stage when the conflict started, the world community was not interested in its elimination. This problem was one of the many factors which speeded up the collapse process of the USSR, and its elimination could impede the destructive processes going on inside the Soviet Union.

Interestingly that appearance of the Nagorno-Karabakh conflict took place directly based on the Kremlin's scenario. Basing on the "divide and govern"

principle, the Union's leadership tried to distract attention from the country's main problems by creating regional conflicts and thus to obstruct expansion of the national liberty movement observed in the union republics. However, this plan played the role of a boomerang for the USSR, and ethnic conflicts not only failed to prevent collapse of the empire, but also speeded up the process even more.

Armenians had conducted a serious campaign for getting support of the international community even before the conflict started. Here the opportunities of the Armenian lobby were used extensively as well. It is enough to cite just one fact that today there are very warm relations between the USA Congress, which has opportunities to control actually the social-political and economic processes going on in the world directly, and the Armenian lobby. The same words can be said as well about the French Senate.

The fact that Armenia pursues aggressive policy against Azerbaijan was always accompanied with an indifferent attitude by the international union. Already in 1992 the Armenian armed units had sufficiently expanded the scope of their military operations targeted at occupation of our republic's territories. However, not a single international organization gave an objective assessment of these occupational actions, which were going on in front of everybody and violated international legal norms in a rude way. True, at different times certain resolutions, statements of UN, OSCE and the European Union concerning this issue appeared, but those documents did not assess accurately the true reasons of the conflict, did not put any difference between the aggressor party and the party that was subject to aggression.

In 1991, after declaring its independence, the Azerbaijan Republic addressed all the international organizations, including the UN and world states, concerning this. That address showed that the principles of democracy, liberty and equality are the main strategic ways of the republic and expressed the country's desire to be accepted to the UN. In March 1992, Azerbaijan was accepted to the UN membership.<sup>1</sup> In March the same year, Permanent Representation of Azerbaijan at UN opened in New York.

Thereafter, Azerbaijan turned to the UN asking it to express its attitude toward the aggressive policy of Armenia and prevent this country's aggressive actions. A UN delegation paid a visit to the region based on this address and gave appropriate information concerning this to the UN General Secretary. The UN General Secretary stated it supports the efforts of the CSCE (Conference for Security & Cooperation in Europe - since January 1995 OSCE - Organization for Security & Cooperation in Europe) and is ready to render assistance to this

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<sup>1</sup> "Azerbaijan" newspaper, March 2, 2002.

organization for achieving the appropriate results. This was already the first symptom of the international community's cold attitude to the issue.

In 1992 the occupation of Shusha made Azerbaijan turn to the UN once again. On May 12 the Security Council of UN sufficed by discussing the Nagorno-Karabakh problem and issuing a statement.<sup>1</sup> The statement was spread on behalf of the chairman of the Security Council. The statement expressed anxiety about the worsening situation in Nagorno-Karabakh and the necessity of rendering urgent assistance to the internally displaced persons. The document called the parties concerned to put an end to the violence and invited them to obey the provisions of the UN Charter. "The Members of the Security Council call upon all concerned to take all steps necessary to bring the violence to an end, to facilitate the work of the Secretary General's mission and to ensure the safety of its personnel. They recall the statements made on their behalf by the President of the Council on 29 January (S/23496) and 14 February 1992 (S/23597) on the admission respectively of Armenia and Azerbaijan to the United Nations, in particular the reference to the Charter principles relating to the peaceful settlement of disputes and non-use of force",<sup>2</sup> - said the document. This displayed that the statement is in fact a common document not expressing anything about the real essence of the conflict. The only positive step of the UN Security Council was that the letter of the Permanent Representation of Azerbaijan to the chairman of the Security Council was spread as the official document of the latter. This letter assessed the military operations conducted by Armenia as an effort to violate the territorial integrity of a sovereign state.

Naturally, Armenia was also trying to take alternative steps. Because of this, in August 1992 a new meeting of the UN Security Council was held based on Armenia's appeal, and a new statement of the Security Council chairman was spread. This document also called the parties concerned for a ceasefire and expressed UN's deep concern at the deterioration of the situation.

In October 1992, the chairman of the UN Security Council accepted one more statement. However, this document did not differ at all from the previous ones either for its content or for its political essence. It also expressed deep concern at the grave situation, as well as the loss of human life, and stated that it supports the CSCE's activity concerning the settlement of the conflict. Noting the necessity of an urgent negotiation process for regulation of the problem, the Security Council invited the parties to take concrete steps in this direction.

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<sup>1</sup> "Armenian intervention to Azerbaijan and international organizations", Baku, 1998, p.103.

<sup>2</sup> www.oon.ru

In 1993, one more region of Azerbaijan, Kalbajar, was occupied by Armenians. Azerbaijan appealed to the UN regarding this and asked it to assess the aggressor's actions. On April 6, the statement of the UN Security Council was accepted. The statement expressed deep concern at the deterioration of the tension between Armenia and Azerbaijan and invasion of Kalbajar by "local Armenian forces". The statement once more reaffirmed the principle of sovereignty and territorial integrity of all the states and once again expressed its support for the CSCE peace process. However, this statement did not assess the problem properly. The point is that the attitude to Armenia's invasive policy was not reflected in the document and it stressed that ostensibly the "local Armenians" occupied Kalbajar. Let us note that this statement was mainly based on the information provided by Armenia. Armenia refuted the facts put down by Azerbaijan concerning participation in the occupation of Kalbajar and tried to prove that "local Armenians" were to blame in the region's occupation.

The same year, on April 30, the UN Security Council adopted its first resolution regarding the Armenia-Azerbaijan, Nagorno-Karabakh conflict. This document titled "United Nations Security Council resolution 822"<sup>1</sup> was prepared with reference to the statements the chairman of the Security Council had given on January 29 and April 6, 1993. The resolution pointed out that stability and public order in the region is under threat, expressed grave concern at the displacement of a large number of civilians and the humanitarian emergency in the region. UN SC demanded the immediate cessation of all hostilities and hostile acts with a view to establishing a durable ceasefire as well as immediate withdrawal of all occupying forces from Kalbajar district and other recently occupied areas of Azerbaijan. "Recalling the statements of the President of the Security Council of 29 January 1993 (S/25199) and of 6 April 1993 (S/25539) concerning the Nagorno-Karabakh conflict,

Taking note of the report of the Secretary-General dated 14 April 1993 (S/25600),

Expressing its serious concern at the deterioration of the relations between the Republic of Armenia and the Republic of Azerbaijan,

Noting with alarm the escalation in armed hostilities and, in particular, the latest invasion of the Kalbajar district of the Republic of Azerbaijan by local Armenian forces,

Concerned that this situation endangers peace and security in the region,

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<sup>1</sup> [www.oon.ru](http://www.oon.ru)

Expressing grave concern at the displacement of a large number of civilians and the humanitarian emergency in the region, in particular in the Kalbajar district,

Reaffirming the respect for sovereignty and territorial integrity of all States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing its support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe and deeply concerned at the disruptive effect that the escalation in armed hostilities can have on that process,

1. Demands the immediate cessation of all hostilities and hostile acts with a view to establishing a durable cease-fire, as well as immediate withdrawal of all occupying forces from the Kalbajar district and other recently occupied areas of Azerbaijan;

2. Urges the parties concerned immediately to resume negotiations for the resolution of the conflict within the framework of the peace process of the Minsk Group of the Conference on Security and Cooperation in Europe and refrain from any action that will obstruct a peaceful solution of the problem", - said the resolution.

However, this resolution was in fact not powerful enough to stimulate the achievement of peace in the region. First because the resolution of the UN Security Council was loaded with only general words and did not serve the purpose of giving any concrete assessment to the issue. On the other hand, the resolution did not reflect implementation mechanisms of the provisions contained in it. Though the document confirmed the fact that Azerbaijan territories have been invaded, it did not specify who had done it and stressed that ostensibly the "local Armenians" had achieved the military operations. This, surely, did not provide an opportunity to define the aggressive party and explain concrete ways for settlement of the conflict.

On July 23, 1993, the Armenian armed units occupied Aghdam region of Azerbaijan. Let us note that this already proved that Armenia does not care at all about the resolution adopted by the UN Security Council. At the end of July, the UN Security Council held a meeting and adopted the Resolution 853 concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict. This resolution also demands the withdrawal of all the occupying forces from all the occupied areas of Azerbaijan, including Aghdam. The resolution expressed once again its grave concern at the displacement of large number of civilians in the Azerbaijan Republic and demanded the parties concerned to achieve a ceasefire in order to stop the conflict. The Security Council reaffirmed once again the sovereignty and

territorial integrity of Azerbaijan Republic and all other states in the region and endorsed the continuing efforts by the Minsk Group of the CSCE to achieve a peaceful solution. Meanwhile, the document particularly noted the deterioration of the relations between Armenia and Azerbaijan and the fact that some territories of Azerbaijan have been occupied, and as well concerned that this situation endangers peace and security in the region. Though in general, Resolution 853 of the UN Security Council looks more objective for some features than Resolution 822, here the issue was not accurately assessed as well because the Security Council did not name the aggressor, and preferred only sufficing with the "local Armenians" phrase, while already everybody knew who the aggressor was. And now only one thing was left to do - to confirm this officially. However, the UN Security Council did not take this step.

In August 1993 after Armenia intensified its military operations in order to occupy the Fizuli region of Azerbaijan, a new statement of the UN Security Council was spread. The statement confirmed the fact of the occupation of Azerbaijan territories, stressed that Nagorno-Karabakh is an integral part of Azerbaijan, and expressed serious concern at the tensions in the region.

The document stated that UN Security Council supports the settlement of the issue within the framework of CSCE, and at the same time is sure of the necessity that the parties themselves should take appropriate measures in order to eliminate the conflict. "The Security Council expresses its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them. The Council calls upon the Government of the Republic of Armenia to use its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of the Azerbaijani Republic with its resolutions 822 (1993) and 853 (1993)".

The Council also expresses its deep concern at the recent intensification of fighting in the area of Fizuli. The Council condemns the attack on the Fizuli region from the Nagorno-Karabakh region of the Azerbaijani Republic, just as it has previously condemned the invasion and seizure of the districts of Kalbajar and Agdam of the Azerbaijani Republic. The Council demands a stop to all attacks and an immediate cessation of the hostilities and bombardments, which endanger peace and security in the region, and an immediate, complete and unconditional withdrawal of occupying forces from the area of Fizuli, and from the districts of Kalbajar and Agdam and other recently occupied areas of the Azerbaijani Republic. The Council calls upon the Government of the Republic of Armenia to use its unique influence to this end.

"The Council reaffirms the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region and the inviolability of



their borders, and expresses its grave concern at the effect these hostilities have had on the efforts of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) to achieve a peaceful solution to the conflict."<sup>1</sup>

The Statement reflected as well the necessity of the conflict parties to accept the specified version of the "Timetable of Urgent Steps" to implement UN Security Council resolutions 822 and 853. However, this Statement did not differ much from the previous documents either because it did not confess the fact that Armenia is the aggressive party, and the conflict was characterized as a problem between the Armenians living in the Nagorno-Karabakh region of Azerbaijan and Azerbaijan.

This indefinite attitude created a favorable condition for the expansion of Armenia's aggressive operations. Armenians made use of the fact that the international union did not display an objective reaction to the events, and they achieved new aggression acts by invading Azerbaijan territories.

Thus, Fizuli and Jabrayil regions were occupied as well. Notwithstanding that an agreement on ceasefire was achieved in August 1993, Armenians did not obey this and invaded Gubadli as well. Azerbaijan had to turn to the UN Security Council once more. This appeal reflected that Azerbaijan does not agree with the "Renewed Timetable of Urgent Steps" prepared by the Minsk group. On October 14, 1993 the UN Security Council once again put the Nagorno-Karabakh problem to discussion and adopted the Resolution 874. This Resolution backed the "Renewed Timetable of Urgent Steps" prepared by the Minsk group and stated that it is possible to regulate the conflict based on this plan.

This Resolution did not differ from the previous ones for its essence either. It also expressed concern at tensions between Armenia and Azerbaijan, reinforcement of the military operations in the front region, the deaths of many people, and occupation of Azerbaijan territories. It supported the CSCE's efforts in the direction of the elimination of the conflict and confirmed once more the inviolability of states' territorial integrity. However, meanwhile, it again did not name the aggressor party and the party subject to aggression, and stressed that the conflict is characterized only as a problem between the Armenians of the Nagorno-Karabakh region of Azerbaijan and Azerbaijan itself. On the other hand, interestingly, Resolution 874 stated nothing about the regions of Azerbaijan, which were occupied recently, while the previous resolutions contained concrete names of the occupied territories.

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<sup>1</sup> "The aggression of Armenia to Azerbaijan and international organizations". Baku, 1998, p.29.

In October 1993, Armenia's indifference to the documents adopted by the international organizations displayed itself even more openly. The Armenian armed forces occupied Zangilan region of Azerbaijan when the CSCE chairman was on a visit to the region. This was consequently a following event expressing the necessity of the international community's objective assessment to the conflict.

On November 11, 1993, pursuant to an appeal by Azerbaijan, the UN Security Council put the situation linked with the continuation of the conflict again to discussion and adopted Resolution 884. The resolution expressed serious concern at the occupation of Zangilan region and the city of Horadiz of Azerbaijan and demanded withdrawal of the occupying forces from these territories. Naturally, this resolution was not implemented. Let us note that principally, the fore mentioned document again did not differ at all from the previous resolutions of the UN SC. None of these resolutions could reflect fully the requirements of the respective Charter of UN. The point is that for some reasons the documents adopted by the UN forgot about the significant principles of international law and did not determine any concrete mechanism for punishment of the aggressor. While this organization, which has certain experience in conflict settlement, had quite extensive opportunities to put an end to the aggressive policy, Armenia was working against Azerbaijan and the achievement of true and stable peace in the region. This has been reflected both in the principles of international law, which have been accepted unanimously by all the states, and in the UN Charter. Simply, a demonstration of resolute determination was needed in order to realize these principles, and it seems that this was not of great importance for the international community. Anyway, the appearance of scores of facts, which confirmed the existence of double standards in regard to this issue after the conflict started, gives ground to think like this.

The case is that pursuant to the UN Charter, the SC is provided with extensive authority to solve disputed issues, as well as conflicts. Even if the Council's Resolutions do not bear an obligatory essence and are of a recommendation character, the SC has the right to make compulsory decisions in case the resolutions are not implemented and the issue carries a threat for international peace. However, we did not observe this in the example of the Armenia-Azerbaijan, Nagorno-Karabakh conflict. While on the one hand the act of aggression against our nation prevented the calm and peaceful life of our people, on the other hand it created serious problems for the regional safety.

The UN Charter notes as well that the territorial integrity of any state is inviolable, and those violating this principle act against the norms of international law. Armenia proved its disregard to international legal norms in front of the entire

world. It was possible to use real pressure mechanisms in order to prevent this. However, the international union demonstrated indifference as well on this issue.

The essence of the idea of aggression has been reflected in the UN Resolution adopted in 1974. In accordance with the Resolution:

1. Application of force by one state against the sovereignty, political independence, or territorial integrity of another state;

2. Application of armed force firstly by one state contradicting the UN Charter;

3. a) armed intervention or attack of one state to the territory of another state, or annexation of another country's territory as a result of any military occupation or intervention irrespective of its temporary character; b) bombing of one state's territories by the military forces of another state; c) dispatch of the armed forces, the hired, irregular military units by one state or on behalf of this state are considered act of aggression.

The aggressive state bears direct responsibility before the UN Security Council for this or that form of the act of aggression.

This provides the Security Council with the authority to take compulsory measures in case of an aggression. There are scores of facts confirming the aggressive policy of Armenia against Azerbaijan, and these facts provide a ground to say that the military operations the latter country has conducted against our republic are exactly the act of aggression in concordance with all the criteria. However, despite all of these, the UN Security Council did not want to make appropriate decisions in order to punish the aggressor and make it void its illegal actions.

## **OSCE**

Azerbaijan became a member of this authoritative organization in 1992. That year on January 30, Azerbaijan, which was a member to the Conference for Security & Cooperation in Europe, signed the organization's documents at the CSCE summit on July 8 taking place in Helsinki. In February 1992, the first CSCE mission came to our republic to prepare a report regarding the Armenia-Azerbaijan, Nagorno-Karabakh conflict. In February, the report of the mission was listened at the meeting of the organization's Committee of High-Ranking Persons (CHRP) taking place in Prague. The report confirmed the fact that Nagorno-Karabakh is an Azerbaijan territory. The Committee stated as well the necessity of achieving the conflict's peaceful settlement.

In March 1992, CSCE representatives paid a second visit to the region, this time a report was listened to as well at the CHRP meeting, and the Committee

again sufficed with an invitation of the parties to create a condition for the Peace Conference on Nagorno-Karabakh.

On March 24, CSCE Council of Ministers for Foreign Affairs discussed the issue and adopted a decision about summoning of a Peace Conference on Nagorno-Karabakh based on the CHRP guarantee in order to provide a peaceful settlement of the conflict. This laid the basis of the Minsk process.

In December 1994, a following summit of the heads of states and governments, which were members of the CSCE, took place in Budapest. One of the most significant decisions adopted at the summit was the expansion of the organization's activity in the direction of the restoration of peace and safety in Europe. Another of the most important events of the summit was that the organization was named the Organization for Security & Cooperation in Europe from January 1, 1995 in order to renew the CSCE structurally and expand its activity.

Participants of the summit discussed the Armenia-Azerbaijan, Nagorno-Karabakh conflict and agreed that the appropriate provision be added to the documents regarding this issue. The provision was called "Intensification of CSCE action in relation to the Nagorno-Karabakh conflict". This provision applauded the achievement of armistice between the parties and entrusted the acting chairman of CSCE to appoint the co-chairmen of the Minsk Conference. The first clause of the document says: "Deploring the continuation of the conflict and the human tragedy involved, the participating States welcomed the confirmation by the parties to the conflict of the cease-fire agreed on 12 May 1994 through the mediation of the Russian Federation in co-operation with the CSCE Minsk Group. They confirmed their commitment to the relevant resolutions of the United Nations Security Council and welcomed the political support given by the Security Council to the CSCE's efforts towards a peaceful settlement of the conflict. To this end they called on the parties to the conflict to enter into intensified substantive talks, including direct contacts. In this context, they pledged to redouble the efforts and assistance by the CSCE. They strongly endorsed the mediation efforts of the CSCE Minsk Group and expressed appreciation for the crucial contribution of the Russian Federation and the efforts by other individual members of the Minsk Group. They agreed to harmonize these into a single co-coordinated effort within the framework of the CSCE."<sup>1</sup>

The document reflected as well the necessity of sending peaceful forces for the settlement of the conflict: "They declared their political will to provide, with an

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<sup>1</sup> www.osce.ru

appropriate resolution from the United Nations Security Council, a multinational CSCE peacekeeping force following agreement among the parties for cessation of the armed conflict. They requested the Chairman-in-Office to develop as soon as possible a plan for the establishment, composition and operations of such a force, organized on the basis of Chapter III of the Helsinki Document 1992 and in a manner fully consistent with the Charter of the United Nations. To this end the Chairman-in-Office will be assisted by the co-chairmen of the Minsk Conference and by the Minsk Group, and be supported by the Secretary General; after appropriate consultations he will also establish a Committee of High-Ranking Persons in Vienna to make recommendations on, inter alia, the size and characteristics of the force, command and control, logistics, allocation of units and resources, rules of engagement and arrangements with contributing States. He will seek the support of the United Nations on the basis of the stated United Nations readiness to provide technical advice and expertise. He will also seek continuing political support from the United Nations Security Council for the possible deployment of a CSCE peacekeeping force". This was actually a step made against Russia's efforts to place the peaceful forces organized from the Russian Army in the region.

The CSCE summit recommended the Minsk Conference to increase efforts with the help of the Minsk group in acting appropriately for continuation of the existing armistice and signature of the peace agreement. After signature of the peace agreement here, it was intended to dispatch multinational peaceful forces to the conflict region.

One of the major outcomes of the Budapest summit was the creation of the co-chairmanship institution in the Minsk group. The decision on the arrangement of the peaceful forces from military forces of different states prevented Russia's intention to solve the issue alone. Let us note that at that time official Moscow was trying hard to have the peaceful forces consisting of exclusively the Russian Army.

In December 1996, three important documents (Lisbon Summit Statement of the OSCE countries, the Statement on the General and Comprehensive Security Model for the Europe of XXI century, and the document about parameters of the restriction process of common armed forces in Europe and their scope of cover) were to be adopted at the summit of the heads of states and governments-members of the OSCE taking place in Lisbon. However, one of the provisions reflected in the summit's statement, the 20th Article comprising the principles of settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, caused rejection by the Armenian side. Armenia vetoed that article. Azerbaijan President Heydar Aliyev expressed his decisive rejection to the withdrawal of that article from the text of the statement and said he would veto all the documents of the summit. The conducted

negotiations could not oblige the Azerbaijan President to change his position, and our country made use of the right of not giving consensus and vetoed all the documents of the summit.<sup>1</sup> This meant that the Lisbon summit would finish ineffectively.

Article 20 showed that the Nagorno-Karabakh conflict could be settled on the basis of three principles:

- territorial integrity of the Republic of Armenia and the Azerbaijan Republic;

- legal status of Nagorno-Karabakh defined in an agreement based on self-determination which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan;

- guaranteed security for Nagorno-Karabakh and its whole population, including mutual obligations to ensure compliance by all the Parties with the provisions of the settlement.

The mentioned principles were accepted as the formula of the conflict's settlement at the Helsinki meeting of the OSCE Minsk group in November 1996 and in February the same year. The acting chairman of OSCE Flavia Kotty had put forward almost the same draft.

Notwithstanding all the obstacles and difficulties, the Azerbaijan President adhered to his principles up to the last point and reasoned his position with quite serious arguments at the meetings with the heads of many countries. After long and tense discussions, a consensus was achieved that all the principles reflected in Article 20 were confirmed by a special statement of the acting chairman of OSCE. The statement said: "Co-chairmen of the Minsk group have defined 3 principles to be a part of the settlement of the Nagorno-Karabakh conflict. These principles are supported by all member States of the Minsk group. They are:

- territorial integrity of the Republic of Armenia and the Azerbaijan Republic;

- legal status of Nagorno-Karabakh defined in an agreement based on self-determination which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan;

- guaranteed security for Nagorno-Karabakh and its whole population, including mutual obligations to ensure compliance by all the Parties with the provisions of the settlement.

It was a very important accomplishment achieved by our country on the diplomatic plane. First of all, Azerbaijan had succeeded to direct the attention of

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<sup>1</sup> "Lisbon sammit-96". Baku, 1997, p.96.

the whole world to the Karabakh conflict, and this was a very significant matter. The world's attitude towards the problem had not been formed based on objective information and at the Lisbon summit in just one day Azerbaijan managed to change the results of the long-term propagandist campaign conducted by Armenia and the Armenian lobby.

On the other hand, Armenia once again demonstrated that it runs an invasive policy and acts contrary to the principles of international law, which have been accepted by the whole world. At the same time, all the members of OSCE, except Armenia, confirmed that the conflict's settlement is possible only with the conditions that the territorial integrity of Azerbaijan is maintained, Nagorno-Karabakh remains as part of Azerbaijan, and the security of all the population of Nagorno-Karabakh (including the Azerbaijanis living in the region) is provided. Armenia was confronted with an attack by the international union for the first time exactly at this summit and was isolated. Finally, a legal basis was determined at the Lisbon summit, which provided for the national interests of Azerbaijan and was accepted by the international union for the further stage of the negotiations process regarding the settlement of the conflict.

In 1999, at the Istanbul summit of OSCE, Azerbaijan made important steps in order to state its fair position to the world. The efficient negotiations conducted by President Heydar Aliyev at the Istanbul summit once more demonstrated the non-constructive position of Armenia.

Official Yerevan was in fact trying by all means to delay the process of signing the peace agreement. While before the summit, many international observers, including the participants of the summit, had great hopes for signing the peace agreement. Articles 20 and 21 of the Declaration adopted at the Istanbul summit were fully dedicated to the Armenia-Azerbaijan, Nagorno-Karabakh conflict, and stated decisively the necessity of continuing the peace process.

While the OSCE as an organization serving to maintain peace and the expansion of interstate cooperation in Europe has been fulfilling its mediation mission up to date in the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, it has failed to take any concrete step. Even if the absence of concrete mechanisms in the organization for speeding up the settlement of the conflict play a certain role here, it should be confessed that the OSCE has opportunities to display certain pressure to the aggressive state and attract the world community to this process. OSCE has defined 10 security principles arising from the international law, which have all been violated by Armenia. Those principles are the following:

1. Respect to sovereignty;
2. Non-application of armed forces;
3. Inviolability of the borders;

4. Territorial integrity of the states;
5. Peaceful settlement of the conflicts;
6. Non-intervention in each-other's internal affairs;
7. Respect of human rights and freedoms;
8. Respect of equality of the nations and the nations' right to self-determination;
9. Cooperation among the states;
10. Fair fulfillment of the liabilities on international law.<sup>1</sup>

Armenia has displayed that it does not take into account any of these principles by running an aggressive policy against Azerbaijan. It has encroached upon the sovereignty of Azerbaijan (the 1st principle); used armed forces against our country and our people (2nd principle); violated our borders (3rd principle); repeatedly demonstrated non-recognition of our territorial integrity at international events and confirmed this once more with its aggressive actions (4th principle); interfered with internal affairs of Azerbaijan, this is reflected in the processes, which started exactly with the instigation of the Armenian government in Nagorno-Karabakh (6th principle); violated the rights of approximately one million refugees and internally displaced persons (7th principle); proved in deed that it does not respect the idea of equality of the nations and that it regards Azerbaijanis, as well as all the Turks as enemy (8th principle); incited unprecedented atrocity against our people making the self-determination of the Armenian nation a pretext, knowing that this nation has once determined its own destiny creating its own state (9th principle); does not fulfill any liability before the international law (10th principle).

### **THE ORGANIZATION OF ISLAMIC CONFERENCE (OIC)**

The Organization of Islamic Conference has been the first organization to acknowledge the fact of aggression by Armenia against Azerbaijan. The organization's summits have always kept the problem of Nagorno-Karabakh in the focus of attention and accepted quite clear statements requiring observance of the norms of international law. The first resolution regarding the Armenia-Azerbaijan, Nagorno-Karabakh conflict was adopted at the organization's 21st conference of foreign ministers taking place in Karachi (Pakistan). The resolution decisively declaims Armenia's attacks against Azerbaijan and its occupation of our territories. The document stated the magnitude and severity of humanitarian problems resulting from Armenian aggression against the Republic of Azerbaijan which

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<sup>1</sup> "International organizations of Europe", Baku, 1999, p.43.



posed a threat to international peace, and security and demands the immediate withdrawal of Armenian armed forces from all occupied Azerbaijani territories. Moreover, the resolution urges Armenia to respect the territorial integrity and sovereignty of the Republic of Azerbaijan. The resolution calls for a just and peaceful settlement of the Nagorno-Karabakh conflict on the basis of respect for the principles of territorial integrity of states and inviolability internationally recognized frontiers.

The document states: "Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the serious escalation of the conflict between Armenia and Azerbaijan over the Karabakh issue;

Strongly condemning the recent Armenian offensive against Azerbaijan and the occupation of Azerbaijan territory;

Deeply distressed by the magnitude and severity of humanitarian problems resulting from Armenian aggression against the Republic of Azerbaijan;

Recalling the principled position taken by the Fifth Extraordinary Session of the Islamic Conference of Foreign Ministers, held in Istanbul in June 1992 on this issue;

Also recalling the relevant paragraphs of the Final Communique adopted by the OIC Coordination Meeting of the Foreign Ministers at the United Nations, New York, on 23 September, 1992;

Noting the efforts made by the neighboring countries and regional states notably the Islamic Republic of Iran and the Republic of Turkey to promote a peaceful settlement of the Karabakh issue;

Conscious of the threat posed to international peace and security by this latest Armenian aggression;

Aware of the disruptive effect that this new military offensive can have on the peace process being pursued within the framework of the CSCE;

Noting with appreciation the Report of the Secretary General on this subject (Document No.ICFM/21-93/PIL/D.6/ Rev.I);

Strongly condemns the Armenian aggression against the Republic of Azerbaijan.

Demands the immediate withdrawal of Armenian forces from all occupied Azerbaijan territories and strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

Calls for a just and peaceful settlement of the Karabakh issue on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized frontiers."<sup>1</sup>

At the same time, the Organization of Islamic Conference reaffirms its total solidarity and support for the efforts being made by the Government and people of Azerbaijan to defend their country.

This document also calls for enabling the forcibly displaced persons to return to their homes in safety, honour and dignity, as well as requests the Member States, and the Islamic Development Bank and other Islamic institutions to provide urgent financial and humanitarian assistance to the Republic of Azerbaijan. The Organization requested the UN Secretary General and the president of the Security Council to use their full authority for the adoption a resolution condemning the Armenian aggression and demanding immediate withdrawal of the Armenian military formations from all the occupied territories of Azerbaijan.

One more resolution concerning Nagorno-Karabakh was adopted in December 1994, at the next, Seventh Islamic Summit held in Casablanca, Kingdom of Morocco. The resolution says: "Proceeding from the principals and objectives of the Charter of the Organizations of Islamic Conference gravely concerned over the serious escalation of aggression by the Republic of Armenia against the Azerbaijan Republic which has resulted in the occupation of more than 20% of Azerbaijan territory. Deeply distressed over the plight of more than one million Azerbaijan displaced persons and refugees resulting from Armenian aggression and magnitude and severity of humanitarian problems." This resolution did not differ much from the previous one in principle. The mentioned document considers the actions perpetrated against civilian Azerbaijani population in occupied territories and as crimes against humanity and strongly demands immediate and unconditional withdrawal of the Armenian military units from Lachin and Shusha regions of Azerbaijan, as well as strongly urges Armenia to respect the territorial integrity and sovereignty of Azerbaijan. The last article of the resolution asked the UN Secretary General to control the strict implementation of the United Nations Security Council resolutions 822, 853, 874, 884.

In 1997, one more resolution was adopted in Jakarta (Indonesia), at the following conference of OIC Foreign Ministers. In comparison to the previous ones, this resolution was of a more concrete character. First, the resolution's title was chosen properly: "On the aggression of the Republic of Armenia against the Republic of Azerbaijan." Let us remember that the previous resolutions were titled

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<sup>1</sup> "The aggression of Armenia to Azerbaijan and international organizations". Baku, 1998, p.98.

simply like: "On the conflict between Armenia and Azerbaijan". The title of the resolution adopted in Jakarta expressed the fact of Armenia's aggression against Azerbaijan in a concrete and open form. This document condemned the aggressive policy of Armenia and demanded immediate, unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijani territories. The document expressed concern over the severity of the humanitarian problems concerning the existence of one million displaced persons and refugees in the territory of Azerbaijan, and requested the international community to render the urgent financial assistance for the settlement of this problem emerging in the republic.

In the periods thereafter, OIC adhered to its principle position at meetings of different levels, summits, as well as conferences of foreign ministers and stated the fact that Armenia has occupied Azerbaijan territories. In 2004, new articles have been added to the OIC resolution at the suggestion of Azerbaijan concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict.

## **EUROPEAN UNION**

The history of the cooperation between the European Union and Azerbaijan begins from 1993. Relations between this international organization and our country were built exactly that year in February. On April 7, 1993 the EU made a statement concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict. In that statement, the Community and its member states expressed their concern over the deepening of the conflict and their sadness over the expansion of the operation in the Kalbajar and Fizuli regions. However, this statement did not express any concrete attitude regarding the fact that Armenia has occupied territories of our republic, and did not state any idea about the true reasons of the conflict. The EU was trying to approach the issue from a more neutral position and not confess whom the aggressor is.

In September of that year, new operations of the Armenian occupational forces in the border region forced the organization to issue one more statement. This document condemned the military attacks against Azerbaijan and expressed concern over the greatly increased number of refugees. The EU supported the efforts of the CSCE Minsk group in the direction of the achievement of peace in the region, and called the parties concerned to create favorable conditions for the realization of this process. The organization required parties concerned to respect the UN resolutions and marked the necessity of the withdrawal of troops from the Kalbajar, Aghdam, Fizuli and Jabrayil regions. In addition, the statement required

Armenia not to render assistance to the local Armenian forces, which have attacked the Azerbaijan territories.

However, this document contained many defective points because it was the Armenian army, and not the local Armenian forces carrying out military operations in Azerbaijan.

"The Community and its member states fully support the efforts being made by the Minsk group within the framework of the CSCE to consolidate the provisions on ceasefire. (On August 31, 1993 an agreement reached between authoritative bodies of Nagorno-Karabakh and the Azerbaijan government regarding this). They urge the parties concerned to embark on any form of additional dialogue, which would make it possible to implement the timetable on which there was agreement in principal by all parties. The Community and its member States also hope to see local Armenian forces in Nagorno-Karabakh fully respect United Nations Security Council Resolutions 822 and 853, and withdraw from the regions of Kalbajar, Agdam, Fizuli and Jabrail. The Community and its member States have no evidence that Azerbaijan would be capable of initiating major attacks from these regions.

The Community and its member States call on the Government of the Republic of Armenia to use its decisive influence over the Armenians of Nagorno-Karabakh to see that they comply with Security Council Resolutions 822 and 853 and the proposals of the CSCE Minsk Group. The Community and its member States call upon Armenia to ensure that the local Armenian forces carrying out offensives - in Azerbaijan territory are not given the material means of further extending such offensives", says the document.

One can see that the document contains no exact information about the conflict's essence. At the same time, the EU did not show who the aggressive was.

In general, the European Union's position proved once more it is not interested in the conflict and did not display a serious trend to express its decisive position concerning this process because, settlement of the conflict is not included in the EU's activity strategy. At the same time, it should be taken into account that initially the organization displayed very little interest in the Southern Caucasus and the process going on here in general. Since the EU has been the means of a pure economic union, it always tries to demonstrate a careful position regarding political issues, as well as conflicts.<sup>1</sup>

Despite this, one of the main events expressing the EU's position concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict took place in

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<sup>1</sup> Azerbaijan" newspaper, June 23, 2004.

2003. For the settlement of the conflict, the organization suggested the return of 5 occupied regions of Azerbaijan instead of the opening of communication lines. This proposal was the object of discussions for a long time and maintains its topicality as well today. The EU's intention both to develop relations with the region and to take an active part in the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict has become quite a serious matter. This once more displays that the peace process has been viewed in a wider plane, and the problem worries the international community.

In 2004, the meeting of the Azerbaijan President Ilham Aliyev with the chairman of the European Committee Roman Prodi, during our president's official visit to Belgium, conducted discussions on the possibility of expanding the cooperation between our country and the EU, as well as this organization's stimulation of the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict.

The general result of the meeting was that the EU is interested in achieving peace between Armenia and Azerbaijan, taking into account all the principles of international law, and is ready to take concrete steps for this. The meeting of the Azerbaijan President with the General Secretary of the Council of the European Union Khavier Solana mentioned this issue comprehensively as well.

All of these events show once more that despite separate states adopting different documents, resolutions, and statements' concerning the aggressive policy of Armenia against Azerbaijan, the aggressive state does not yet retreat from its positions. This can be assessed because of the unwillingness of the international community to punish the aggressor the way it deserves. There is only one way of settling the Armenia-Azerbaijan, Nagorno-Karabakh conflict and this is to achieve as well this country's observance of the principles of international law, which have been accepted by everybody.

## **2. NEGOTIATIONS PROCESS ON THE SETTLEMENT OF THE CONFLICT AND OSCE'S MEDIATION MISSION**

The Armenia-Azerbaijan, Nagorno-Karabakh conflict has been one of the main issues which the OSCE has kept in the focus of its attention since 1992. This organization has undertaken the mission of mediation in the conflict's settlement process and has taken many significant steps for achieving certain progress in this direction. However, so far the OSCE has failed to achieve concrete results for the settlement of the conflict.

On March 24, 1992, the CSCE Council of the Ministers for Foreign Affairs discussed the situation which had emerged in the Nagorno-Karabakh region. It

adopted a decision to summon the Peace Conference on Nagorno-Karabakh, basing it on the guarantee of the Committee of High-Ranking Persons, in order to provide a peaceful settlement of the conflict. It was intended that the Conference would be attended by representatives of the USA, Turkey, France, Germany, Italy, Czech-Slovakia, Byelorussia, Sweden, Azerbaijan and Armenia.

In May 1992, the CSCE Committee of High-Ranking Persons adopted a decision defining the organization of the conference and the conditions of the meeting, as well as the powers of the chairman. The Minsk group was created for holding the Minsk Conference which will be involved in conflict-settlement, and finally a final document was to be adopted in the capital of Byelorussia. This time the Armenian party put forward a proposal demanding the participation of the Nagorno-Karabakh Armenians at the conference as an individual party, but the Azerbaijan party did not agree with this, stating the possibility that the Nagorno-Karabakh Armenians could join the conference only within the Azerbaijan delegation.

In May 1992, a meeting of the CSCE Committee of High-Ranking Persons took place in Helsinki, and here representatives of Azerbaijan, Turkey and Armenia made their statements. Though Azerbaijan required punishment of the aggressor and the cessation of Armenia's aggressive operations, the position of the opposite party displayed that it was not going to take such a step.

In May, the Armenians expanded their military operations and invaded Shusha and Lachin as well.

On June 1, 1992, the first stage of the negotiations process started in Rome with mediation by the Minsk group. This meeting-taking place with the participation of representatives of the USA, Turkey, France, Germany, Italy, Czech Republic, Slovakia, Byelorussia, Sweden, Azerbaijan and Armenia-aimed at preparation for the Minsk Conference scheduled in late June.<sup>1</sup> The Armenian side insisted on including the Nagorno-Karabakh Armenians in the meeting as well. In such a case, the Azerbaijan side put forward a proposal demanding the participation of the Azeri community of the Nagorno-Karabakh at the meeting as well. After that, representatives of the separatist regime in Nagorno-Karabakh refused to come to Rome. They stated that they wanted to take part in the negotiations as an independent party, and this once more displayed that Armenians are not ready for peace. However, despite this, the meeting took place, and the adopted documents reflected articles concerning the withdrawal of the troops from

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<sup>1</sup> "Respublika" newspaper, August 30, 2000.

Lachin and Shusha, and the provision for the return of the refugees to their native lands.

On June 15, the second stage of the negotiations started in Rome. At that meeting, the Armenians put forward the requirement that Turkey should be removed from the negotiations. At the same time, they proposed that provisions concerning the military operations conducted by Azerbaijan in Goranboy and Aghdere should be added to the documents as well. This proposal confronted protest from the Azerbaijan side, and the negotiations did not achieve anything. The meeting adopted an appeal to both sides to stop the gunfire within a period of 60 days. Armenia did not obey this appeal as well.

In August, the chairman of the Minsk Conference Mario Rafaelli paid a visit to the region with a proposal about armistice. The proposal was presented to both sides, and Azerbaijan stated that it would accept the proposals. In accordance with that proposal, the sides were to agree immediately to stop the gunfire and after that, the first group of observers was to be placed on the front line.

On August 27, representatives of Azerbaijan, Kazakhstan and Armenia made a joint statement. They stated that they approve the proposal of the CSCE Minsk Conference. On September 3, Yerevan signed the protocol. This agreement called on the implementation of the provisions of the proposal about a ceasefire.

In September, negotiations between Azerbaijan and Armenia concerning the regulation of the conflict started in Almaty. However, no result was achieved here as well. Armenia rejected the draft statement prepared jointly by Azerbaijan and Kazakhstan.

After that, John Mareska, who was representing the USA in the CSCE Minsk group made a new proposal putting forward the idea of restoring the negotiations for the Minsk Conference to start with participation of the USA, Turkey, Russia, Azerbaijan and Armenia. In accordance with this proposal, representatives of the five mentioned countries were to gather in Geneva and start negotiations in order to achieve a certain result. After that, certain initial agreements became possible. That is, some principles concerning the Minsk Conference were defined, the agreement was achieved about a ceasefire in December and January, and it was decided to send observers to the front area. However, despite all these, it was impossible to continue the progress toward the aimed-at achievement of peace due to an expansion of operations by Armenia.

In 1993, a next meeting took place with the participation of the member state of the Minsk group regarding the settlement of the conflict. Here the sides coordinated the dispatch of observers to the front area. Though the negotiations passed in a very strained way, the agreement was signed between Armenia and Azerbaijan. The meeting adopt

ed the decision that the Minsk group would conduct a meeting in April in order to sign the agreement on the periods of ceasefire, the start of work by the CSCE observers, as well as on the documents of peace negotiations. The agreement signed by the sides was to be discussed at the CSCE CHRP meeting and confirmed. However, none of these meant at all that a general agreement has yet been achieved between the sides concerning the conflict because the agreement on the ceasefire and the opening of the Minsk Conference still remained has not been reached.

Following this meeting, there appeared great hopes that the regulation process would receive a progressive character. However, in April, occupation of the Kalbajar region of Azerbaijan by the armed forces of Armenia brought to naught the hopes arisen for achievement of peace. Azerbaijan again turned to the world states and international organizations and asked them to assess the aggressive policy of Armenia.

In late April 1993, a CSCE CHRP meeting took place in Prague and discussed the occupation of the Kalbajar region. In spite of the fact that a draft document condemning the aggressive actions of Armenia and demanding withdrawal of the military forces from Kalbajar was worked out, it was not adopted; in the CSCE all the documents were adopted through consensus, but Armenia did not vote for the document. At this time, the UN Security Council had already adopted Resolution 822 expressing its attitude toward the issue.

In June, the next meeting of the members of the Minsk group was held. During this meeting, one more draft document on the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict was prepared. The document intended to implement the UN Security Council's Resolution 822. In addition, members of the Minsk group adopted a plan named "Timetable of the Urgent Steps" and presented it to the sides.<sup>1</sup> During the meeting, members and the chairman of the Minsk group made an appeal about unconditional acceptance of that plan. The "Timetable of the Urgent Steps" was to be signed shortly (by June 11) by the Armenian and Azerbaijan sides. It demanded as well the withdrawal of the Armenian armed forces from the territory of Kalbajar from June 15. Five days were given for withdrawal of the troops. At the end of June members of the Minsk group were to start consultations and prepare a plan on placement of the observation missions and the opening of the Minsk Conference. Azerbaijan immediately stated its agreement with this schedule. Armenia once again displayed its non-constructive position and asked that the fulfillment period of the schedule be delayed for one month. They explained that this proposal with ostensibly the "Timetable of the Urgent Steps"

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<sup>1</sup> "President 93-97", Baku, 1998.



would cause concern in Nagorno-Karabakh. In fact, the Armenians wanted to impede the constructive advance of the negotiations by this pretext and thus, create an artificial stimulus for expansion of the military operations. Some time after the negotiations, occupation of the Aghdam and Aghdere regions of Azerbaijan by Armenia proved this once more.

On August 9, 1993, the CSCE Minsk group began consultations with the sides to the conflict and discussed the "Timetable of the Urgent Steps" once again. After the rejections of Armenia to some plans intended in the document, a new version of the document was compiled. This was presented as the specified version of the "Timetable of the Urgent Steps". In fact, the new version was built in full accordance with Armenia's claims and proposals. That is, it meant location of CSCE observers in the territory of Azerbaijan, and showed that a distance of only 10 kilometers would be kept under control. Azerbaijan expressed its decisive rejection to this document, and brought to the attention of the Minsk group members that it would not accept it.

Following that, Armenia made use of the facts that CSCE did not apply any real mechanisms for the settlement of the conflict and that the international community remained indifferent, and they invaded the Gubadli, Jabrayil and Fizuli regions of Azerbaijan as well.

In September, members of the CSCE Minsk group met in Paris, and here again a new version of the "Timetable of the Urgent Steps" was presented to the sides. However, this project also did not take into account Azerbaijan's proposals. It put forward conditions for withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan and this violated the significant principles of international law. The Azerbaijan side stated that it was impossible to accept such a document and resolutely rejected signing it. The UN Security Council discussed the document and stated its approval of the document and that it is possible to regulate the conflict in the region based on this plan. This was clearly reflected in the UN Security Council's Resolution 874.

In October, during the visit of the CSCE chairman Margarita af Uglas to the conflict area, Armenia occupied the Zangilan region as well. This expressed clearly that Armenia does not care at all about the response of international organizations, and it is indifferent to the adopted decisions and resolutions.

In November 1993, the Vienna meeting of the CSCE member states adopted a statement regarding the Nagorno-Karabakh conflict. The document assessed the continuation of the military operations, the fact of occupation of new territories as a step contradicting the principles of international law, and marked the necessity of the withdrawal of the occupying forces from the Horadiz and Zangilan regions. The statement reflected summoning the CSCE Minsk Conference, and the

withdrawal of the military forces from the territories occupied before that, as well as a ceasefire. At this meeting, the "Renewed Timetable of the Urgent Steps" was again presented to the sides of the conflict. Nevertheless, this document differed not much from the "Paris Timetable" that Azerbaijan had not accepted. The "Timetable of the Urgent Steps" presented the separatist regime in Nagorno-Karabakh as an independent side and did not demand withdrawal of the occupying forces from Shusha and Lachin. Therefore, Azerbaijan did not agree to accept this plan.

Since 1994, Russia started to play a more active role in the settlement of the conflict. On February 8, the draft agreement "About putting an end to the armed conflict and elimination of its effects" prepared by Russia was presented to the sides.

This document contained some positive and negative features. The positive feature was that the draft document indicated unconditional implementation of the UN Resolutions. In addition, Russia proposed that the legal status of Nagorno-Karabakh was defined in the form agreed later. At the initial stage, the gunfire needed to cease and the Armenian troops were to be withdrawn from the occupied territories. This meant that Armenia releases the other occupied regions in not belonging to the Nagorno-Karabakh region of Azerbaijan, and only after that the status of the Nagorno-Karabakh was to be brought to the discussion. Naturally, such a situation was in favor of Azerbaijan, at least from the point of view that it created a condition for non-military return of a part of the occupied territories. However, the document did not mention anything about Shusha and Lachin. Russia proposed to determine Lachin's destiny at the same time with the creation of a safe road between Armenia and Nagorno-Karabakh under international control, which on the one hand did not seem real at that time, and on the other hand, Russia meant that the forces to control the corridor were exactly Russian soldiers. The draft also indicated the separatist regime in the Nagorno-Karabakh as an independent side. The plan proposed by Russia was not admitted.

In April, during the meeting of the CSCE Minsk group in Prague a new plan "About Measures for Strengthening the Trust" was put forward. Some parts of this plan coincided with the proposals of Russia. The plan indicated that Azerbaijan should undertake the liability of opening all the communication lines with Armenia during the course of the negotiations process.

In May 1994, one more meeting took place in the city of Bishkek regarding settlement of the conflict at the initiative of the CIS Inter-parliamentary Assembly. A final document was adopted as well here, but Azerbaijan did not sign that document because it provided the Armenian community in Nagorno-Karabakh

with the authority to sign the document as an independent side and did not provide such a right for the Azeri community.

Finally, after long negotiations and discussions, on May 12, 1994, the ceasefire treaty was signed between Azerbaijan and Armenia. Let us remember that it retained the first serious and important step towards peace between the sides to the conflict since the start of the Nagorno-Karabakh conflict.

The negotiation process kept on as well after the achievement of ceasefire. The CSCE fulfilled its mediation mission at the negotiations as before and called for the achievement of an agreement that would lead to standing peace between the sides. True, some objective and subjective defects appeared in this process; in many cases, the factor of double standards displayed itself, unfair points were reflected in the CSCE documents and proposals. Nevertheless, with all of these, it should be noted that CSCE has been the only international organization, which was intensively engaged in the conflict's settlement and demonstrated true activity for the accomplishment of real results. The efforts of the Minsk group must be pointed out particularly in this aspect. Though the activity of this organization has not finished in a real peace yet, it should be confessed that the CSCE's activity has played a matchless role in keeping the Armenia-Azerbaijan, Nagorno-Karabakh conflict in the focus of attention of the international community.

Let us note that controversies between CSCE and Russia appeared in the course of the negotiations process and sometimes this factor rendered its negative affect on the achievement of peace. CSCE, which was representing directly the interests of West and trying to look a bit more neutral in comparison to Russia, did not want positions of Moscow to strengthen in the Southern Caucasus. In addition, naturally, Russia had a completely different position and tried to put forward a settlement model that would correspond to its own interests. At the time when certain compromises were achieved in the course of the negotiations, intensification of the Armenian operations in the front line appeared, due precisely to these controversies.

In July 1994, the draft "Big Political Agreement" prepared by Russia was presented for discussion at the meeting of the CSCE Minsk group in Vienna. This draft was to be presented to the sides after some proposals and additions of CSCE. After long discussions, it appeared that CSCE and Russia had failed to reach a common position on the draft. Let us note that here it was intended to coordinate the "Timetable of the Urgent Steps" proposed by the Minsk group with the draft put forward by Russia. The main difference between the documents was that Russia intended to control fully the regulation process.

The CSCE supported multilateral mediation. Russia, as before, backed the idea that the peaceful forces would be the Russian army, while the CSCE - the

multinational forces. Finally, in October 1994, the CSCE adopted a resolution demanded that the peaceful forces must contain multinational forces.<sup>1</sup> Russia accepted this with a serious protest. Thus, the proposal on dispatch of multinational forces to the conflict region was presented to the sides' discussion by the decision of the CSCE Minsk group. Armenia did not agree with this proposal.

In December 1994, the next summit of member states to CSCE took place in Budapest. The documents adopted here contained a special provision regarding the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The Budapest summit made a decision about renaming the CSCE as OSCE from January 1995.<sup>2</sup>

In February 1995, the ad hoc representative of the USA for Nagorno-Karabakh Joseph Pressel visited the conflict region. However, this visit of his met with a serious dissatisfaction in Azerbaijan. That is, by calling Azerbaijan to compromise, to withdraw its claims J.Pressel showed that in fact he backed the positions of Armenia. This, naturally, was not a position that would help to settle the conflict; on the contrary, it was a position that delayed the peace process.

In 1995, negotiations again started in Moscow at the initiative of Russia. It was intended that the separatist regime in Nagorno-Karabakh would as well take part in these negotiations as an independent side. In this case, Azerbaijan suggested participation of the Azeri community of Nagorno-Karabakh in the process. In the course of the negotiations, Armenia made a new proposal that the peace agreement was to be signed following the dispatch of the peaceful forces to the conflict region. Armenians were against the idea that Turkish forces were as well among the peaceful forces, wanted the issue of the release of Shusha and Lachin to be considered after determination of the Nagorno-Karabakh status, and required that Lachin be also under the control of Armenian troops. The Azerbaijan side did not accept any of these proposals.

In 1995, the next meeting of the OSCE Minsk group was held in Stockholm. The statement adopted here expressed OSCE Minsk group's approval of the maintenance of the ceasefire regime, called on the parties concerned to avoid restarting military operations, demanded eliminating unconditionally of the consequences of the conflict, and recommended the continuation of the negotiation process.

In May the same year, Armenia stated that it had stopped the negotiations concerning the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict, as part of the Minsk process, on the eve of the negotiations in Moscow. This

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<sup>1</sup> "Azerbaijan" newspaper, June 21, 2004.

<sup>2</sup> www.ocse.ru

showed that the negotiations process had failed. The negotiations of the OSCE Minsk group taking place some time after that in Helsinki and Budapest remained ineffective, too.

Thereafter the Western countries started to display a more active position in order to achieve real results in the negotiations. The fact that the representatives of the USA, Turkey and Germany to the OSCE Minsk group were provided with the status of ad hoc plenipotentiary ambassadors, was the direct evidence of this.

In September 1995, the next stage of the negotiations took place in Moscow and here Azerbaijan succeeded in making some progress. That is, Armenia agreed to consider releasing Shusha and Lachin before determination the status of the Nagorno-Karabakh. Let us note that first of all, this was the result of Russia's pressures because, following the known statement of J.Pressel, Russia decided to make this maneuver in order to gain control over the negotiations process. With this Moscow wanted to demonstrate it's more constructive and efficient activity. However, Armenia again refused to undertake a liability concerning release of Lachin and Shusha. Armenians expressed their protest against the dispatch of the OSCE peaceful forces to Lachin, and they also stated the impossibility of giving Shusha back to Azerbaijan.

In December 1995, the meeting of the OSCE Foreign Ministers was held in Budapest and here again the failure to reach a common position around the same issues led to no progress in the peace process.

In January 1996, the meeting of the OSCE Minsk group in Moscow was ineffective as well. The points causing arguments did not differ from the previous ones.

In June negotiations were again conducted in Moscow. This time also Armenia did not agree to release Shusha and Lachin. They made a pretext that the economic and military power of Azerbaijan has increased, and expressed their fear of this. Interestingly, the thoughts of the co-chairmen coincided with the pretexts of Armenia in this issue. Therefore, the Moscow negotiations did not produce any progress.

Further, in 1996 at the Lisbon summit, a serious struggle was observed for co-chairmanship of the OSCE Minsk group. That is, at that time, Russia and Finland were the co-chairmen of the Minsk group and their positions mostly coincided.

After tense discussions, the co-chairmanship of Finland was replaced with France. Nevertheless, this did not serve either to strengthen Azerbaijan's positions in the negotiations. For this reason, co-chairmanship of the USA was put to agenda at the initiative of the Azerbaijan

President Heydar Aliyev. Although Armenia and Russia opposed this seriously, in February 1997, Deputy State Secretary of USA Stroub Tellbott was appointed the co-chairman of the OSCE Minsk group.

In April, the next meeting of the Minsk group was held for the first time in Moscow following the Lisbon summit. However, this meeting failed as well to adopt any concrete decision for the non-constructive position of Armenia. After that, the co-chairmen intensified their activity even more and began working out a new draft concerning settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict.

In June 1997, the co-chairmen prepared their first proposal regarding the conflict's settlement - the draft document titled as "The Universal Agreement on settlement of the Nagorno-Karabakh conflict"<sup>1</sup> - and presented it to the sides. The proposal comprised of two agreements included in one package. The first agreement intended the cessation of the armed conflict, the second, determination of the status of Nagorno-Karabakh.<sup>2</sup> It was recommended to withdraw the armed forces in two stages.

At the first stage, the forces around the current point of contact to the east and south from Nagorno-Karabakh were to retreat for some kilometers towards the agreed lines. During this, the recommendations of the OSCE's Committee of High-Ranking Persons were to be duly considered in order to create an opportunity for initial location of the front group of the multinational forces in the militarily reasoned buffer zone, the separation of the sides along this line, and the maintenance of safety at the second stage withdrawal of forces.

At the second stage, the Armenian forces were to be taken to the interior of the Republic of Armenia, the Nagorno-Karabakh forces were to be returned to the borders of the Nagorno-Karabakh Autonomous Region determined as in 1988, and Azerbaijan forces were to direct to the lines agreed based on the Committee of High-Ranking Persons.

The second agreement called "status" showed the recognition of the territorial integrity and inviolability of borders of Azerbaijan and Armenia as the main principle. In accordance with this document, Nagorno-Karabakh is an integral part of Azerbaijan, and its self-determination is possible only after it is formalized in the agreement between the government bodies of Azerbaijan Republic and Nagorno-Karabakh, approved by the Minsk Conference, and incorporated in the Constitutions of Azerbaijan and Nagorno-Karabakh.

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<sup>1</sup> "Respublika" newspaper, February 21, 2001.

<sup>2</sup> "Respublika" newspaper, February 21, 2001.

In case this agreement was reached, Nagorno-Karabakh and Nakhichevan could have the right of maintaining free and smooth transport and communication contacts with Armenia and Azerbaijan. In addition, the administrative borders of Nagorno-Karabakh were to be defined based on the former Nagorno-Karabakh Autonomous Region. The draft agreement indicated as well the possibility of a Nagorno-Karabakh Constitution. However, that constitution was to incorporate the official agreement on the form of self-determination based on this document between the governmental bodies of Nagorno-Karabakh and Azerbaijan. The document also reflected the possibility of the legislative body of Nagorno-Karabakh, as well as its own National Guard.

Despite its several defects, the Azerbaijan side stated that it accepts the proposal. The point was that notwithstanding that it was called the draft agreement, this document did not reflect the accurate settlement mechanisms of the conflict, but the approximate directions of the negotiations process, and that's why Azerbaijan side did not refuse to accept the draft as the basis. On the other hand, supposedly, Azerbaijan had forecasted that Armenia would not agree with this draft, and in further course of the process, it proved this forecast. The Armenian government and the heads of the separatist regime settled in Nagorno-Karabakh refuted this proposal. Azerbaijan needed this much as another fact displaying the unwillingness of the opposite side to dialogue.

The same year in September, the co-chairmen came to the region with a new package of proposals. The new draft agreement "On the cessation of the armed conflict in Nagorno-Karabakh" intending the conflict's "stage-by-stage settlement" was much more admissible for Azerbaijan than the previous one. On October 1, official Baku stated the possibility of accepting this proposal as the basis for starting negotiations.<sup>1</sup> Let us note that this package of proposals known as the plan of "stage-by-stage settlement" intended two-stage settlement of the conflict. The first stage reflected cessation of the conflict and articles on elimination of its consequences, while the second stage intended determination of the Nagorno-Karabakh status within Azerbaijan before the OSCE Minsk Conference.

The preferable feature of the "stage-by-stage settlement" plan was that it indicated occupation of six out of the seven other occupied adjacent regions of Azerbaijan. These regions were Kalbajar, Aghdam, Fizuli, Jabrayil, Gubadli and Zangilan. The fortune of the Lachin region was to be settled in the further stage. On the other hand, another preference of the draft agreement was that it pointed out

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<sup>1</sup> "Khalg newspaper", February 26. 2001.

the possibility of applying sanctions against the sides not implementing the appropriate provisions.

Despite President L. Ter-Petrosyan's efforts, this proposal did not pass as well. On December 2, 1997 the co-chairmen presented a new version of that draft intending participation of the separatist regime in Nagorno-Karabakh as a side in the negotiations. However, this was inadmissible for Azerbaijan side and met acute protest from official Baku. The head of our state H.Aliyev expressed decisively that he is not going to agree with this format.

A little after that, in February 1998, L.Ter-Petrosyan could no longer stand the internal and external threats, and had to resign. However, his idea that "If it keeps on like this, in a few years we can lose not only Nagorno-Karabakh, but also Armenia together with it" had already shaken the community seriously. The "common state" proposal put forward by the co-chairmen in November 1998, did not satisfy Azerbaijan at all. The draft marked that the sides would sign the agreement on the status of Nagorno-Karabakh, and that agreement would ratify that Nagorno-Karabakh is a union of state and territory in the form of a republic. It indicated that Nagorno-Karabakh would create a common state with Azerbaijan within its borders known in the international world. Azerbaijan and Nagorno-Karabakh would sign an agreement on the determination of the limits of realization of authorities between the respective bodies of government and their mutual commissioning, and this document would be in force as the law of a constitution.

The draft showed as well that Azerbaijan and Nagorno-Karabakh would create a joint committee to include representatives of the Presidents, Prime Ministers, and chairmen of the parliaments in order to define the policy and activity concerning the joint authority.

In addition, in accordance with the draft, representations of Nagorno-Karabakh and Azerbaijan were to be established in Baku and Stepanakert appropriately in order to keep in contact and coordinate joint events; this actually expressed the condition of recognizing Nagorno-Karabakh as an independent state. The document openly stated that Nagorno-Karabakh would have the right to keep direct contact with foreign countries in the fields of economy, trade, science, culture, sports with the condition that it has the appropriate representation abroad. The political parties and public organizations will have the right to establish links with the political parties and public organizations of foreign states. The draft contained even such a provision that Nagorno-Karabakh will take part in realization of the foreign policy of Azerbaijan regarding its own interests, and such kind of decisions will be adopted with agreement of the two sides.

The third proposal of the co-chairmen marked as well the possibility of the Nagorno-Karabakh government to have its own representatives at Azerbaijan



embassies or consulates to foreign states, in which it has interests. This draft provided as well the separatist regime in Nagorno-Karabakh with the right to send its own experts within Azerbaijan delegations to take part in international negotiations regarding its own interests. Naturally, the Azerbaijan side could not accept such a proposal that intended providing Nagorno-Karabakh with authorities of an independent state. Therefore, the president Heydar Aliyev expressed his resolute protest against this, and the draft document was not adopted.

Further, at different times, the co-chairmen visited the region and meetings of the OSCE Minsk group were held. However, the proposal of "common state" remains the last draft presented to the sides. None of these proposals have been realized for the non-constructive position of Armenia. While the international community's opportunities to affect the aggressor and provide release of Azerbaijan territories from occupation are not so restricted.

Since April 1999, direct dialogue of the presidents started at the initiative of the USA; the OSCE Minsk group has repeatedly stated its approval of this format and the necessity of continuance of the dialogue by the heads of states. In fact, after the last proposal and start of the presidents' direct dialogue, the OSCE Minsk group has begun fulfilling actually not the mission of mediation, but that of observation. However, the presidents' dialogue also failed to lead to any concrete progress in the settlement of the Nagorno-Karabakh conflict.

The mood of war increased in Azerbaijan, since the achievement of a compromise between the sides already looked impossible. Undoubtedly, the successful results of the economic reforms carried out in the country played a big role in this, too. On the other hand, Azerbaijan succeeded to blow significant strikes on Armenia's positions on the international plane, and it achieved great accomplishments in forming an objective idea in the international community about the true reasons and essence of the conflict. All of these affected psychologically the population of Azerbaijan and increased its desire to get back the territories at any cost.

Since the beginning of 2001, re-activation of the negotiations process was observed. The format kept unchanged, and the international community is trying for the settlement of the conflict within a framework of the direct meetings of the presidents.

In January 2001, the next stage of negotiations between the heads of Azerbaijan and Armenia started in France at the initiative of Jack Chirac. The Paris negotiations were already the 14th meeting of the presidents. Though the meeting conducted serious discussions on the settlement of the conflict, no concrete result was achieved. Nevertheless, both the presidents of Azerbaijan and Armenia and the president of France Jack Chirac made a statement expressing the necessity of

continuing the dialogue, and stressed that the efforts for achieving a compromise between the sides will keep on as well in the future.

In March, the chairman of the OSCE Mircha Juane visited the region. The OSCE chairman made a statement indicating that all the opportunities will be used for further continuance of the dialogue between the sides, that there is a favorable condition for settlement of the conflict, and that he is expecting a real result of the presidents' direct meetings. Since this visit coincided with a stage when the negotiations were activated, this created a hope for serious steps to be taken soon for achievement of peace.

On March 3, the next meeting of the presidents was held in France at the initiative of the president Jack Chirac, created an impression that the day of the signature of the peace treaty is close.<sup>1</sup> Since the presidents also preferred optimistic tunes in their statements, the possibility of a progress in the settlement of the Armenia-Azerbaijan, Nagorno-Karabakh conflict seemed real. Nevertheless, it should be noted that the only common position of the presidents meant the principles of continuing the negotiations and increasing activity in this direction.

On March 12, Heydar Aliyev left for Turkey, and here peace issues were comprehensively discussed. The joint statement signed by the presidents mentioned as well the Karabakh issue, and this time again Turkey stated that, it will defend Azerbaijan's interests up to the last point. The President Ahmad Nejdet Sezer stressed his readiness to render all the necessary assistance to the President Heydar Aliyev.

On March 14, the state secretary of the USA C.Powell invited the presidents to the USA in order to start the next stage of negotiations. C.Powell was also to take part at this meeting together with the co-chairmen, and it was expected that the negotiations taking place in Key West would be a significant step in the conflict's regulation, and even the principles of the peace agreement to be signed would be defined here.

The Key West negotiations started on April 3 with the participation of the president Heydar Aliyev and R.Kocharyan, the USA State Secretary Colin Powell, OSCE co-chairmen Keri Cavano, Jan Jack Gaydar, Nikolay Gribkov, and the first deputy foreign minister of Russia V.Trubnikov.

The negotiations finished on April 6, and the co-chairmen stated that they are working on a new proposal. They would present it to the presidents at the meeting to take place in Geneva in June, However, later this meeting was postponed.

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<sup>1</sup> "Azerbaijan" newspaper, March 5, 2001.

The negotiations passed in a very strained way. The attention of the entire world was already directed to the USA. There were many who predicted that this meeting would gain agreement on many issues. Nevertheless, the optimistic expectations did not prove themselves, although both the co-chairmen and presidents remarked that there was progress towards peace.

During this meeting, the president Heydar Aliyev strongly criticized the OSCE co-chairmen in his statement and stressed their passive activity, C.Powell confirmed that this is an objective statement and there is a need for a more active work for the settlement of the conflict.

On April 9, Azerbaijan President Heydar Aliyev met with the USA President George W. Bush.<sup>1</sup> Extensive exchange of opinions was conducted regarding the conflict. The president G.W. Bush stressed that he was informed about the results of the Key West negotiations and backs its continuance. He said that America will as well further make due efforts for the achievement of a compromise between the sides.

Actually, the Key West negotiations also failed to cause peace. Though some chances appeared for progress of the negotiations, they failed to keep on and thus, one more effort finished ineffectively.

After the terror acts of September 11, 2001, which shook the whole world, the principal position demonstrated by Azerbaijan played a significant role in the change of the attitude towards our country. Comprehension that international terrorism has become a global threat at the beginning of the XX century, instigated creation of a new configuration on the political position of the world, and at this stage Azerbaijan became one of the most reliable partners of the USA on this issue. The President Heydar Aliyev demonstrated that Azerbaijan would always support America in the fight against international terrorism, which on the one hand strengthened the trust of Washington in our country, and on the other hand, created a ground for declamation of Armenia's terrorist activity by the world community.

On October 24, 2001 the USA Senate ratified the draft of the senator Sam Brownback about the invalidation of the 907th Amendment. In January 2002, the president G.W. Bush issued a decree on vitiation of the 907th Amendment to the "Freedom Support Act".<sup>2</sup> Invalidation of the 907th Amendment is characterized as the beginning of a new stage in Azerbaijan-USA relations. This prohibition had been imposing restriction on the direct assistance of the USA to Azerbaijan since 1992 and its consequences did not include only economic factors. The Armenian

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<sup>1</sup> "Khalg newspaper", April 11, 2001.

<sup>2</sup> "Azerbaijan" newspaper, January 18, 2002.

political circles and Armenian lobby used this fact as a means of propaganda against our country.

On April 30, 2002, a summit of the heads of Azerbaijan, Turkey and Georgia was held in Trabzon. The presidents' summit discussed the fight against international terrorism and safety of the pipelines. The "Agreement between the Azerbaijan Republic, Georgia and Turkey on the struggle against terrorism, organized crime and other heavy crimes" was signed at the end of the negotiations. This agreement greatly affected the strengthening of Azerbaijan's positions in the region and Armenia's isolated position. In fact, the above-mentioned agreement meant official confirmation of the development of the three states' geopolitical and economic positions on the same plane and after that, each of the three states undertook the liability to have the same position in all the important issues. Armenia was the only country in the Southern Caucasus that was left outside such a significant agreement.

Though no serious activity was observed in the further negotiations process, the presidents' direct dialogue kept on maintaining its topicality. On August 15, 2002 the presidents met in Sederek and the negotiations lasted for 4 hours. At last, both the presidents made statements expressing their will to continue the negotiations.

In summer 2002, the 49th session of the UN General Assembly was held. Azerbaijan President Heydar Aliyev attended this session as well. In his speech he allocated an extensive place for the issues linked with the Armenia-Azerbaijan, Nagorno-Karabakh conflict and expressed his anxiety of non-implementation of the UN resolutions. During the session Azerbaijan Foreign Minister sent a letter to the UN General Secretary Coffee Annan and stated that Armenia neglects the UN resolutions and this country violates the principle of inviolability of Azerbaijan's territorial integrity. C. Annan emphasized once again his recognition of Azerbaijan's territorial integrity in the letter he sent to the Azerbaijan Foreign Minister.

The negotiations process did not pass very actively until late 2003. One of the major reasons of this was linked with the presidential elections to take place in Azerbaijan and Armenia. Following the elections, the negotiations again started activating.

In December 2003, Azerbaijan President Ilham Aliyev and the Armenian President R. Kocharyan met for the first time.<sup>1</sup> The meeting was mainly of acquaintance character and one of its main results was that both sides stated their

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<sup>1</sup> "Respublika" newspaper, December 29, 2003.

readiness to continue the negotiations and to try for a more intensive character of the process.

The meeting of Azerbaijan and Armenian presidents which was held in Warsaw on April 28 was as well of great importance for some important points. First, both the presidents stated that the opportunities for continuance of the negotiations have not run out and the activity in this direction will keep on.

On the other hand, the meeting decided to continue the intensive direct negotiations of the foreign ministers. Let us note that some significant changes occurred during the period between the two meetings of the presidents and this gives a chance to utter some remarks about the current content of the negotiations. The case is that, during this period the USA started to be represented by a new co-chairman of the OSCE Minsk group. This is appreciated as the display of the USA's intention to play a more active role in the conflict's settlement, as the Azerbaijan President said once.

Another important consideration should not be ignored, which is that very radical differences have emerged between the situation of Armenia at the time when the first meeting with the Armenian President took place and its current state. The country is suffering a serious political crises and R.Kocharyan is unable to stand vigorously against the opposition. By the way, even the representative from Armenia, himself, has assessed the situation in Armenia as a treachery in one of his statements on the eve of the meeting.

Foreign Minister of Armenia V.Oskanyan stated as well that the tension in the country seriously damages the positions of the president Kocharyan on the eve of the negotiations and above all, it is the national interests of the Armenian state that suffers from this. Presently, the European Council intends to discuss the situation in Armenia and evidently, no good opinion is going to be expressed about the mentioned country in these discussions.

The situation in Azerbaijan is much different. Socio-political stability and economic development reigns in the republic. Citing a single fact suffices in proving this point: that on the average, 10 million dollars worth of investments is being circulated throughout Azerbaijan per day. Consequently, many things have happened in the period between the first and the second meetings of the presidents, which proves once again that President Ilham Aliyev's motto of "We do not hurry" rests on very precise forecasts. Finally, it should also be considered that this process, which is in favor of Azerbaijan, is not very slow; on the contrary, the situation is rapidly evolving with each passing day.

### **3. THE EUROPEAN COUNCIL RECOGNIZES THE FACT THAT ARMENIA HAS OCCUPIED AZERBAIJAN TERRITORIES**

The history of relations between the European Council [EC] and Azerbaijan stems from 1992. At that point in history, our newly independent republic was trying to set reliable cooperation links with international organizations of the world and we were making certain steps in this direction. In 1992, Azerbaijan delivered an official appeal to the European Council with the request to provide it with the status of "especially invited guest".<sup>1</sup> However, this appeal strayed from the EC's attention for a long time. Certainly, one of the reasons for this could be attributed to the inexperienced foreign policy of the leadership in Azerbaijan at that time. Of course, the international community's preference for double standards also played a large role, but it is worth noting that the then leadership of the republic was not taking concrete and resolute measures to break the "ice". All of these factors clearly influenced the settlement process of the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The European Council provided unfair and biased analyses in the first documents it adopted concerning the conflict and did not try to explain the true essence of the problem.

In February 1992, the European Council Parliamentary Assembly's Committee for Relations with the Non-EC European countries adopted the first statement concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The document expressed anxiety over the worsening situation in the Nagorno-Karabakh territory and advised both sides to stop firing and eliminate the conflict peacefully. This document reflected a request to place United Nation [UN] forces in the conflict area with Armenia.

On March 12 of the same year, the Committee of Ministers of the European Council also made a statement on the conflict. This document neither assessed the problem objectively, nor reflected its essence. This EC Committee of Ministers tried to demonstrate a neutral stance as much as possible. The document was resolutely against forceful settlement of the conflict and demanded obedience to the principle of inviolability of all the borders. However, the document also reflected the possibility of changing the borders peacefully if this was based on mutual agreement.

In April 1993, the EC Committee of Ministers adopted one more statement concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict. In this statement,

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<sup>1</sup> "International organizations of Europe". Baku, 1999, p.74.

the EC Committee of Ministers supported the UN's requirements concerning restoration of peace in the region and stopping military operations. Although the EC Committee of Ministers expressed its anxiety over the strengthening of military operations in Kalbajar, it did not surface the fact that the Armenian invaders had by then already occupied the region. One of the most interesting points was that the document adopted by the EC Committee of Ministers did not mention Armenia at all, though it was the country which had undertaken invasive operations.

One more event confirming the unfair position of the European Council in the Armenia-Azerbaijan, Nagorno-Karabakh conflict took place in January 1994. While delivering the initiative of scheduling a meeting in Strasbourg concerning settlement of the conflict, the EC Committee for Relations with the Non-EC European countries invited representatives of the separatist regime in Nagorno-Karabakh to negotiations as well. This led to annulment of the meeting when the Azerbaijan side stated that it would not join the negotiations if it were to take place on such a format. Six month later, in July 1994, negotiations concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict did take place in Strasbourg at the initiative of the European Council. Azerbaijan took part in these negotiations taking into account the necessity of relations with the EC. One of the meeting's outcomes was that it decided to send a delegation to the region headed by David Atkinson, chairman of the EC's Committee for Relations with Non-EC European countries.

On November 14, the delegation visited Azerbaijan. A few days prior to that visit on November 10, the European Council Parliamentary Assembly had adopted its first resolution on the Armenia-Azerbaijan, Nagorno-Karabakh conflict.

This resolution entitled "On the conflict in Nagorno-Karabakh" did not provide a fair assessment to the problem and distorted its essence. The resolution expressed confidence over the perceived armistice achieved on May 12 and expressed great hopes for a forthcoming peace treaty. Although, the document showed the fact that more than 20,000 people had died and one million people had become refugees, it did not reflect the fact that the refugees were Azerbaijanis and that they left their own lands due to the aggressive policies of Armenia. The resolution even contained a clause that the EC cheered the Armenia and Azerbaijan Defense Ministers, as well as the Nagorno-Karabakh army commander's liability to obey the armistice. This clause paradoxically, confirmed participation of Armenia in the conflict, while at the same time confirmed the separatist regime in Nagorno-Karabakh as an individual and presumably independent side.

On June 28 1996, Azerbaijan received the status of "especially invited guest" to the European Council. This has already been characterized as the beginning of a new stage in the development of relations with the EC. The status of

"especially invited guest" stirred a great hope that Azerbaijan would soon be accepted to full-fledged membership within the EC.

In April 1997, the EC adopted one more resolution concerning the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The resolution "On the Conflicts in the Caucasus" stressed the necessity of EC's assistance in settlement of the conflicts in Abkhazia and Nagorno-Karabakh. This document showed that the efforts targeted at the settlement of the regional conflicts could play a significant role in the acceptance of Azerbaijan, Georgia and Armenia to membership in the EC. Furthermore, it expressed the possibility of solving the conflicts based on the principle of inviolability of borders and guaranteed safety for the regional peoples backed by multinational peaceful forces, provision of autonomy status to Abkhazia and Nagorno-Karabakh, as well as return of all refugees and internally displaced persons. The document's clause dedicated to the Nagorno-Karabakh conflict reflected release of the occupied territories and peaceful regulation of the conflict as a major recommendation of the European Council. However, one of the resolution's negative points was that it emphasized the necessity that Azerbaijan, Armenia and Nagorno-Karabakh should conduct direct three-way negotiations. This again meant that the separatist regime in Nagorno-Karabakh put in place by the army of Armenia was acknowledged as an independent party to the negotiations. This clause therefore had no validity.

On June 28, 2000, the EC adopted a decision to accept Azerbaijan as a full-fledged member of the organization. On January 17, 2001, the EC Committee of Ministers made a similar step by providing this decision with legal force. That year on January 25, the ceremony of Azerbaijan's acceptance to the European Council took place and thus, began a new stage in the history of our country's relations with Europe.<sup>1</sup>

Due to the initiative and diplomatic activity of President Ilham Aliyev, the head of the delegation representing Azerbaijan at the EC, documents reflecting truths about the Armenia-Azerbaijan, Nagorno-Karabakh conflict began to spread from the very first session. Azeri deputies established good relations with members of the EC from different countries, provided detailed information about the problems faced by our country, its accomplishments, as well as occupation of 20% of our territories by the Armenian armed forces and about the refugee and IDP state of over one million people.

On January 2001, at the session where Azerbaijan and Armenia were accepted as full-fledged members to the EC, a deputy from England (George

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<sup>1</sup> "Azerbaijan" newspaper, January 27, 2001.



Taylor) spoke about the atrocities Armenia had committed in Nagorno-Karabakh, Azerbaijan. He stated that human rights have been savagely violated here and that Armenians had perpetrated aggressive policies against Azerbaijan. George Taylor drew attention to the difficult living conditions of the refugees and internally displaced persons and expressed the necessity of the EC to take serious steps to recognize these atrocities. He said that Armenians were engaged in the devastation of the invaded territories and had destroyed many monuments of culture, service buildings, schools and hospitals. It was clearly expressed that "the genocide committed by Armenians against Azerbaijanis in Nagorno-Karabakh should be assessed politically." Though ideas and points of Taylor were confronted by serious protests from Armenians, they reflected objective truths. This was the first surprise Armenians faced in the EC's Parliament.

The Azerbaijan delegation also managed to expose the occupation policy of Armenians to the international world as well. Due to the activity of the Azerbaijan delegation, the official information of the 108th session of the EC Committee of Ministers clearly reported the aggressive policy of Armenia. The resulting document clearly noted that the European Council backed the territorial integrity, sovereignty and inviolability of borders of all countries. Armenia wanted the right of a nation's self-determination to also be included in this document. However, nobody at the meeting supported the Armenian proposal and the official information was adopted as it was. Only Armenia out of the 43 states was against that document.

This was the first serious mistake committed by the Armenian deputies. Non-support of the territorial integrity actually meant protest against the norms of the international law, which had been accepted unanimously. A little later, the Azerbaijan delegation made use of this urgent point and presented an inquiry to the EC concerning the fact that Armenia did not recognize Azerbaijan's territorial integrity.

On April 24, 2001, the Azerbaijani delegation took an active part in the discussions on the "Struggle of Europe Against Economic and Transnational Organized Crime" at the EC PA session in Strasbourg.<sup>1</sup> The head of our delegation Mr. Ilham Aliyev, delivered a speech at the meeting and mentioned the issues upsetting our country: "Azerbaijan is particularly anxious of this issue. Because one of the organized crime centers in Europe is exactly in our territory. The so-called region The Republic of Nagorno-Karabakh is not controlled either by the

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<sup>1</sup> "Khalg newspaper", April 27, 2001.

governmental bodies of Azerbaijan, nor by any other international organization responsible for the struggle against this crime."

It was noted that the occupation of 20 percent of Azerbaijan's territory by Armenian armed forces had not only left one million Azeri refugees homeless, but had also destructed many of our cities, villages, monuments of culture and graves of our ancestors. In a word, infrastructure in the territory occupied by the Armenian invaders was almost fully destroyed, but also a very favorable condition has occurred in the territory occupied by the Armenians for the advancement of organized crime". Further, Mr. Ilham Aliyev cited four main facts displaying heaviness of the situation occurring in Azerbaijan:

1. The so-called territory "The Nagorno-Karabakh Republic" is used for growing and transportation of narcotic plants. This fact has been reflected in the USA State Department's report on the strategy of international control over narcotic substances dated March 2001. The executives and opium dealers engaged in this trade of narcotics feel very safe and comfortable. The notorious leaders of the "Nagorno-Karabakh Republic" back them. Those leaders use the money gained from sale of narcotics to maintain the occupied territory of Azerbaijan and pay for terrorist groups.

2. It is a well known fact that former heads of Russia had allowed their own appropriate structures to illegally convey weapons to Armenia at cost of one billion dollars. Most of those weapons were placed in Nagorno-Karabakh and other occupied territories of Azerbaijan. The puzzling question is this: Where did Armenia and Nagorno-Karabakh unearth adequate get funds to buy these weapons? Everybody, who is aware of the situation in this region, knows that the economic situation in Armenia is very bad. Armenia lives mainly on the income of foreign aid. Hundreds of thousands of people have left Armenia because of the constant economic decline. The answer is clear: Either they bought those weapons free of charge (which is hardly possible) or they bought them with money gained from the sale of narcotic substances.

3. The illegal economic activity existing in Nagorno-Karabakh has made this fictitious "republic" notorious in the "wash-up" of "dirty" money.

4. Armenians train the armed units in the territory of Nagorno-Karabakh and these units are completely out of control of international conventions on the fight against terrorism".<sup>1</sup>

After bringing this information to the attention of the meeting, the head of the Azerbaijan delegation requested all the European structures to take serious

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<sup>1</sup> www. assembly. ru

practical measures for the Armenian aggressors to leave our lands and to put an end to violation of the human rights of one million Azeri refugees and the use of our territories for criminal activity.

During the session, our delegation prepared and spread among the deputies a special draft document concerning the presence of Azeri hostages and captives in Armenia and Nagorno-Karabakh. This document showed that 4959 persons have been vanished due to occupation of our territories; 1092 of them were released in 1992-2001, and 176 persons are deceased.

The document pointed out that 783 captives were kept in Armenia and the occupied territory of Azerbaijan; 18 of them were children, 43 were women, and 56 were older men. The draft expressed that although Armenia denies this fact, it is as a matter of fact that the captives are in slavery constantly outraged and tortured. They do not get any normal food and necessary medical care. Many deputies from Hungary, Russia, Luxemburg, Spain, Turkey, Netherlands, Latvia, Lithuania, Sweden, the Ukraine and other countries, signed the document and the draft was spread among the parliamentary delegations of the states taking part at the EC session.

On the eve of this session, the French parliament and Senate made a decision to recognize the historical belief about an "Armenian genocide". The Armenian deputies at the European Council Parliamentary Assembly tried to make use of this opportunity by preparing a document about "the genocide of the miserable Armenian nation by the Ottoman Empire". Only a few deputies signed this document after their conducted propaganda.

In reply, the Azerbaijan delegation prepared a statement about the atrocities committed by Armenians against our nation since the beginning of the last century up to date and about their occupation of 20 percent of our territories. This statement was then distributed to the countries and members of the European Council.

The statement expressed that Armenians committed massive massacres against Azerbaijanis in 1905-1907 and in March 1918 purged Azerbaijanis from Baku, Shamakhi, Guba, Karabakh, Zangazur, Nakhichevan, Lankaran and other regions in order to achieve "The Greater Armenia".

In 1988, following the break-up of the Nagorno-Karabakh conflict, hundreds of thousands of Azerbaijanis were once again deported from their historical territories. On February 26, 1992, the Khojali population was completely annihilated by the Armenians and the city was reduced to ruins. Due to these activities and this information, the several deputies who had signed the document of the Armenians withdrew their signatures.

The summer session of 2001 also retained memories of intense and efficient activity by the Azeri delegation. A statement prepared by the Azerbaijan Milli Mejlis delegation at the European Council Parliament Assembly, addressed by the deputy Gultakin Hajiveva to the Committee of Ministers and entitled "Armenia must Recognize Territorial Integrity of Azerbaijan" was distributed to all EC deputies as an official document. The document noted that at the 108th session of the European Council Committee of Ministers taking place on May 10-11, the Foreign Minister of Armenia, Vardan Oskanyan, declared that Armenia would not recognize the territorial integrity of Azerbaijan until the Nagorno-Karabakh conflict was settled. Taking this into account, the Azeri delegation requested that the European Council Committee of Ministers consider the full-fledged membership of Azerbaijan and Armenia to the European Council and have the official recognition of our country's territorial integrity confirmed by the United Nations, OSCE, the European Council and all the states of the world. After all, the non-recognition of one state-member of the European Council (i.e., Armenia) of the territorial integrity of another state-member of the European Council (i.e., Azerbaijan) through the occupation of 20 percent of Azerbaijan territories by Armenia and massive violation of human rights is a violation of the principles of the EC. Therefore, Azerbaijan made a plea to the Republic of Armenia to respect the principles of international law; namely, the principle of territorial integrity and sovereignty of states and withdraw immediately Armenian armed forces from Azerbaijan territory.

Two more important documents prepared by the Azerbaijan delegation were distributed among the EC PA deputies as official documents on June 27, 2001. Eighteen deputies first signed a document on seizure and destruction of Azerbaijani cultural heritage by Armenians. The document pointed out that one of the tragic consequences of Armenian aggression towards the Republic of Azerbaijan besides the occupation of 20 percent of the territory is the destruction and seizure of Azerbaijani national and cultural heritage by Armenians.

A second document distributed by the delegation dealt with destruction of the ecological balance by Armenia's invasion of the lands of Azerbaijan. Sixteen deputies signed this document.

In September 2001, chairperson of the EC Parliamentary Assembly Russell Johnston arrived in Baku. He held several significant meetings during his visit and expressed his judgments on the illegal "elections" the separatist regime held in Nagorno-Karabakh. He stated that the EC does not recognize these elections and that Nagorno-Karabakh is an integral part of Azerbaijan. In his speeches, the EC chairman repeatedly confirmed the fact that Azerbaijan territories had been occupied by Armenia.

In September 2001, at the EC autumn session, Azerbaijan presented two additional documents. The first document was related with the discussion of the Armenia-Azerbaijan, Nagorno-Karabakh conflict at the EC. The compiled draft reflected occupation of Azerbaijan territories, the living conditions of over one million of people as refugees and internally displaced persons, the policies of Armenia that were causing danger for regional peace and stability and other important facts. Fifty deputies representing about 30 countries at the EC signed this document prepared by the Azerbaijan delegation. The draft noted that Nagorno-Karabakh, which is an integral part of Azerbaijan had been occupied by Armenia. This document was distributed by the Azerbaijan delegation and was aptly entitled as "Education Rights of the Refugees and internally displaced persons in Azerbaijan in the context for the EC." This document was added to the organization's official documents.

A second document prepared by the Azerbaijan delegation was entitled the "Education Rights of the Refugees and internally displaced persons in Azerbaijan in the Context of Further Development of Education in Europe." The document provided a wider network of information about the situation arising out of the deportation of hundred of thousands of Azerbaijanis from their native land due to the Armenian aggression. Azeri deputies noted the rude violence to thousands of children's rights for education by Armenia. This was expressed as a necessary focus for the EC. This is clearly a major point of interest for international attention. This document caused considerable resonance and was remembered as an important measure in disclosure of the results of Armenia's invasive policy to the international community.

This time again, the Armenian deputies confronted the unexpected step of the Azerbaijan delegation and had to pay major attention to denial of the facts reflected in the document. Let us note that the activity of our delegation headed by Mr. Ilham Aliyev always served to an objective purpose by putting Armenians in a deadlock and by showing the uncontestable facts and faults of the Armenians. At every session Azeri deputies presented new documents and this caused big resonance at the EC and led to a growing negative and worsening attitude towards Armenia.

The Azerbaijan delegation had sent an inquiry concerning Armenia, which was against the principle of inviolability of the territorial integrity at the 108th session of the EC Committee of Ministers. The inquiry noted that non-recognition of Azerbaijan's territorial integrity by Armenia did not correspond either to EC principles or to the principles of international law. The Azerbaijan delegation wanted to know the official position of the EC relative to this issue. A discussion took place based on the inquiry and the Committee of Ministers declared officially

that it admits the principle of inviolability of Azerbaijan's territorial integrity and invited Armenia to sign this document as well. Consequently, Armenia changed its position on the issue and had to sign the document.

The EC session taking place on September 25, 2001 revolved around discussions about international terrorism. The deputies representing different countries delivered speeches, declaimed expansion of terrorism, and expressed their anxiety that it has become a common misfortune of humankind. The Armenian deputy Ovanesyan, delivered a speech at the meeting and said that ostensibly Armenia does not support any act of terror and fights against terrorism. He stated ridiculous ideas claiming that Azerbaijan ostensibly runs a terrorist policy against the Armenian population of Nagorno-Karabakh and that the famous terrorist Bin Laden has a telephone contact within Baku. The head of the Azerbaijan delegation, deputy of Milli Mejlis Ilham Aliyev, presented a speech at the proceedings of the EC and clearly showed that these slanders of the Armenian reps had no basis in fact: "I must say to you with all the responsibility that this is a completely groundless lie. This baseless claim has not been confirmed by anybody and turning to all of my colleagues, I want to ask them not to use the higher rostrum of the European Council to spread slanders for their own political aims." We all suffered a great shock for the terror acts committed against the United States of America. On behalf of the Azerbaijan delegation, I would like to express my frank condolence to the government of the United States and American people for the acts of terror, which caused death and wounding to thousands of innocent people. I would like to express as well our full support to the United States, on behalf of the Azerbaijani government, in finding out the people who have committed this terrible crime and in raising a trial against them. The acts of terror committed against the United States show clearly how fragile is the world we all live in. Nobody can feel safe. Therefore, the international community should unite in all parts of the world against all the forms of terrorism", stressed Mr. Ilham Aliyev.

Our delegation, headed by Mr. Aliyev, also called attention to the acts of terror committed by Armenia against Azerbaijan and said that Azerbaijan had suffered much from the terrorism. "Since the start of the Armenian aggression, the Armenian terrorist groups have committed 32 acts of terror against Azerbaijan. Two thousands people were wounded due to these acts of terror. The acts of terror against Azerbaijan people were committed in trains, buses, ships and underground trains. The terrorist acts committed by the Armenian terrorists against the Azerbaijan people are one of the major elements of the scale aggression of the Armenian armed forces against Azerbaijan. Tens of thousands of Azerbaijanis were killed, one million people became refugees, 20 percent of Azerbaijan

territories were occupied by Armenia due to this terrorism. The Armenian terrorist organization ASALA played a very active role in the terror and genocide policy of Armenia against Azerbaijan in the recent 13 years. Presently the territories of the fictitious Nagorno-Karabakh Republic, as well as the other occupied regions of Azerbaijan are fully uncontrolled territories. The Armenian officials have created camps for training of not only the Armenian terrorists, but also terrorists from other countries in these territories, which are reigned by lawlessness. The territory of Nagorno-Karabakh is used for transportation of narcotic substances and plenty of money gained from production and conveyance of narcotic substances is spent for terrorist purposes".

On April 2002, the Azerbaijan delegation took an active part in the spring session of the EC and managed to distribute significant documents concerning several issues. One of the documents was entitled "On the Nuclear Technologies and Nuclear Wastes in the Occupied Territories of the Azerbaijan Republic". The document contained facts about burial of nuclear wastes in the territories occupied by Armenia and maintenance of nuclear technologies here. The document was signed by 80 deputies and 30 states and was added to the list of EC's official documents.<sup>1</sup> Though the members of the Armenian delegation tried to deny the facts reflected in the document, they failed to present convincing arguments. Armenia had already fallen into an isolated state in the Assembly since the Azeri deputies had succeeded in building active cooperation relations with the EC's Assembly's membership and the persons representing Armenia failed to take adequate measures against the steps of the Azerbaijan delegation. Armenia simply failed in the face of the factual evidence presented by the Azerbaijan delegations.

One more document "About Observation of International Principles and Rules in the States of the EC" was signed by more than 40 deputies representing 20 countries. This document noted, that the invasive activity of Armenia causes problems for regional safety as well as discords to the international legal norms accepted by all the member states of the EC.

On June 2002, at the EC PA summer session the Azerbaijan delegation succeeded in achieving progress on many related issues. Most importantly, they made successful strides at informing the members of the organization about the Armenia-Azerbaijan, Nagorno-Karabakh conflict. Before the beginning of the session and during the session, the delegation conducted many high-level meetings and discussions with authoritative persons of the organization about the problems faced by our country. One such meeting was held with the new chairman of the EC

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<sup>1</sup> "Respublika" newspaper, April 30, 2002

Parliamentary Assembly Peter Shieder. Here negotiations about the Armenia-Azerbaijan, Nagorno-Karabakh conflict and its painful results were conducted and the Azerbaijani delegation requested that the EC chairman should keep this issue in the focus of attention, The deputies representing our country provided extensive information about the intolerable state of the refugees and internally displaced persons and expressed the necessity for increasing humanitarian aid from international organizations to them.

The delegation's meeting with the EC's General Secretary Walter Shwimmer also kept these issues in the focus of attention. One of the main purposes of the Azerbaijani deputies was to maintain the Armenia-Azerbaijan, Nagorno-Karabakh conflict in the focus of attention and to carry out appropriate propaganda in order to eliminate double standards in relation to Azerbaijan. Already shortly after the beginning of the session, it became apparent that a certain amount of success had been achieved.

On June 27, 2002 chairman of the EC Committee for Migration, Refugees & Demography Rut-Gabi Vermot-Mangold delivered a report about "The state of refugees in Armenia, Georgia and Azerbaijan." In his speech, he noted that Azerbaijan had got over 900,000; Armenia -150,000 refugees and 20 percent of Azerbaijan territories had been occupied. It is worth noting that R.Vermot-Mangold did not illustrate the number of Azeri refugees and internally displaced persons precisely. For the reason that the official statistics mentions more than one million refugees and internally displaced persons. Nevertheless, this speech created a reasonably objective idea about the true effects of the Armenia-Azerbaijan, Nagorno-Karabakh conflict. The pronouncement of the truth by a European deputy created greater hope for objectiveness of the facts. Mr. Vermot-Mangold stated that tens of thousands of Mehseti Turks had settled in Azerbaijan as well. The deputy noted the difficult living conditions of the refugees and stressed the necessity that all international organizations should render them humanitarian aid. The head of the Azerbaijan delegation, Mr. Ilham Aliyev, delivered a profoundly important speech at this session and drew attention to the very difficult living and health conditions of the refugees and pointed out that every eighth person in Azerbaijan is now a refugee. He emphasized that the international community should not ignore the aggressive policy of Armenia against Azerbaijan and expressed a concrete attitude to the issue. Mr. Ilham Aliyev said that the Azerbaijani state takes care of the refugees and internally displaced persons from (a) Armenia, (b) our occupied territories, as well as from (c) Uzbekistan and stressed nevertheless the continuing need for assistance from the world community to help improve their social conditions. Mr. Ilham Aliyev emphasized once again the necessity that a fair attitude towards the Armenia-Azerbaijan, Nagorno-Karabakh conflict needs to be



expressed, he stated: "How long is Europe going to keep closing its eyes to the fact that one member of the European Council, Armenia, keeps 20 percent of the territories of another member, Azerbaijan, under occupation?" This speech of the Azerbaijan delegation caused a big resonance at the session and put forward the notion that the time had come to express an objective attitude toward the problem. This performance persuaded the EC deputies to realize the organization's fair and appropriate position in relation to the conflict's results. Probably due to this, the session appointed Terry Davis as the EC reporter on Nagorno-Karabakh. Let us note that after acceptance of Azerbaijan and Armenia to the EC membership, Armenians always rejected the appointment of EC reporters on the Nagorno-Karabakh conflict and tried to prevent realization of this idea. However, the principal position of the Azerbaijan delegation and the successive diplomatic struggle under the leadership of Mr. Ilham Aliyev caused cooperation and the passing of this proposal by the EC membership.

In September 2002, the autumn session discussed implementation of the liabilities undertaken by Azerbaijan and Armenia before the EC. At the urgent request of Azerbaijan, amendments were made toward resolution of Armenia's occupation of Azerbaijani territories, the fact that refugees and internally displaced persons had been driven out of their native lands, and the true reasons of the Armenia-Azerbaijan, Nagorno-Karabakh conflict. These issues were also reflected in a resolution about Azerbaijan. Though Armenians actively resisted, they failed to achieve elimination of the amendments and attachments to the text of the resolution suggested by Azerbaijan.

On January 27, 2003 the head of the Azerbaijan delegation Mr. Ilham Aliyev was elected to the distinguished posts of the EC deputy chairman and a member of the bureau<sup>1</sup> of the Parliamentary Assembly. This was a very significant event confirming that the relations of our country with the EC had been developing at quite a high level and that there was great trust placed upon our delegation. Mr. Aliyev's election as deputy chairman and as a member of the bureau of such an important international organization as the EC was a very important accomplishment that can not be denied. The fact that a citizen of Azerbaijan holds one of the main positions of the EC Assembly and directing its activity must be characterized as a display of great trust to our country. It should suffice simply to remember the problems we confronted in the most different fields of foreign policy ten years earlier in order to truly appreciate the fact that this event has no analogue in the history of our diplomacy. This grandiose event confirms that Mr. Ilham Aliyev is

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<sup>1</sup> "Azerbaijan" newspaper, January 29, 2003.

renowned as an authoritative political figure in the international world and that his activity is attentively observed by the most powerful states of the world.

Let us note that rather serious arguments stood behind this trust displayed to Mr. Ilham Aliyev. Following acceptance to the European Council as a full-fledged member, Azerbaijan managed to make the principal steps necessary for taking problems linked with own national interests to the limelight of the international community. The activeness the Azerbaijani delegation displayed at the EC sessions provided the successful development of this process. Mr. Ilham Aliyev managed to demonstrate that he is a leader of high qualities by targeting the activity of the delegation to effective protection of our national interests and international exposure of Armenia's invasive policy. It was exactly for his particular political far-sightedness that Armenians met new "surprises" of Azerbaijani deputies at almost every meeting of the organization and in its separate committees.

Starting his activity as the EC deputy chairman and member of the bureau Mr. Ilham Aliyev made his first step by conveying the results of Armenia's aggressive policy to the international community. At the spring session of the Parliamentary Assembly, Mr. Ilham Aliyev mentioned the facts sounded by the deputy Ali Abbasov in his report "The State of Culture in the South Caucasus." This report was about the destruction of plenty of Azerbaijan's cultural monuments due to the aggressive policy of Armenia and confirmed with convincing arguments that the statistical figures reflected in this document rested on truths. Consequently, a proposal of the Armenian deputies to withdraw their fact, of occupation from the document was rejected. Nevertheless, Armenians main point of anxiety didn't stem solely from the discussion of this issue; the fact that the head of the Azerbaijan delegation, Mr. Ilham Aliyev, was authorized to lead the session annoyed them even more. Due to the validity of these claims, Armenians were not backed and they also encountered failure at the next session of this international organization. That following session at the EC bureau discussed the Armenia-Azerbaijan, Nagorno-Karabakh conflict as well. These discussions resolutely declaimed the fact that Armenia ran aggressive policy against Azerbaijan and stated that this was contradictory of all international legal norms. The EC confirmed in fact that Armenia was indeed an invasive state and that it was occupying Azerbaijan territories.

At the summer session of 2003, the Azerbaijan delegation continued to display a visible presence and activeness. The session ran discussions on an issue that was linked directly with problems that our country has faced: "Positive Experience of Autonomous Regions in Europe". By proposal of the EC deputy chairman and head of the Azerbaijan delegation, Mr. Ilham Aliyev, a provision was added to the document about the fact that an autonomous region has no right

to violate territorial integrity. It should be again noted that the Armenians resisted this proposal adamantly and brought forth many arguments in attempting to convince the EC deputies that there was no need to include such a provision to the document. However, Mr. Ilham Aliyev's determined and rational speeches prevented the Armenians' proposal to pass. Subsequently, the sentence "grant of autonomy should be based on the sovereignty and territorial integrity of the state itself was added to the document. This was actually a very important measure that put a wall before the claims of the Nagorno-Karabakh separatist regime for independence. Presence of such a provision in the EC's document showed that the independence claims of the Nagorno-Karabakh power had no legal basis.

In a short period, Azerbaijani representatives managed to declare the facts about the Armenia-Azerbaijan, Nagorno-Karabakh conflict to the world community from the center of Europe. The acts of genocide committed by Armenians against Azerbaijanis, destruction of cultural monuments in the occupied territories, the state of maintenance of the military captives and hostages, the ecological state of the lands invaded by Armenians, the problems that arose in the education of the refugee and IDP children, the very difficult social conditions of the IDPs and tens of other related painful facts provided the whole of Europe and the world with an opportunity to see objectively and precisely the essence of the regional events. This opportunity was created by the patriotic and successful activity of the delegation headed by Mr. Ilham Aliyev.

During the period when Mr. Ilham Aliyev headed our delegation, around 30 documents embracing the Azerbaijan truths were prepared for the EC and spread as the organization's official documents.<sup>1</sup> One of the essential principals of the many-branched activity of Azerbaijan's delegation at the EC was to inform the international community of the true reasons of the Nagorno-Karabakh conflict and the results gave ground to say that all the clauses of that principle had been realized. The advantageous conclusion of the strained struggle for appointment of the organization's special reporter on the conflict can be assessed as a particular noteworthy event. The successful activity of Mr. Ilham Aliyev at the EC led to maintenance of our delegation's active participation in all the structures, committees and commissions of the organization. All of these activities were of great importance in realizing the processes of the isolation of Armenians from the international world.

Certainly, all the highlighted points of this essay express various details of the Azerbaijani delegation's successful activity at the EC. Mr. Ilham Aliyev and his team of Azerbaijani deputies and their guardianship of our national interests

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<sup>1</sup> "Azerbaijan in the road of democratic development". Baku, 2004, p. 148.

provided delivery of Azerbaijan truths to the world community. Undoubtedly, the successes achieved by President Ilham Aliyev in our country's politics and in this extra-ordinary success with the EC should be valued as a logical consequence of his intense and efficient activity for the national interests of the Azerbaijani people. The world, as well as his fellow countrymen, respects him as a diplomatic politician, but most importantly as an effective leader. Mr. Ilham Aliyev, in his country of Azerbaijan, is acknowledged not only as a reliable defender of national interests, but also as a leader who is capable of coordinating our collective activities to the complex realities of the modern world.

### **III PART**

## **DOCUMENTS ADOPTED BY INTERNATIONAL ORGANIZATIONS**

### **UN**

#### **United Nations Security Council resolution 822**

*30 April 1993*

The Security Council,

Recalling the statements of the President of the Security Council of 29 January 1993 (S/25199) and of 6 April 1993 (S/25539) concerning the Nagorno-Karabakh conflict,

Taking note of the report of the Secretary-General dated 14 April 1993 (S/25600),

Expressing its serious concern at the deterioration of the relations between the Republic of Armenia and the Republic of Azerbaijan,

Noting with alarm the escalation in armed hostilities and, in particular, the latest invasion of the Kalbajar district of the Republic of Azerbaijan by local Armenian forces,

Concerned that this situation endangers peace and security in the region,

Expressing grave concern at the displacement of a large number of civilians and the humanitarian emergency in the region, in particular in the Kalbajar district,

Reaffirming the respect for sovereignty and territorial integrity of all States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing its support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe and deeply concerned at the disruptive effect that the escalation in armed hostilities can have on that process,

1. Demands the immediate cessation of all hostilities and hostile acts with a view to establishing a durable cease-fire, as well as immediate withdrawal of all occupying forces from the Kalbajar district and other recently occupied areas of Azerbaijan;

2. Urges the parties concerned immediately to resume negotiations for the resolution of the conflict within the framework of the peace process of the Minsk Group of the Conference on Security and Cooperation in Europe and refrain from any action that will obstruct a peaceful solution of the problem;

3. Calls for unimpeded access for international humanitarian relief efforts in the region, in particular in all areas affected by the conflict in order to alleviate the suffering of the civilian population and reaffirms that all parties are bound to comply with the principles and rules of international humanitarian law;

4. Requests the Secretary-General, in consultation with the Chairman-in-Office of the Conference on Security and Cooperation in Europe as well as the Chairman of the Minsk Group of the Conference to assess the situation in the region, in particular in the Kalbajar district of Azerbaijan, and to submit a further report to the Council;

5. Decides to remain actively seized of the matter.

### **United Nations Security Council resolution 853**

*29 July 1993*

The Security Council,

Reaffirming its resolution 822 (1993) of 30 April 1993,

Having considered the report issued on 27 July 1993 by the Chairman of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) (S/26184),

Expressing its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them,

Welcoming acceptance by the parties concerned of the timetable of urgent steps to implement its resolution 822 (1993),

Noting with alarm the escalation in armed hostilities and, in particular, the seizure of the district of Agdam in the Azerbaijani Republic,

Concerned that this situation continues to endanger peace and security in the region,

Expressing once again its grave concern at the displacement of large numbers of civilians in the Azerbaijani Republic and at the serious humanitarian emergency in the region,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

1. Condemns the seizure of the district of Agdam and of all other recently occupied areas of Azerbaijan Republic;

2. Further condemns all hostile actions in the region, in particular attacks on civilians and bombardments of inhabited areas;

3. Demands the immediate cessation of all hostilities and the immediate, complete and unconditional withdrawal of the occupying forces involved from the district of Agdam and all other recently occupied areas of the Azerbaijan Republic;

4. Calls on the parties concerned to reach and maintain durable cease-fire arrangements;

5. Reiterates in the context of paragraphs 3 and 4 above its earlier calls for the restoration of economic, transport and energy links in the region;

6. Endorses the continuing efforts by the Minsk Group of the CSCE to achieve a peaceful solution to the conflict, including efforts to implement resolution 822 (1993), and expresses its grave concern at the disruptive effect that the escalation of armed hostilities has had on these efforts;

7. Welcomes the preparations for a CSCE monitor mission with a timetable for its deployment, as well as consideration within the CSCE of the proposal for a CSCE presence in the region;

8. Urges the parties concerned to refrain from any action that will obstruct a peaceful solution to the conflict, and to pursue negotiations within the Minsk Group of the CSCE, as well as through direct contacts between them, towards a final settlement;

9. Urges the Government of the Republic of Armenia to continue to exert its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of Azerbaijani Republic with its resolution 822 (1993) and the present resolution, and the acceptance by this party of the proposals of the Minsk Group of the CSCE;

10. Urges States to refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory;

11. Calls once again for unimpeded access for international humanitarian relief efforts in the region, in particular in all areas affected by the conflict, in order to alleviate the increased suffering of the civilian population and reaffirms that all parties are bound to comply with the principles and rules of international humanitarian law;

12. Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population and to assist displaced persons to return to their homes;

13. Requests the Secretary-General, in consultation with the Chairman-in-Office of the CSCE as well as the Chairman of the Minsk Group, to continue to report to the Council on the situation;

14. Decides to remain actively seized of the matter.

### **United Nations Security Council resolution 874**

*14 October 1993*

The Security Council,

Reaffirming its resolutions 822 (1993) of 30 April 1993 and 853 (1993) of 29 July 1993, and recalling the statement read by the President of the Council, on behalf of the Council, on 18 August 1993 (S/26326),

Having considered the letter dated 1 October 1993 from the Chairman of the Conference on Security and Cooperation in Europe (CSCE) Minsk Conference on Nagorno-Karabakh addressed to the President of the Security Council (S/26522),

Expressing its serious concern that a continuation of the conflict in and around the Nagorno-Karabakh region of the Azerbaijani Republic, and of the tensions between the Republic of Armenia and the Azerbaijani Republic, would endanger peace and security in the region,

Taking note of the high-level meetings which took place in Moscow on 8 October 1993 and expressing the hope that they will contribute to the improvement of the situation and the peaceful settlement of the conflict,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing once again its grave concern at the human suffering the conflict has caused and at the serious humanitarian emergency in the region and expressing in particular its grave concern at the displacement of large numbers of civilians in the Azerbaijani Republic,

1. Calls upon the parties concerned to make effective and permanent the cease-fire established as a result of the direct contacts undertaken with the assistance of the Government of the Russian Federation in support of the CSCE Minsk Group;

2.Reiterates again its full support for the peace process being pursued within the framework of the CSCE, and for the tireless efforts of the CSCE Minsk Group;

3.Welcomes and commends to the parties the "Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993) and 853 (1993)" set out on 28 September 1993 at the meeting of the CSCE Minsk Group and submitted to the parties concerned by the Chairman of the Group with the full support of nine other members of the Group, and calls on the parties to accept it;

4.Expresses the conviction that all other pending questions arising from the conflict and not directly addressed in the "Adjusted timetable" should be settled expeditiously through peaceful negotiations in the context of the CSCE Minsk process;

5.Calls for the immediate implementation of the reciprocal and urgent steps provided for in the CSCE Minsk Group's "Adjusted timetable", including the withdrawal of forces from recently occupied territories and the removal of all obstacles to communications and transportation;

6.Calls also for an early convening of the CSCE Minsk Conference for the purpose of arriving at a negotiated settlement to the conflict as provided for in the timetable, in conformity with the 24 March 1992 mandate of the CSCE Council of Ministers;

7.Requests the Secretary-General to respond favourably to an invitation to send a representative to attend the CSCE Minsk Conference and to provide all possible assistance for the substantive negotiations that will follow the opening of the Conference;

8.Supports the monitoring mission developed by the CSCE;

9.Calls on all parties to refrain from all violations of international humanitarian law and renews its call in resolutions 822 (1993) and 853 (1993) for unimpeded access for international humanitarian relief efforts in all areas affected by the conflict;

10.Urges all States in the region to refrain from any hostile acts and from any interference or intervention which would lead to the widening of the conflict and undermine peace and security in the region;

11.Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population and to



assist refugees and displaced persons to return to their homes in security and dignity;

12. Requests also the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference to continue to report to the Council on the progress of the Minsk process and on all aspects of the situation on the ground, and on present and future cooperation between the CSCE and the United Nations in this regard;

13. Decides to remain actively seized of the matter.

### **United Nations Security Council resolution 884**

*12 November 1993*

The Security Council,

Reaffirming its resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993 and 874 (1993) of 14 October 1993,

Reaffirming its full support for the peace process being pursued within the framework of the Conference on Security and Cooperation in Europe (CSCE), and for the tireless efforts of the CSCE Minsk Group,

Taking note of the letter dated 9 November 1993 from the Chairman-in-Office of the Minsk Conference on Nagorno-Karabakh addressed to the President of the Security Council and its enclosures (S/26718, annex),

Expressing its serious concern that a continuation of the conflict in and around the Nagorno-Karabakh region of the Azerbaijani Republic, and of the tensions between the Republic of Armenia and the Azerbaijani Republic, would endanger peace and security in the region,

Noting with alarm the escalation in armed hostilities as consequence of the violations of the cease-fire and excesses in the use of force in response to those violations, in particular the occupation of the Zangilan district and the city of Goradiz in the Azerbaijani Republic,

Reaffirming the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region,

Reaffirming also the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,

Expressing grave concern at the latest displacement of a large number of civilians and the humanitarian emergency in the Zangilan district and the city of Goradiz and on Azerbaijan's southern frontier,

1. Condemns the recent violations of the cease-fire established between the parties, which resulted in a resumption of hostilities, and particularly condemns the

occupation of the Zangilan district and the city of Goradiz, attacks on civilians and bombardments of the territory of the Azerbaijani Republic;

2. Calls upon the Government of Armenia to use its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of the Azerbaijani Republic with resolutions 822 (1993), 853 (1993) and 874 (1993), and to ensure that the forces involved are not provided with the means to extend their military campaign further;

3. Welcomes the Declaration of 4 November 1993 of the nine members of the CSCE Minsk Group (S/26718) and commends the proposals contained therein for unilateral cease-fire declarations;

4. Demands from the parties concerned the immediate cessation of armed hostilities and hostile acts, the unilateral withdrawal of occupying forces from the Zangilan district and the city of Horadiz, and the withdrawal of occupying forces from other recently occupied areas of the Azerbaijani Republic in accordance with the "Adjusted timetable of urgent steps to implement Security Council resolutions 822 (1993) and 853 (1993)" (S/26522, appendix) as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

5. Strongly urges the parties concerned to resume promptly and to make effective and permanent the cease-fire established as a result of the direct contacts undertaken with the assistance of the Government of the Russian Federation in support of the CSCE Minsk Group, and to continue to seek a negotiated settlement of the conflict within the context of the CSCE Minsk process and the "Adjusted timetable" as amended by the CSCE Minsk Group meeting in Vienna of 2 to 8 November 1993;

6. Urges again all States in the region to refrain from any hostile acts and from any interference or intervention, which would lead to the widening of the conflict and undermine peace and security in the region;

7. Requests the Secretary-General and relevant international agencies to provide urgent humanitarian assistance to the affected civilian population, including that in the Zangilan district and the city of Horadiz and on Azerbaijan's southern frontier, and to assist refugees and displaced persons to return to their homes in security and dignity;

8. Reiterates its request that the Secretary-General, the Chairman-in-Office of the CSCE and the Chairman of the CSCE Minsk Conference continue to report to the Council on the progress of the Minsk process and on all aspects of the situation on the ground, in particular on the implementation of its relevant resolutions, and on present and future cooperation between the CSCE and the United Nations in this regard;

9. Decides to remain actively seized of the matter.

## **Note by the president of the Security Council**

*12 May 1992*

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3027nd meeting, on 12 May 1992, in connection with the Council's consideration of the item entitled: "The situation relating to Nagorno-Karabakh".

The Members of the Security Council are deeply concerned by recent reports on the deterioration of the situation relating to Nagorno-Karabakh and by violations of cease-fire agreements which have caused heavy losses of human life and widespread material damage, and by their consequences for the countries of the region.

The Members of the Security Council commend and support the efforts undertaken within the framework of the Conference on Security and Cooperation in Europe (CSCE), as well as other efforts aimed at assisting the parties in arriving at a peaceful settlement and at providing humanitarian assistance.

They welcome the urgent dispatch by the Secretary-General of a mission to the region for fact-finding and to study ways and means to speedily assist the efforts undertaken within the framework of the CSCE to help the parties to reach a peaceful settlement. This mission will also include a technical element to look into ways the international community could provide prompt humanitarian assistance.

The Members of the Security Council call upon all concerned to take all steps necessary to bring the violence to an end, to facilitate the work of the Secretary General's mission and to ensure the safety of its personnel. They recall the statements made on their behalf by the President of the Council on 29 January (S/23496) and 14 February 1992 (S/23597) on the admission respectively of Armenia and Azerbaijan to the United Nations, in particular the reference to the Charter principles relating to the peaceful settlement of disputes and non-use of force.

## **Note by the president of the Security Council**

*26 August 1992*

Following consultations among members of the Security Council/ the President of the Council made the following statement, on behalf of the Council, in connection with the item entitled: "The situation relating to Nagorno-Karabakh".

The members of the Security Council are deeply concerned by recent reports on the deterioration of the situation relating to Nagorno-Karabakh with heavy losses of human life and widespread material damage.

The members of the Council strongly appeal to all parties and others concerned for an immediate cease-fire and support the efforts of the Minsk Conference on the question of Nagorno-Karabakh within the framework of the CSCE as well as the preparatory negotiations held in Rome. They urge all parties and others concerned to cooperate closely with the CSCE and to participate positively in the negotiations with a view to reaching a peaceful settlement of their disputes as early as possible. They have noted that the Secretary-General dispatched fact-finding missions to the region and was ready to send observers to the above CSCE negotiations. The members of the Council will consider further the role of the United Nations in Nagorno-Karabakh at an appropriate time in the light of the development of the situation in the area.

### **Note by the president of the Security Council**

*27 October 1992*

Following consultations with the members of the Security Council/ the President of the Council made the following statement, on behalf of the Council, at its 3127th meeting, held on 27 October 1992, in connection with the Council's consideration of the item entitled "The situation relating to Nagorno-Karabakh":

The Security Council is deeply concerned by the grave situation which continues to prevail in Nagorno-Karabakh and surrounding districts/ and also by the resulting loss of human life and destruction of property/ despite the cease-fire agreement concluded at Sochi on 21 September 1992.

The Security Council reaffirms the terms of its statement of 26 August 1992 (S/24493) on the situation concerning Nagorno-Karabakh, and in particular its support for the efforts of the Minsk Conference on the Nagorno-Karabakh question within the framework of the Conference on Security and Cooperation in Europe (CSCE). It strongly urges all the parties and others concerned to implement the cease-fire forthwith and to lift all blockades. It requests that the Minsk Conference be convened immediately and that political negotiations be undertaken in accordance with the President's rules of procedure. It urges all the parties and others concerned to cooperate closely with the CSCE and to participate positively in the Conference in order to reach an overall settlement of their disputes as soon as possible.

The Security Council welcomes the intention of the Secretary-General to send a representative to the region to evaluate the contribution which the United Nations might make in supporting the efforts of the CSCE and in providing humanitarian assistance.

### **Note by the president of the Security Council**

*29 January 1993*

After consultations held on 29 January 1993, the President of the Security Council made the following statement to the media on behalf of the members of the Council:

The members of the Security Council express their deep concern at the devastating effect of interruptions in the supply of goods and materials, in particular energy supplies, to Armenia and to the Nakhichevan region of Azerbaijan. They note with serious concern that these interruptions, combined with an unusually harsh winter, have brought the economy and infrastructure of the region to near collapse and created a real threat of starvation.

The members of the Council urge all countries in a position to help to facilitate the provision of fuel and humanitarian assistance and call on governments in the region, with a view to preventing a further deterioration of the humanitarian situation, to allow humanitarian supplies to flow freely, in particular fuel to Armenia and to the Nakhichevan region of Azerbaijan.

The members of the Council reaffirm their full support for the CSCE efforts, designed to bring the parties together and achieve peace in the region. They call upon the parties to agree to an immediate ceasefire, and an early resumption of talks within the CSCE framework.

The members of the Security Council will keep the matter under consideration.

### **Note by the president of the Security Council**

*6 April 1993*

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3194th meeting, on 6 April 1993, in connection with the Council's consideration of the item entitled "The situation relating to Nagorno-Karabakh":

The Security Council expresses its serious concern at the deterioration of relations between the Republic of Armenia and the Republic of Azerbaijan, and at the escalation of hostile acts in the Nagorno-Karabakh conflict, especially the invasion of the Kalbajar district of the Republic of Azerbaijan by local Armenian forces. The Council demands the immediate cessation of all such hostilities, which endanger peace and security of the region, and the withdrawal of these forces.

In this context, the Security Council, reaffirming the sovereignty and territorial integrity of all States of the region and the inviolability of their borders, expresses its support for the CSCE peace process. It expresses the hope that the recent preliminary agreement reached by the Minsk Group will be expeditiously followed by agreements on a ceasefire, a timetable for the deployment of the monitors, a draft political declaration and the convening, as soon as possible, of the Minsk Conference.

The Security Council urges the parties involved to take all necessary steps to advance the CSCE peace process and refrain from any action that will obstruct a peaceful solution to the problem.

The Council also calls for unimpeded access to international humanitarian relief efforts in the region and in particular in all areas affected by the conflict in order to alleviate the suffering of the civilian population.

The Security Council requests the Secretary-General, in consultation with the CSCE, to ascertain facts, as appropriate, and to submit urgently a report to the council containing an assessment of the situation on the ground.

The Council will remain seized of the matter.

### **Note by the president of the Security Council**

*18 August 1993*

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3264th meeting, on 18 August 1993, in connection with the Council's consideration of the item entitled "The situation relating to Nagorno-Karabakh";

The Security Council expresses its serious concern at the deterioration of relations between the Republic of Armenia and the Azerbaijani Republic and at the tensions between them. The Council calls upon the Government of the Republic of Armenia to use its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of the Azerbaijani Republic with its resolutions 822 (1993) and 853 (1993).

The Council also expresses its deep concern at the recent intensification of fighting in the area of Fizuli. The Council condemns the attack on the Fizuli region from the Nagorno-Karabakh region of the Azerbaijani Republic, just as it has previously condemned the invasion and seizure of the districts of Kalbajar and Agdam of the Azerbaijani Republic. The Council demands a stop to all attacks and an immediate cessation of the hostilities and bombardments, which endanger peace and security in the region, and an immediate, complete and unconditional withdrawal of occupying forces from the area of Fizuli, and from the districts of Kalbajar and Agdam and other recently occupied areas of the Azerbaijani Republic. The Council calls upon the Government of the Republic of Armenia to use its unique influence to this end.

The Council reaffirms the sovereignty and territorial integrity of the Azerbaijani Republic and of all other States in the region and the inviolability of their borders, and expresses its grave concern at the effect these hostilities have had on the efforts of the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) to achieve a peaceful solution to the conflict. The Council stresses its full support of the CSCE peace process, and notes particularly the opportunity that the current round of Minsk Group talks has afforded the parties to the conflict to present their views directly. In this context, the Council calls upon all of the parties to respond positively and within the agreed time-frame to the 13 August adjusted version of the Minsk Group's 'Timetable of urgent steps to implement United Nations Security Council resolutions 822 (1993) and 853 (1993)' and to refrain from any actions that would obstruct a peaceful solution. The Council welcomes the intention of the CSCE to send a mission to the region to report on all aspects of the situation.

In light of this most recent escalation of the conflict, the Council strongly reaffirms its call in resolution 853 (1993) for States to refrain from supplying any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory of the Azerbaijani Republic. The Council calls upon the Government of the Republic of Armenia to ensure that the forces involved are not provided with the means to extend their military campaign still further.

The Council also renews its calls in resolutions 822 (1993) and 853 (1993) for unimpeded access for international humanitarian relief efforts in the region, in all areas affected by the conflict, in order to alleviate the continually increasing suffering of the civilian population. The Council reminds the parties that they are bound by and must adhere to the principles and rules of international humanitarian law.

The Security Council will remain actively seized of the matter and will be ready to consider appropriate steps to ensure that all parties fully respect and comply with its resolutions.

### **Note by the president of the Security Council**

*26 April 1995*

At the 3525th meeting of the Security Council, held on 26 April 1995, in connection with the Council's consideration of the item entitled "The situation relating to Nagorno-Karabakh", the President of the Security Council made the following statement on behalf of the Council:

The Security Council has considered the reports (S/1995/249 and S/1995/321) of the Co-Chairmen of the OSCE Minsk Conference on Nagorno-Karabakh presented in accordance with paragraph 8 of its resolution 884 (1993). It expresses its satisfaction that the cease-fire in the region agreed upon on 12 May 1994 through the mediation of the Russian Federation in cooperation with the OSCE Minsk Group has been holding for almost a year.

At the same time, the Council reiterates the concern it has previously expressed at the conflict in and around the Nagorno-Karabakh region of the Azerbaijani Republic and at the tensions between the Republic of Armenia and the Azerbaijani Republic. In particular, it expresses its concern at recent violent incidents and emphasizes the importance of using the mechanism of direct contacts for the settlement of incidents as agreed upon on 6 February 1995. It strongly urges the parties to the conflict to take all necessary measures to prevent such incidents in future.

The Council reaffirms all its relevant resolutions, inter alia, on the principles of sovereignty and territorial integrity of all States in the region. It also reaffirms the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory.

The Council reiterates its full support for the efforts of the Co-Chairmen of the Minsk Conference to assist in conducting speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties, inter alia, ensuring withdrawal of forces, and permit the convening of the Minsk Conference. The Council stresses that the parties to the conflict themselves bear the main responsibility for reaching a peaceful settlement. It stresses the urgency of concluding a political agreement on the cessation of the armed conflict on the basis of the relevant principles of the Charter of the United Nations and of



the OSCE. It strongly urges those parties to constructively conduct negotiations without preconditions or procedural obstacles and to refrain from any actions that may undermine the peace process. It emphasizes that the achievement of such an agreement is a prerequisite for the deployment of a multinational OSCE peace-keeping force.

The Council welcomes the decision of the Budapest summit of the CSCE of 6 December 1994 on the 'Intensification of CSCE action in relation to the Nagorno-Karabakh conflict' (S/1995/249, appendix). It confirms its readiness to provide continuing political support, inter alia, through an appropriate resolution regarding the possible deployment of a multinational OSCE peace-keeping force following agreement among the parties for cessation of the armed conflict. The United Nations also stands ready to provide technical advice and expertise.

The Council underlines the urgency of the implementation by the parties of confidence-building measures, as agreed upon within the Minsk Group on 15 April 1994, in particular in the humanitarian field, including the release of all prisoners of war and civilian detainees by the first anniversary of the cease-fire. It calls upon the parties to prevent suffering of the civilian populations affected by the armed conflict.

The Council reiterates its request that the Secretary-General, the Chairman-in-Office of the OSCE and the Co-Chairmen of the OSCE Minsk Conference continues to report to the Council on the progress of the Minsk process and on the situation on the ground, in particular, on the implementation of its relevant resolutions and on present and future cooperation between the OSCE and the United Nations in this regard.

The Council will keep the matter under consideration.

## **OSCE**

### **Intensification of CSCE action in relation to the Nagorno-Karabakh conflict**

*Budapest, 21 December 1994*

1. Deploring the continuation of the conflict and the human tragedy involved, the participating States welcomed the confirmation by the parties to the conflict of the cease-fire agreed on 12 May 1994 through the mediation of the Russian Federation in co-operation with the CSCE Minsk Group. They confirmed their commitment to the relevant resolutions of the United Nations Security Council and welcomed the political support given by the Security Council to the

CSCE's efforts towards a peaceful settlement of the conflict. To this end they called on the parties to the conflict to enter into intensified substantive talks, including direct contacts. In this context, they pledged to redouble the efforts and assistance by the CSCE. They strongly endorsed the mediation efforts of the CSCE Minsk Group and expressed appreciation for the crucial contribution of the Russian Federation and the efforts by other individual members of the Minsk Group. They agreed to harmonize these into a single co-coordinated effort within the framework of the CSCE.

2. To this end, they have directed the Chairman-in-Office, in consultation with the participating States and acting as soon as possible, to name co-chairmen of the Minsk Conference to ensure a common and agreed basis for negotiations and to realize full co-ordination in all mediation and negotiation activities. The co-chairmen, guided in all of their negotiating efforts by CSCE principles and an agreed mandate, will jointly chair meetings of the Minsk Group and jointly report to the Chairman-in-Office. They will regularly brief the Permanent Council on the progress of their work.

3. As a first step in this effort, they directed the co-chairmen of the Minsk Conference to take immediate steps to promote, with the support and co-operation of the Russian Federation and other individual members of the Minsk Group, the continuation of the existing cease-fire and, drawing upon the progress already achieved in previous mediation activities, to conduct speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties and permit the convening of the Minsk Conference. They further requested the co-chairmen of the Minsk Conference to continue working with the parties towards further implementation of confidence-building measures, particularly in the humanitarian field. They underlined the need for participating States to take action, both individually and within relevant international organizations, to provide humanitarian assistance to the people of the region with special emphasis on alleviating the plight of refugees.

4. They agreed that, in line with the view of the parties to the conflict, the conclusion of the agreement mentioned above would also make it possible to deploy multinational peacekeeping forces as an essential element for the implementation of the agreement itself. They declared their political will to provide, with an appropriate resolution from the United Nations Security Council, a multinational CSCE peacekeeping force following agreement among the parties for cessation of the armed conflict. They requested the Chairman-in-Office to develop as soon as possible a plan for the establishment, composition and operations of such a force, organized on the basis of Chapter III of the Helsinki

Document 1992 and in a manner fully consistent with the Charter of the United Nations. To this end the Chairman-in-Office will be assisted by the co-chairmen of the Minsk Conference and by the Minsk Group, and be supported by the Secretary General; after appropriate consultations he will also establish a Committee of High-Ranking Persons in Vienna to make recommendations on, inter alia, the size and characteristics of the force, command and control, logistics, allocation of units and resources, rules of engagement and arrangements with contributing States. He will seek the support of the United Nations on the basis of the stated United Nations readiness to provide technical advice and expertise. He will also seek continuing political support from the United Nations Security Council for the possible deployment of a CSCE peacekeeping force.

5. On the basis of such preparatory work and the relevant provisions of Chapter III of the Helsinki Document 1992, and following agreement and a formal request by the parties to the Chairman-in-Office through the co-chairmen of the Minsk Conference, the Permanent Council will take a decision on the establishment of the CSCE peacekeeping operation.

## **AMENDMENTS TO OSCE LISBON SUMMIT DOCUMENTS**

### **Statement of the OSCE chairman-in-office**

*Lisbon, December 3, 1996*

You all know that no progress has been achieved in the last two years to resolve the Nagorno-Karabakh conflict and the issue of the territorial integrity of the Republic of Azerbaijan. I regret that the efforts of the Co-Chairmen of the Minsk Conference to reconcile the views of the parties on the principles for a settlement have been unsuccessful.

Three principles which should form part of the settlement of the Nagorno-Karabakh conflict were recommended by the Co-Chairmen of the Minsk Group. These principles are supported by all member States of the Minsk Group. They are:

- territorial integrity of the Republic of Armenia and the Azerbaijan Republic;
- legal status of Nagorno-Karabakh defined in an agreement based on self-determination which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan;
- guaranteed security for Nagorno-Karabakh and its whole population, including mutual obligations to ensure compliance by all the Parties with the provisions of the settlement.

I regret that one participating State could not accept this. These principles have the support of all other participating States.

This statement will be included in the Lisbon Summit documents.

## **EUROPEAN UNION**

### **European Union statement on Nagorno-Karabakh**

*Brussels, 3 September 1993*

The Community and its member states condemn the recent offensives by local Armenian forces in Nagorno-Karabakh, which are making deeper and deeper incursions into Azerbaijani territory. They note with regret that such actions are extending the area of armed conflict to encompass more and more of Azerbaijani territory and are creating a very serious refugee problem in Azerbaijan and one already involving neighboring countries, with a concomitant increased threat to regional security.

The Community and its member States reaffirm their support for the territorial integrity and sovereignty of the States in the region.

The Community and its member States fully support the efforts being made by the Minsk Group within the framework of the CSCE to consolidate the provisional ceasefire decided on 31 August 1993 between the Nagorno-Karabakh Authorities and the Azerbaijan Government. They urge both parties to embark on any form of additional dialogue which would make it possible to implement the timetable on which there was agreement in principle by all parties at the end of June,

The Community and its member States also hope to see local Armenian forces in Nagorno-Karabakh fully respect United Nations Security Council Resolutions 822 and 853, and withdraw from the regions of Kalbajar, Agdam, Fizuli and Jabrail. The Community and its member States have no evidence that Azerbaijan would be capable of initiating major attacks from these regions.

The Community and its member States call on the Government of the Republic of Armenia to use its decisive influence over the Armenians of Nagorno-Karabakh to see that they comply with Security Council Resolutions 822 and 853 and the proposals of the CSCE Minsk Group. The Community and its member States call upon Armenia to ensure that the local Armenian forces carrying out offensives in Azerbaijan territory are not given the material means of further extending such offensives.

## **European Union statement on Nagorno-Karabakh**

*Brussels, 9 November 1993*

The European Union condemns the breach of the ceasefire agreement reached on 24 October 1993 in the region of Nagorno-Karabakh and calls upon all forces to withdraw from the recently occupied territories. The European Union reiterates the importance it attaches to the territorial integrity and sovereignty of the Republic of Azerbaijan, in accordance with the principles of the CSCE.

The European Union is particularly concerned at the fate of tens of thousands of civilians who are fleeing the fighting. Receiving and protecting these refugees must be a priority for the international community. Moreover, the presence of these refugees increases the risk of the conflict becoming an international one and threatens the stability of the whole region.

The European Union will continue its humanitarian aid to the affected population and would call upon all States in the region to facilitate the conveying of the aid.

The European Union reaffirms its total support for the efforts undertaken by the CSCE Minsk Group in order to find a lasting political solution to the conflict in Nagorno-Karabakh, it prevails upon the parties to the conflict to restore the ceasefire broken on 24 October 1993.

## **COUNCIL OF EUROPE**

### **European Council Parliamentary Assembly resolution 1047 on Nagorno-Karabakh**

*Strasbourg, November 10, 1994*

1. The Assembly notes with satisfaction that the ceasefire in Nagorno-Karabakh, which came into force on 12 May 1994, has been relatively well complied with and hopes that it will be followed up as soon as possible by a peace agreement between the warring parties.

2. This conflict, which broke out in 1988, has already resulted in almost 20 000 deaths and more than one million refugees.

3. The Assembly notes with satisfaction the efforts of the CSCE's Minsk Group, the Government of the Russian Federation, the United Nations Security Council, the Inter parliamentary Assembly of the CIS and its own Committee on

Relations with European Non-Member Countries to encourage the warring parties to sign a peace agreement.

4. It welcomes the agreement signed on 26 July 1994 by the Ministers of Defense of Armenia and Azerbaijan and the commander of the army of Nagorno-Karabakh, in which they affirm their commitment to observe the ceasefire and their eagerness to accelerate the signing of a political agreement, and calls urgently on all the warring parties to refrain from any hostile act which might jeopardize the fragile ceasefire that has been in force since 12 May 1994.

5. It declares its readiness to help promote the conclusion of a peace agreement to the best of its abilities, particularly by encouraging dialogue between parliamentarians from the parties concerned.

6. Finally, it calls on the warring parties to organize the return home of refugees on an urgent basis and to respect minority rights as advocated in its Recommendation 1201, and urgently calls on Azerbaijan and Turkey to immediately end the blockade of their means of communication with Armenia.

### **European Council Parliamentary Assembly resolution 1119 on Transcaucasian conflicts**

*Strasbourg, April 22, 1997*

1. The Assembly considers that maintaining the cease-fires, in force in the Transcaucasian conflicts, particularly in Abkhazia and Nagorno-Karabakh since May 1994, should help to bring about political stabilization in the zones of tension.

2. Following the various hearings held by its Committee on Relations with European Non-Member Countries, it hopes that rapid, decisive progress towards a political settlement of these conflicts will be made.

3. The three Transcaucasian countries - Armenia, Azerbaijan and Georgia - all hold special guest status and have applied for full membership of the Council of Europe. The Assembly considers that a genuine political will by all the parties to settle these conflicts would help to speed up the accession procedures.

4. The Assembly appeals to all parties directly or indirectly involved in these conflicts to participate constructively in the mediation work conducted on the ground, particularly by the United Nations, the Commonwealth of Independent States (CIS) and the Organization for Security and Co-operation in Europe (OSCE).

5. Even though these two conflicts are different in nature, the Assembly stresses that their political settlement must be negotiated by all parties involved,

drawing in particular on the following principles, which are based upon the 1975 Helsinki Final Act and the 1990 Paris Charter:

- I. inviolability of borders;
- II. guaranteed security for all peoples in the areas concerned, particularly through multinational peacekeeping forces;
- III. extensive autonomy status for Abkhazia and Nagorno-Karabakh to be negotiated by all the parties concerned;
- IV. right of return of refugees and displaced persons and their reintegration respecting human rights.

6. The Assembly considers that in the Transcaucasian countries, the Council of Europe should make a genuine contribution to establishing the rule of law, pluralist democracy, the protection of human rights and the creation of a social market economy.

**A. In connection with Abkhazia,**

7. The Assembly is interested to note certain signs of rapprochement between the positions of Tbilisi and Sukhumi and hopes that a negotiated political settlement will soon be reached on the basis of the above-mentioned principles.

8. It hopes that the efforts of the parties concerned and also of the United Nations, the OSCE and the Russian Federation, will soon lead to an institutional balance acceptable to both Tbilisi and Sukhumi, so that the refugees can return under optimum security conditions and the populations of the region can return to peace and economic prosperity.

**B. With regard to Nagorno-Karabakh,**

9. The Assembly welcomes the continued dialogue between Armenian and Azeri parliamentarians, particularly as part of the seminar on the conflicts in Transcaucasia organized by its Committee on Relations with European Non-Member Countries in Strasbourg on 26 January 1997, and welcomes in this connection the resumption of the activities of the OSCE Minsk Group on Nagorno-Karabakh, which it encourages to continue negotiations with a view to securing an early settlement of the conflict.

10. It appeals to all parties to the conflict to intensify direct negotiations with a view to achieving a political settlement to the conflict guaranteeing restitution of occupied territories and the return of refugees and displaced persons, satisfactory alternative status for Nagorno-Karabakh as well as its security.

11. Finally, it expresses the wish that in the long run the three Transcaucasian countries - Armenia, Azerbaijan and Georgia – envisage the creating of a community of Transcaucasian states and the setting up of a joint parliamentary assembly.

## **Prisoners of war and hostages held in Armenia and Nagorno-Karabakh**

*Strasbourg, 25 April 2001*

1. As a result of the Nagorno-Karabakh conflict started in 1988, which later led to the military aggression of Armenia against Azerbaijan, approximately 20 percent of the territory of the Republic of Azerbaijan was occupied.

2. According to the information given on 10 April 2001 as a consequence of this occupation 4 959 persons have been vanished, 1 092 persons out of this number were released (from 1992 to 2001) and according to the same information from the International Red Cross Committee, 176 persons are deceased.

3. But what is more important at present is that there are 783 captives, including 18 children, 43 women and 56 older men on the territory of Armenia and occupied Azerbaijani lands. Nevertheless, the Armenian side rejects this fact.

4. It is more than 6 months that the International Red Cross Committee, according to its own information, is not able to visit those captives.

5. It is already three months since Azerbaijan and Armenia became full members of the Council of Europe, and the presence of this amount of captives who do not have even any basic human rights on the territory of the country that is a member of the Council of Europe is unacceptable.

6. According to the stories of the witnesses who were released from captivity, all the captives are in slavery, constantly outraged and tortured. They do not get any normal food and necessary medical care.

7. The Assembly calls on the Committee of Ministers to ensure implementation of the European Convention on Human Rights on the territory of its member state, Armenia and the occupied lands of Azerbaijan by using all the means at its disposal.

8. The Assembly calls on the Committee on Legal Affairs and Human Rights to appoint a reporter on the issue of finding a solution to this problem as soon as possible;

## **Recognition of the genocide perpetrated against the Azeri population by the Armenians**

*Strasbourg, 26 April 2001*



Genocide became an integral part of the Azeri history starting from the partition of the Azeri lands with the treaties of Gulustan in 1813 and Turkmenchay in 1828.

The Armenians carried out massacres against the Azerbaijanis in 1905-1907 in order to achieve "the Greater Armenia".

In March 1918, the Armenians purged the Azerbaijanis from Baku, Shamakhy, Guba, Karabakh, Zangazur, Nakhichevan, Lankaran and other regions of Azerbaijan.

With the help of the Soviet regime, Armenia annexed Zangazur and other Azeri lands in 1920.

The Communist regime deported the Azeri population from their historical lands in Armenia to Azerbaijan from 1948-1953.

From the beginning of the Nagorno-Karabakh conflict in 1988, hundreds of thousands of Azerbaijanis were deported from their historical lands.

On 26 February 1992, Armenians massacred the whole population of Khojali and fully destroyed the city.

Armenian separatism in Nagorno-Karabakh and the ongoing Armenian occupation of 20 percent of the Azeri territory has resulted in thousands of deaths and more than a million refugees.

The undersigned, members of the Assembly, appeal to all the members of the Parliamentary Assembly to take the necessary steps to recognize the genocide perpetrated by the Armenians against the Azeri population from the beginning of the 19th Century.

**Armenia must recognize the territorial integrity of Azerbaijan.  
The address of the members of the European Parliamentary  
Assembly to Committee of Ministers'**

*Strasbourg, 26 June 2001*

The Committee of Ministers, at their 108th Ordinary Session on 10 and 11 May 2001, discussed the situation in the Balkans and Caucasus. During the meeting the Minister of Foreign Affairs of the Republic of Armenia, Mr. V. Oscanyan, declared that Armenia does not and will not recognize the territorial integrity of Azerbaijan until the Nagorno-Karabakh conflict is settled.

Taking into consideration that

- both Azerbaijan and Armenia are full members of the Council of Europe;

- the territorial integrity of the Republic of Azerbaijan is recognized by all the international organizations, including the UN, the OSCE, the Council of Europe and by all the world states;

- one member state of the Council of Europe, Armenia, does not recognize the territorial integrity of another member state, Azerbaijan;

-Armenia has occupied 20% of the territory of Azerbaijan, and that this has led to mass violation of human rights.

To ask the Committee of Ministers to invite the Republic of Armenia

-to respect such principles of International Law as territorial integrity and sovereignty of states and to recognize the territorial integrity of Azerbaijan;

-to secure immediate withdrawal of the Armenian military forces from the occupied Azerbaijani lands.

### **Seizure and destruction of Azerbaijani cultural heritage**

*Strasbourg, 27 June 2001*

One of the tragic consequences of Armenian aggression towards the Republic of Azerbaijan besides the occupation of 20 percent of the territory of the country is the destruction and seizure of Azerbaijani national and cultural heritage. In spite of many appeals by international organizations, Armenia has not made any constructive steps towards providing security for the cultural wealth of Azerbaijan left in the occupied regions.

500 historical architectural and more than 100 archeological monuments, 22 museums, 4 art galleries, 927 libraries, 85 musical schools, 4 state theatres remain on the occupied territories of Azerbaijan.

As a result of military actions, the Museums of Historical and Regional Studies in Kalbajar and Lachin, the Museums of History of Shusha and Karabakh, the Stone Monuments Museums in Zangilan as well as many others were plundered and destroyed.

The occupations caused the leveling to the ground of unique monuments of the Bronze Epoch - Khojali Barrow Field with about 100 barrows.

The Assembly is deeply alarmed by the transformation of the Azykh Cave, a precious monument, which is one of the oldest places of human civilization, into an ammunition dump.

The number of cases of misappropriation of Azerbaijani works of art and literature by Armenians verified by the Copyright Protection Agency of the Republic of Azerbaijan cause serious concern to the Azerbaijani people.

Taking into account that the cultural heritage created in the course of many centuries does not belong only to a separate nation or a country but also is a constituent part of world culture, the Parliamentary Assembly appeals to the Committee of Ministers to take the necessary steps to promote stopping the destruction and misappropriation of the Azerbaijani cultural heritage.

**Ecological situation in the Republic of Azerbaijan  
(Mountainous Karabakh, Shusha, Lachin, Gubatli,  
Zangilan, Kalbajar, Agdam, Fizuli, Jabrail)**

*Strasbourg, 27 June 2001*

Considering the global importance of ecological problems in the present world, the Council of Europe is greatly alarmed by the ecological situation, which has emerged in the territories of the Republic of Azerbaijan (mountainous Karabakh, Shusha, Lachin, Gubatli, Zangilan, Kalbajar, Agdam, Fizuli, Jabrail).

There are two national reserves (Karabakh and Basitchay) and four temporary reserves (Lachin, Gubatli, pre-Araz and Damalti) in the above-mentioned Azeri territories. These national reserves with their unique natural landscapes, fauna and flora are absolutely not controlled by Azerbaijan and according to the available information are systematically plundered.

The total area of woods in the above-mentioned territories was 264.000 hectares. At present all the precious species of trees in the said area have been felled and animals have completely disappeared. As a result, the vital biological relations among the natural complexes have been violated and an ecological crisis has emerged.

The chemical analyses of the water in the river Araz, the biggest branch of the river Kur, the most vital water artery of Azerbaijan, show that the level of pollution of water exceeds the admissible norm for many times. Taking into account that the main branches of the river Araz (Okhchuchay, Razdan, Arpachay) run through the territory of Armenia, and bearing in mind the fact that the Republic of Armenia has not ratified the "Convention on the Protection and Usage of Transborder Water Arteries and International Lakes" (Helsinki 2000), the Assembly expresses its great concern about the situation which has emerged.

Taking into consideration the high seismicity of the whole Caucasian region (earthquakes in Spitak in 1988, in Baku in 2000), the presence of the atomic power station in the Republic of Armenia is a potential source of danger for life not only in the Caucasian region, but also in the whole of Eastern Europe and the Middle East.

Taking as a guide the provision ratified by the Republic of Azerbaijan in the February of 2001 to the Basel Convention on Controlling the Trans-border Transportation of Dangerous Wastes, as well as taking into consideration the fact that the above-mentioned Azeri territories are completely uncontrolled, the Assembly expresses its alarm and fear on the possible dumping of nuclear wastes of the Armenian atomic power station in the Azerbaijani territories.

Taking into account the above, the Assembly calls on the Committee of Ministers to take the necessary steps to prevent the expected ecological catastrophe in this unique part of the European continent, which is under occupation.

### **European Council Parliamentary Assembly Committee of Ministers' resolution**

*Strasbourg, 24 September 2001*

The members accept written question N° 396 by Mrs. Hajiyeva:

1. The Committee of Ministers noted with interest Written Question N° 396 by Mrs. Hajiyeva on the recognition of the territorial integrity of Azerbaijan by Armenia.

2. Mrs. Hajiyeva refers to the Committee of Ministers' 108th Session of 10 and 11 May 2001. At this meeting, the Committee of Ministers did indeed examine the situation in the Balkans and the Caucasus. At the close of the Session, at which all its members were represented, the Committee of Ministers adopted a Communique, paragraph 2 of which states:

3. "The Ministers reaffirmed their support for the respect for internationally recognized borders, sovereignty and territorial integrity of states throughout Europe, as well as for the other principles of international law set out in the United Nations Charter, the CSCE Helsinki Final Act and other relevant texts."

4. In adopting this sentence:

"One delegation said that it accepted this sentence on the understanding that there was no hierarchy between the principles of international law referred to, whether these are explicitly mentioned or not. That delegation made a statement in this respect, which is reproduced in the minutes of the meeting."

5. It follows that the Committee of Ministers, has explicitly reaffirmed its support for the respect of all internationally recognized borders, sovereignty and territorial integrity of all members of the Council of Europe, whilst equally acknowledging the value of other principles of international law. The right to self-determination of peoples and the other principles contained in the Helsinki final act will be equally and unreservedly applied, each of them being interpreted taking

into account the others. Thus the right to self-determination should be respected, in conformity with the purposes and principles of the Charter of the United Nations and with norms of international law, including those relating to territorial integrity of states.

Consequently, this right may only be exercised following peaceful negotiations. Use of force for the purpose of acquiring territory is unacceptable and any resultant acquisition cannot be recognized as lawful.

6. The Committee of Ministers refers to paragraph 12 of the Communiqué of the 108th Session quoted above. In addition, at its 761<sup>st</sup> meeting (18 July 2001, item 2.6) in the context of examination of the GT-SUIVLAGO's report, it had again "urged the authorities of both countries to take active steps to find a peaceful solution to the Nagorno-Karabakh conflict". In this regard, the Committee of Ministers refers to the Group's report, which had been transmitted to the Parliamentary Assembly.

7. The Committee of Ministers appeals to the two member states concerned to find a compromise according to the principles mentioned in paragraph 5 above and to avoid any statement in favour of a military solution or likely to strengthen enmity and hatred, in disregard of the commitments entered into by both countries when joining the Council of Europe. The Committee of Ministers is in fact convinced that a peaceful solution to this conflict is a matter of fundamental importance and great urgency, because the implementation of this joint commitment by the two countries may have a positive effect on the honoring of all their other commitments. Poverty and hatred are not fertile ground for democracy and respect for human rights, and peace is essential not only for the stability of the region and its economic development, but also for the establishment and consolidation of democracy in these countries.

### **Network of terrorist organizations supported by Armenia on the occupied territories of the Republic of Azerbaijan**

*Strasbourg, 24 June 2002*

The 20 per cent of territory in the Republic of Azerbaijan occupied by Armenia, where the norms of international law are no longer respected, have become isolated from the European continent and represent a serious zone of insecurity for the world community.

The financial sources of the terrorist groups that are located on the occupied territories are the sale of drugs, nuclear projects as well as arms trafficking. The report of the US State Department of March 2000 about the creation of the

necessary conditions for the cultivation and production of narcotics in the Nagorno-Karabakh region as well as the adoption of the decision in May 2002 by the US State Department on the application of sanctions against Armenian organizations that are engaged in the implementation of illegal nuclear projects in the occupied territories very much proves the need to pay particular attention to the terrorist network that manages these criminal activities under the protection of the Armenian government.

The non-control of the occupied territories creates fertile ground not only for "Asala" and "Haydud" - Armenian terrorist organizations - but also encourages foreign terrorist organizations that have the facilities to set up training camps and carry out the relevant activities.

In the occupied Kalbajar district the Lebanese "Organization of returning heroes" (leader: O. Ter-Grigorian - Armenian of Beirut origin), in the Lachin district the Kurdish PKK organisation (leader: J. Shamoyan) and the "Knights of Vartan" terrorist organization (leader: A.Babachanyan), in the Zangilan district the military wing "Ziyeddin Al-Gissan" of the Lebanese group " Hamas", in Khankendi the Greek "Organization of national revival" terrorist group (leader: E.Galustyan) are all very active in their actions.

The awarding of the title of national hero of the Karabakh war by the Armenian President to international terrorists such as US citizen Monte Melkonyan, Iranian citizen Vazgen Sisliyan and Syrian citizen Varujan Garbijyan famous for their terrorist acts in the 1970-80's in France, and taking them under the protection of the government provides irrefutable proof of the support for terrorism at state level in Armenia.

Stressing that the "lawless area" in the occupied territories of Azerbaijan presents a danger for the whole of Europe, the Assembly calls on member states to increase their efforts to find a solution to the problem.

The Assembly underlines the urgent need to set up a monitoring group in order to examine thoroughly the current situation in the occupied Nagorno-Karabakh region and seven adjacent districts of Azerbaijan.

The Assembly recommends that the Committee of Ministers take the necessary steps so that Armenia, which uses the occupied international non-control zone to set up terrorist groups and networks, cultivate and transit narcotics, implement secret nuclear projects, immediately stops its activities which are contrary to the norms of international law and the Statute of the Council of Europe.

**European Council Parliamentary Assembly  
Resolution 1416 (2004)<sup>1</sup> on the conflict over the  
Nagorno-Karabakh region dealt with the  
OSCE Minsk Conference**

*Strasbourg, January 25, 2005*

1. The Parliamentary Assembly regrets that, more than a decade after the armed hostilities started, the conflict over the Nagorno-Karabakh region remains unsolved. Hundreds of thousands of people are still displaced and live in miserable conditions. Considerable parts of the territory of Azerbaijan are still occupied by Armenian forces and separatists forces are still in control of the Nagorno-Karabakh region.

2. The Assembly expresses its concern that the military action, and the widespread ethnic hostilities which preceded it, led to large-scale ethnic expulsion and the creation of mono-ethnic areas which resemble the terrible concept of ethnic cleansing. The Assembly reaffirms that independence and secession of a regional territory from a state may only be achieved through a lawful and peaceful process based on democratic support by the inhabitants of such territory and not in the wake of an armed conflict leading to the occupation of foreign territory by a member state constitutes a grave violation of that state's obligations as a member of the Council of Europe and reaffirms the right of displaced persons from the area of conflict to return to their homes safely and with dignity.

3. The assembly recalls Resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) of the United Nations security Council and urges the parties concerned to comply with them, in particular by refraining from any armed hostilities and by withdrawing military forces from any occupied territories. The Assembly also aligns itself with the demand expressed in Resolution 853 (1993) of the United Nations Security Council and thus urges all member states to refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory.

4. The Assembly recalls that both Armenia and Azerbaijan committed themselves upon their accession to the Council of Europe in January 2001 to use only peaceful means for settling the conflict, by refraining from any threat of using force against their neighbours. At the same time, Armenia

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<sup>1</sup> [1] *Assembly debate* on 25 January 2005 (2<sup>nd</sup> Sitting) (see Doc. 10364, report of the Political Affairs Committee, reporter: Mr. Atkinson). *Text adopted by the Assembly* on 25 January 2005 (2<sup>nd</sup> Sitting).

committed itself to use its considerable influence over Nagorno-Karabakh to foster a solution to the conflict. The Assembly urges both Governments to comply with these commitments and refrain from using armed forces against each other as well as from propagating military action.

5. The Assembly recalls that the Council of Ministers of the Conference for Security and Cooperation in Europe (CSCE) agreed in Helsinki in March 1992 to hold a conference in Minsk in order to provide for a forum for negotiations for a peaceful settlement of the conflict. Armenia, Azerbaijan, Belarus, the former Czech and Slovak Federal Republic, France, Germany, Italy, the Russian Federation, Sweden, Turkey and the United States of America agreed at that time to participate in this Conference. The Assembly calls on these states to step up their efforts to achieve the peaceful resolution of the conflict and invites their national delegations to the Assembly to report annually to the Assembly on the action of their government in this respect. For this purpose, the Assembly asks its Bureau to create an Ad hoc Committee with inter alia the heads of these national delegations.

6. The Assembly pays tribute to the tireless efforts of the Co-Chairs of the Minsk Group and the Personal Representative of the OSCE Chairman-in-Office, in particular for having achieved a cease-fire in May 1994 and having monitored the observance of this cease-fire since then. The Assembly calls on the OSCE Minsk Group Co-Chairs to take immediate steps to conduct speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties and permit the convening of the Minsk Conference. The Assembly calls on Armenia and Azerbaijan to make use of the OSCE Minsk Process and actively submit to each other via the Minsk Group their constructive proposals for the peaceful settlement of the conflict in accordance with the relevant norms and principles of international law.

7. The Assembly recalls that Armenia and Azerbaijan are signatory parties to the Charter of the United Nations and, in accordance with Article 93, paragraph 1 of the Charter, *ipso facto* parties to the Statute of the International Court of Justice. Therefore, the Assembly suggests that if the negotiations under the auspices of the Co-Chairs of the Minsk Group fail, Armenia and Azerbaijan should consider using the International Court of Justice in accordance with Article 36, paragraph 1 of the Court's Statute,

8. The Assembly calls on Armenia and Azerbaijan to foster political reconciliation among themselves by stepping up bilateral inter-parliamentary co-operation within the Assembly as well as in other forums such as the meetings of the Speakers of the Parliaments of the Caucasian Four. It recommends that both



delegations should meet during each part-session of the Assembly to review progress on such reconciliation.

9. The Assembly calls on the Government of Azerbaijan to establish contacts without preconditions with the political representatives of both communities from the Nagorno-Karabakh region regarding the future status of the region. It is prepared to provide facilities for such contacts in Strasbourg, recalling that it did so in the form of a hearing on previous occasions with Armenian participation.

10. Recalling its Recommendation 1570 (2002) on the situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia, the Assembly calls on all member and observer states to provide humanitarian aid and assistance to the hundreds of thousands of people displaced as a consequence of the armed hostilities and the expulsion of ethnic Armenians from Azerbaijan and ethnic Azerbaijanis from Armenia.

11. The Assembly condemns any expression of hatred portrayed in the media of Armenia and Azerbaijan. The Assembly calls on Armenia and Azerbaijan to foster reconciliation, confidence-building and mutual understanding among their peoples through schools, universities and the media. Without such reconciliation, hatred and mistrust will prevent stability in the region and may lead to new violence. Any sustainable settlement must be preceded by and embedded in such reconciliation processes.

12. The Assembly calls on the Secretary General of the Council of Europe to draw up an action plan for specific support to Armenia and Azerbaijan targeted at mutual reconciliation processes and to take this resolution into account in deciding on action concerning Armenia and Azerbaijan.

13. The Assembly calls on the Congress of Local and Regional Authorities of the Council of Europe to assist locally elected representatives of Armenia and Azerbaijan in establishing mutual contacts and inter-regional co-operation.

14. The Assembly resolves to analyse the conflict settlement mechanisms existing within the Council of Europe, in particular the European Convention for the Peaceful Settlement of Disputes, in order to provide its member states with better mechanisms for the peaceful settlement of bilateral conflicts as well as internal disputes involving local or regional territorial communities or authorities which may endanger human rights, stability and peace,

15. The Assembly resolves to continue monitoring on a regular basis the peaceful resolution of this conflict and decides to revert to considering this issue at its first-session in 2006.

**European Council Parliamentary Assembly  
The conflict over the Nagorno-Karabakh region  
dealt with by the OSCE Minsk Conference  
Recommendation 1690 (2005)<sup>1</sup>**

*Strasbourg, January 25, 2005*

1. The Parliamentary Assembly refers to its Resolution 1416 (2005) on the conflict dealt with by the OSCE Minsk Conference and recommends that the Committee of Ministers:

I. urge the parties concerned to comply with the United Nations Security Council Resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), in particular by refraining from any armed hostilities and by withdrawing military forces from all occupied territories of Azerbaijan;

II. monitor the compliance by Armenia and Azerbaijan with the United Nations Security Council Resolutions and the decisions of the OSCE Council of Ministers on this conflict and to report to the Assembly on the outcomes of this monitoring;

III. report to the Assembly on the efforts undertaken by member states for the peaceful settlement of the conflict in accordance with the Resolutions of the United Nations Security Council including whether member states refrain from the supply of any weapons and munitions which might lead to an intensification of the conflict or the continued occupation of territory in violation of Resolution 853 (1993) of the United Nations Security Council;

IV. recalling its Recommendations 1251 (1994) on the conflict in Nagorno-Karabakh, place experts at the disposal of Armenia and Azerbaijan who could help draw up a political status for Nagorno-Karabakh, if they so wish;

V. allocate resources for an action plan of specific confidence-building measures for Armenia and Azerbaijan;

VI. allocate resources for specific training programs for teachers and journalists from both countries aimed at better mutual understanding, tolerance and reconciliation;

VII. allocate resources for specific action by the European Commission against Racism and Intolerance concerning both countries, in particular with regard to educational institutions and the public media;

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<sup>1</sup> *Assembly debate* on 25 January 2005 (2<sup>nd</sup> Sitting) (sec Doc. 10364, report of the Political Affairs Committee, reporter: Mr. Atkinson). *Text adopted by the Assembly* on 25 January 2005 (2<sup>nd</sup> Sitting).

VIII. instruct its competent steering committee to analyze how far the European Convention for the Peaceful Settlement of Disputes reflects the current requirements of conflict settlement among member states of the Council of Europe and where it should be revised in order to provide an adequate instrument for the peaceful settlement of disputes between the member states of the Council of Europe;

IX. take Resolution 1416 (2005) into account when deciding on action concerning both countries;

X. forward Resolution 1416 (2005) and this Recommendation to the governments of member states with a view to supporting them nationally, bilaterally and internationally.

## **THE ORGANIZATION OF ISLAMIC CONFERENCE**

### **Conflict between Armenia and Azerbaijan**

*Karachi, 25 - 29 April 1993*

The Twenty-First Islamic Conference of Foreign Ministers held in Karachi, Islamic Republic of Pakistan

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the serious escalation of the conflict between Armenia and Azerbaijan over the Karabakh issue;

Strongly condemning the recent Armenian offensive against Azerbaijan and the occupation of Azerbaijan territory;

Deeply distressed by the magnitude and severity of humanitarian problems resulting from Armenian aggression against the Republic of Azerbaijan;

Recalling the principled position taken by the Fifth Extraordinary Session of the Islamic Conference of Foreign Ministers, held in Istanbul in June 1992 on this issue;

Also recalling the relevant paragraphs of the Final Communique adopted by the OIC Coordination Meeting of the Foreign Ministers at the United Nations, New York, on 23 September, 1992;

Noting the efforts made by the neighboring countries and regional states notably the Islamic Republic of Iran and the Republic of Turkey to promote a peaceful settlement of the Karabakh issue;

Conscious of the threat posed to international peace and security by this latest Armenian aggression;

Aware of the disruptive effect that this new military offensive can have on the peace process being pursued within the framework of the CSCE;

Noting with appreciation the Report of the Secretary General on this subject (Document No.ICFM/21-93/PIL/D.6/ Rev.I);

Strongly condemns the Armenian aggression against the Republic of Azerbaijan.

Demands the immediate withdrawal of Armenian forces from all occupied Azerbaijan territories and strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

Calls for a just and peaceful settlement of the Karabakh issue on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized frontiers.

Urges both Armenia and Azerbaijan to engage constructively in the ongoing CSCE peace process and refrain from any action that will make it more difficult to reach a peaceful solution.

Reaffirms its total solidarity and support for the efforts being made by the Government and people of Azerbaijan to defend their country.

Calls for enabling the forcibly displaced persons to return to their homes in safety, honour and dignity.

Requests the Member States, the Islamic Development Bank and other Islamic institutions to provide urgent financial and humanitarian assistance to the Republic of Azerbaijan.

Requests also the UN Secretary General and the President of the Security Council to use their full authority for the adoption of the Security Council Resolution condemning the Armenian aggression and demanding immediate withdrawal of Armenian military formations from all occupied Azerbaijan territories.

Requests further the Secretary General to follow up the implementation of this Resolution and to submit a Report thereon to the Twenty-Second Islamic Conference of Foreign Ministers.

### **On the conflict between Armenia and Azerbaijan**

*Casablanca, 13-15 December 1994*

The Seventh Islamic Summit Conference, held in Casablanca, Kingdom of Morocco, from 11 to 13 December, 1994)

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the serious escalation of aggression by the Republic of Armenia against the Azerbaijan Republic which has resulted in the occupation of more than 20% of Azerbaijan territory;

Deeply distressed over the plight of more than one million Azerbaijan displaced persons and refugees resulting from Armenian aggression and magnitude and severity of humanitarian problems;

Recalling the principled position taken on this issue by the Fifth and Seventh Extraordinary Sessions of the Islamic Conference of Foreign Ministers, held in Istanbul in June 1992, and Islamabad in September, 1994 respectively;

Also recalling the relevant paragraphs of the Final Communiqué adopted by the OIC Coordination Meeting of the Foreign Ministers at the United Nations, New York, on 23 September 1992 and 3 October 1994;

Noting the efforts made by the neighboring countries and regional states, notably the Islamic Republic of Iran and the Republic of Turkey to promote a peaceful settlement of the conflict between Armenia and Azerbaijan;

Conscious of the threat posed to international peace and security by the Armenian aggression;

Urging strict adherence to the Charter of the UN and full implementation of Security Council resolutions;

Noting the destructive influence of the policy of aggression of the Republic of Armenia on the peace process in the CSCE framework;

1. Strongly condemns the aggression of the Republic of Armenia against the Azerbaijan Republic;

2. Considers the actions perpetrated against civilian Azerbaijani population in occupied Azerbaijan territory as crimes against humanity;

3. Strongly demands the strict implementation of the United Nations Security Council resolutions 822, 853, 874 and 884, immediate unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijani territories including Lachin and Shusha regions and strongly urges Armenia to respect the sovereignty and territorial integrity of the Azerbaijan Republic.

4. Calls on the Security Council to recognize the existence of aggression against the Azerbaijan Republic; take the necessary steps under Chapter VII of the Charter of the United Nations to ensure compliance with its resolutions; condemn and reverse aggression against the sovereignty and territorial integrity of the Azerbaijan Republic and decides to take coordinated action to this end at the United Nations.

5. Reaffirms that, acquisition of land by use of force cannot be recognized.

6. Calls for a just and peaceful settlement of the conflict between Armenia and Azerbaijan on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized frontiers.

7. Urges both Armenia and Azerbaijan and all states member of the Minsk Group to engage constructively in the ongoing CSCE peace process and refrain from any action that will make it more difficult to reach a peaceful solution.

8. Reaffirms its total solidarity and support for the efforts being made by the Government and people of Azerbaijan to defend their country.

9. Calls for enabling the displaced persons and refugees to return to their homes in safety, honour and dignity.

10. Expresses its concern over the severity of humanitarian problems concerning the existence of more than one million displaced persons and refugees in the territory of the Azerbaijan Republic and requests the member states, the Islamic Development Bank and the other Islamic Institutions to render urgent financial and humanitarian assistance to the Azerbaijan Republic.

11. Requests the Secretary General to follow up the implementation of this Resolution and to submit a Report to the Twenty-third Islamic Conference of Foreign Ministers.

### **On the aggression of the Republic of Armenia against the Republic of Azerbaijan**

*Jakarta, 9-11 December 1997*

The Eighth Session of the Islamic Summit Conference (Session of Dignity, Dialogue, Participation), held in Tehran, Islamic Republic of Iran, from 9 to 11 December, 1997.

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference;

Gravely concerned over the aggression by the Republic of Armenia against the Republic of Azerbaijan which has resulted in the occupation of more than 20% of Azeri territory;

Deeply distressed over the plight of more than one million Azeri displaced persons and refugees resulting from Armenian aggression and magnitude and severity of humanitarian problems;

Reaffirming all previous relevant resolutions and, in particular, the resolution on this matter, adopted by the Seventh Islamic Summit Conference, held in Casablanca, Kingdom of Morocco, from 13 to 14 December 1994;

Conscious of the threat posed to international peace and security by the Armenian aggression;

Urging strict adherence to the Charter of the UN and full implementation of Security Council resolutions;

Welcoming all diplomatic and other efforts for the settlement of the conflict;

Reaffirming all Member States respect for the sovereignty, territorial integrity and political independence of the Republic of Azerbaijan;

Reaffirming also that acquisition of land by use of force cannot be recognized.

Noting also the destructive influence of the policy of aggression of the Republic of Armenia on the peace process in the OSCE framework;

1. Strongly condemns the aggression of the Republic of Armenia against the Republic of Azerbaijan.

2. Considers the actions perpetrated against civilian Azerbaijan population in occupied Azerbaijan territory as crimes against humanity.

3. Strongly condemns looting and destruction of the archaeological, cultural and religious monuments on the occupied territories of Azerbaijan.

4. Strongly demands the strict implementation of the United Nations Security Council resolutions 822, 853, 874 and 884, immediate, unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijan territories inter alia Lachin and Shusha regions and strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

5. Expresses its concern that Armenia has not yet implemented demands contained in the UN Security Council resolutions.

6. Calls on the Security Council to recognize the existence of aggression against the Republic of Azerbaijan; take the necessary steps under Chapter VII of the Charter of the United Nations to ensure compliance with its resolutions; condemn and reverse aggression against the sovereignty and territorial integrity of the Republic of Azerbaijan and decides to take coordinated action to this end at the United Nations.

7. Urges all States to refrain from providing any supplies of military arms and equipment to Armenia, which can encourage the aggressor to escalate the conflict and to continue the occupation of the Azerbaijani territories. The territory of Member States should not be used for transit of such supplies.

8. Calls upon Member States, as well as other members of the international community, to use such effective political and economic measures as required in order to put an end to Armenian aggression and to occupation of the Azerbaijani territories.

9. Calls for a just and peaceful settlement of the conflict between Armenia and Azerbaijan on the basis of respect for the principles of territorial integrity of states and inviolability of internationally recognized frontiers.

10. Urges both Armenia and Azerbaijan and all states member of the Minsk Group to engage constructively in the ongoing OSCE peace process and refrain from any action that will make it more difficult to reach a peaceful solution.

11. Reaffirms its total solidarity and support for the efforts being made by the Government and people of Azerbaijan to defend their country.

12. Calls for enabling the displaced persons and refugees to return to their homes in safety, honour and dignity.

13. Expresses its appreciation to all Member States which have made humanitarian assistance to the refugees and displaced persons and urges all the others to extend their contributions to these people.

14. Expresses its concern over the severity of humanitarian problems concerning the existence of more than one million displaced persons and refugees in the territory of the Republic of Azerbaijan and requests Member States, the Islamic Development Bank and the other Islamic Institutions to render urgent financial and humanitarian assistance to the Republic of Azerbaijan.

15. Considers, that Azerbaijan has the right for appropriate compensation with regard to damages it suffered, and puts the responsibility for the adequate compensation of these damages on Armenia.

16. Appreciates the efforts of the Secretary General to convey to the OSCE Chairman-in-Office the position of Member States on this matter.

17. Requests the Secretary General to follow up the implementation of this Resolution and submit a report to the Ninth Session of the Islamic Summit Conference.

## **IV PART**

### **OSCE PROPOSALS**

#### **CHAIRMANSHIP OF OSCE MINSK GROUP**

##### **Comprehensive pact on the Nagorno-Karabakh conflict settlement**

###### *Preamble*



The parties resolve to settle the Nagorno-Karabakh conflict amicably understanding the importance of peace and cooperation in the region for the purpose of the people's progress and prosperity. The below interpreted regulations will provide the joint economic development of the Caucasus, normal and beneficial life of the people of the region under conditions of democratic institutions, improve the well-being, and cherish the hope for the future. The cooperation conducted in accordance with the present pact will result in the normal ratio in commerce, transport and communication fields all over the region and will strengthen the effort for an opportunity for people to reconstruct cities and villages with the support of international organizations, provide the necessary stability for the fair raising of international investment in the region, and clear the way for mutually beneficial commerce which will achieve the natural progress of Caucasus region for all people. The peace and cooperation between people will release their huge potential for the well-being of their neighbors and world people.

Therefore, parties agreed to achieve the determination of armed conflict and conduct the measures interpreted in I Pact on restoring the normal relations and come to terms with II Pact on final status of Nagorno-Karabakh true to regulations of UN Charter, main principles and resolutions of OSCE, generally recognized regulations of international law, signifying the consent to assist in implementation of resolutions number 822, 853, 874 and 884 of UN Security Council.

*I Pact - cessation of armed conflict*

Parties agree on:

I. Refrain from using the, armed forces for conflict resolutions between them and also for conflicts concerning the implementation of present pact.

II. Withdrawal of armed forces in two stages:

At the first stage, forces by the line of contact towards the East and South from Nagorno-Karabakh will retreat for some kilometers towards the lines conformed on I appendix, at this time, recommendations of Committee of High-Ranking Persons should be taken into account to provide the primary allocation of front troop of multinational forces of OSCE in the buffer zone based on military considerations and separation the parties by this line and provision safety at the second stage of withdrawal of forces.

At the second stage forces will be withdrawn according to schedule conformed on I appendix by following order:

A. The forces of Armenia are carried away inside the borderline of Armenian Republic.

B. The forces of Nagorno-Karabakh are carried away inside the borderline of Nagorno-Karabakh Autonomous Region (NKAR) determined as in 1988 (with following exceptions intended in VIII and IX points).

C. The forces of Azerbaijan are carried away towards the lines conformed on I appendix on the basis of recommendations of Committee of High-Ranking Persons.

D. On condition of limpidity and report fulfillment, the heavy armament will be carried away to places conformed on I appendix on the basis of recommendations of Committee of High-Ranking Persons.

E. On completion of withdrawal of armed forces, the buffer zone will be determined along the borderline of NKAR as in 1988 and the North part of Armenia-Azerbaijan borderline as showed on the map in I appendix.

III. The territories became free after the withdrawal of armed forces form a separate zone. The security control in this zone will be provided by defense peace forces of OSCE jointly with compound standing commission. None of parties can bring in this zone their troops without permission of defense peace forces of OSCE and compound standing commission in for implementation of II appendix; where the conformed departments on border service, mine cleaning and civil police functions will be intended. Parties agreed to refrain from all military flights in the separator zone and buffer zone.

IV. Support to allocate the multinational defense peace forces of OSCE in the buffer zone to provide safety jointly with compound standing commission. The defense peace forces of OSCE will consist of troops appointed by OSCE, and their mandate will be defined by a resolution of UN Security Council and the mandate will come into force again by the recommendation of operative chairman of OSCE.

V. Provide the refugees' return back to their former permanent residences in a separate zone. The defense peace forces of OSCE jointly with compound standing commission will provide the safe control of returned people, and faith in disarmed regime of all parties.

VI. Railway, road-building, electricity and communication supply, commerce and other relationship rehabilitation measures and also, all works will be carried out at the same time with the withdrawal of troops. Parties, including the ethnic minority, provide the use of those connections by everybody and guarantee the intercourse of these minorities with their ethnic groups in other places of the region. Each party under takes to raise the blockade, provide the load and people transportation to all other parties without obstacles. Armenia and Azerbaijan vouch for the free and safe railway connection between themselves and also along the Baku-Horadiz-Mehri-Ordubad-Nakhichevan-Yerevan line.

VII. Cooperate with Red Cross International Organization, UN High Commission on refugees' issues and all international humanitarian organizations to provide the return back of all apprehended persons in regard to this conflict, investigation of lives of missing people, and the return of all corpses.

VII. On following measures regarding the Lachin corridor:

A. Azerbaijan leases the corridor to OSCE; OSCE concludes the contract only for the use of Nagorno-Karabakh authorities (with the following exceptions for transit intended in E point).

B. OSCE provides the safe control under cooperation circumstances with the authorities of Nagorno-Karabakh.

C. The borderlines of the Lachin corridor are conformed on II appendix on the basis of the recommendations of the Committee of High-Ranking Persons.

D. OSCE controls the side road-building from Lachin city. On completion of the road-building, Lachin city will be dropped out of the Lachin corridor. It (as part of separate zone) will be returned back to the administrative control of Azerbaijan, that the former people can come back.

E. The allocation of armed forces in the corridor is disallowed, except the contingent specially allowed for safety and permanent settlements. The officials, observers and members of defense peace forces of OSCE and also the Azerbaijan population going from Lachin region to Gubadly and back have rights to move in all directions in the case of advance notification. The territory of Lachin region out of the corridor is the part of separate zone.

IX. On following measures regarding Shusha city and Shaumyan region:

A. Parties move away their armed forces from both points except the air attack defense parts with limited official staff.

B. Local authorities will provide the allocation of observers from Democratic Institutions and Human Rights Bureau of OSCE.

C. Refugees can come back to their former permanent residences. Related local authorities will provide their safety.

D. Returned people have all civil rights including the organization of political parties. They will be represented among the local population in accordance with their number in Baku and Stepanakert Parliaments, other elective councils, police, and safety forces.

E. Compound standing commission coordinates the beneficial distribution of international aid between both populations on the basis of equity.

F. The population of Shusha city and Shaumyan region will be able to use the roads, communications and other means connecting the left part of Azerbaijan and Nagorno-Karabakh.

X. To establish the Compound Standing Commission (CSC) for providing control of the execution of the regulations regarding the Azerbaijan and Nagorno-Karabakh problems of present pact. There are three chair men of CSC: one from Azerbaijan, one from Nagorno-Karabakh and one is the representative of functioning chairman of OSCE. The main duty of the chairmen from Azerbaijan

and Nagorno-Karabakh is the implementation of the pact; and the duty of the chairman from OSCE is to be an arbitrage and coordinator in the case of differences of opinions. There are military, economic, humanitarian and cultural auxiliary commissions composed of CSC. CSC and its auxiliary functions are intended in II appendix.

XI. To establish the full diplomatic relations between the Republic of Armenia and the Republic of Azerbaijan.

XII. To establish the Armenia-Azerbaijan Intergovernmental Commission (AAIC) with one chairman from both Armenia and Azerbaijan. The functioning chairman of OSCE is represented in this commission.

AAIC provides the prevention of armed conflict at the borderline, coordination between frontier troops and other suitable safety forces and controls the measures on road - building, construction of railway, connection lines, pipelines and rehabilitation of commercial and other relations.

XIII. UN Security Council will be the provider of the present pact.

XIV. The present pact will be valid until the signing of the pact on the comprehensive adjustment at the OSCE Minsk conference. This pact will imply the establishment of such permanent mechanisms instead of safety and peace defense mechanisms intended in the present pact.

### *II pact: status*

#### Preamble:

The status of Nagorno-Karabakh and the preservation of its main ethnic and cultural nature awake the interest of the international community, including Armenia. It can not be defined either by one-sided effect of the Azerbaijan Republic or Nagorno-Karabakh authorities. Status is defined due to the following parameters:

I. Recognition of the territorial integrity and inviolability of borders of Azerbaijan and Armenia by all parties involved in conflict.

II. Nagorno-Karabakh is the state and territorial institutional part of Azerbaijan, and definition of its fortune will include the following rights and privileges after officially registering in the pact signed between the Azerbaijan Republic and Nagorno-Karabakh authorities, adoption by Minsk Conference, incorporation in Constitutions of Azerbaijan and Nagorno-Karabakh.

III. Nagorno-Karabakh and Nakhichevan will have transport and communication rights with Armenia and Azerbaijan freely and without obstacles.

IV. The administrative borderlines of Nagorno-Karabakh are defined along the borderlines of former Nagorno-Karabakh Autonomous Region (NKAR).

V. Nagorno-Karabakh will have its own Constitution adopted by the nation of Nagorno-Karabakh in a referendum. That Constitution will incorporate the official pact between Nagorno-Karabakh authorities and the Azerbaijan Republic on the form of definition of its fortune. Azerbaijan will propose a suitable amendment into its own Constitution for the purpose of the incorporation of these pacts. Nagorno-Karabakh will have its own flag, emblem and anthem.

VI. The Constitution and laws of Nagorno-Karabakh are in force in the territory of Nagorno-Karabakh. If laws, regulations and executive resolutions of Azerbaijan are not contrary to the Constitution and laws of Nagorno-Karabakh, then they are in force in the territory of the latter.

VII. Nagorno-Karabakh establishes its own legislation, executive and judicial authorities independently.

VIII. The population of Nagorno-Karabakh elects the representatives to the Parliament of the Azerbaijan Republic and takes part in presidential elections.

IX. Nagorno-Karabakh will vest to communicate directly with foreign countries and international organizations on humanitarian issues and in economic, scientific, cultural, sport fields under terms of the existence of the appropriate representative abroad. The political parties of Nagorno-Karabakh will vest to communicate with political parties in other countries.

X. The population (citizens) of Nagorno-Karabakh will have specially issued passports of Azerbaijan with "Nagorno-Karabakh" title on it. The population (citizens) of Nagorno-Karabakh will not be counted as foreigners according to laws of Armenia and at any time can apply to Armenia, and in case of a permanent application, they can become citizens of Armenia.

XI. Nagorno-Karabakh will be a free monetary economic area.

XII. Nagorno-Karabakh will have a National Guard and police forces. The population (citizens) will have rights to serve in the armed forces of Nagorno-Karabakh.

XIII. The armed, security and police forces of Azerbaijan Republic will have rights to enter into the territory of Nagorno-Karabakh only with the permission of Nagorno-Karabakh authorities.

XIV. The budget of Nagorno-Karabakh consists of payments coming out from its reserves. The government of Nagorno-Karabakh will attract Azerbaijan and foreign persons and companies to invest with and support them.

XV. Nagorno-Karabakh has an ethnic nature. Each citizen has a right to use its own native national language in all official and non-official situations.

XVI. UN Security Council will provide this pact.

## **Confidence consolidation measures for settlement of Nagorno-Karabakh conflict**

The parties concerned without waiting for any pact can carry out any or all of following measures to demonstrate their resolve of achievement of the peaceful settlement of the conflict.

- Azerbaijan and Armenia can undertake an engagement to restore the ceasefire regime along their borderline in Ichevan-Gazakh sector. Intended in 1992 this regime included telephone communications and a joint guard on watch at the borderline;

- Parties concerned can come to terms regarding Nagorno-Karabakh, for example on increasing the monitoring mission of the functioning chairman of OSCE for carrying out the additional observation along the borderline of Armenia - Azerbaijan in Ijevan-Gazax sector;

- The dialogue with support of UN High Commissar on Refugees' issues and Red Cross International Committee for the purpose of defining the humanitarian demands (either for refugees of Azerbaijan or in Nagorno-Karabakh). This can be carried out only with the permission of UN High Commissar on Refugees' Issues or Red Cross International Committee;

- Organization of weekly open markets for both Armenians and Azerbaijanis in Nagorno-Karabakh region. This will be needed to establish border check points to pass the borderline, open roads coming to market squares and clean them from mines, and sign the contracts on modality of transit regimes and commerce regulations.

*July 18, 1997*

## **CHAIRMANSHIP OF OSCE MINSK GROUP**

### **Pact on cessation of Nagorno-Karabakh armed conflict**

#### *Preamble*

The parties concerned resolving the peaceful settlement of the delayed Nagorno-Karabakh conflict and to establish a durable and peace ceasefire;

confirming the importance of peace and cooperation in the region for progress and prosperity of their nations;

desiring the basic foundation for joint economic development of this region, under the terms of democratic institutions, normal and beneficial life of the people

of the Caucasus under the conditions of democratic institutions, improvement of the well-being of the people, and cherish the hope for the future;

understanding the effect of cooperation conducted in accordance with the present pact which will result in the normal ratio in commerce, transport and communication fields all over the region and will strengthen the effort for an opportunity for people to reconstruct cities and villages with support of international organizations, make necessary stability for the fair raising of international investment in the region and clear the way for mutually beneficial commerce which will gain the natural progress of the Caucasus region for all people and release their huge potential for the well-being of neighboring and World people;

true to the regulations of UN Charter, main principles and resolutions of OSCE, generally recognized regulations of international law, signifying the consent to assist in implementation of resolutions number 822, 853, 874 and 884 of UN Security Council;

concerning the undertaken obligations in the Budapest conference in 1994 on strengthening the peaceful settlement efforts of conflict between the OSCE member governments and support to OSCE and set before the Minsk Conference chairmen a task on carrying on efficient negotiations and declaration on political readiness to give the multinational forces to OSCE for keeping peace in case of the adoption of a suitable resolution of the UN Security Council after a set agreement between parties on the prevention of armed conflict;

and resolving to continue the peace process for the achievement of comprehensive adjustment defining the final status of Nagorno-Karabakh without delay undertake the following obligations:

I. Parties concerned refrain from threatening to solve the conflicts by means of force and or solving the conflicts between them by use of force. They will handle all such conflicts, and also the possible conflicts regarding with carrying out of this pact by means of peace, first of all via negotiations, also within the framework of the OSCE Minsk Group negotiations.

II. Parties concerned will withdraw their armed forces as in following points and described in I appendix:

A) At the first stage, forces by the line of contact towards the East and South from Nagorno-Karabakh will return back for some kilometers towards the lines conformed on I appendix, at this time, recommendations of the Committee of High-Ranking Persons should be taken into account to provide the primary allocation of a front troop of multinational forces of OSCE in the buffer zone based on military considerations and separating the parties by this line and provision of safety at the second stage by the withdrawal of forces.

B) At the second stage forces will be withdrawn according to schedule conformed on I appendix by following order:

1) The forces allocated out of borderline of Armenia Republic will be carried away inside the borderline of Armenia Republic.

The forces of Nagorno-Karabakh will be carried away inside the borderline of Nagorno-Karabakh Autonomous Region determined as in 1988, except Lachin region.

3) The forces of Azerbaijan will be carried away from the lines conformed on I appendix on the basis of recommendations of Committee of High-Ranking Persons and from the territory of Armenia.

4) On condition of limpidity and report fulfillment, the heavy armament will be carried away to places conformed on I appendix on the basis of the recommendations of Committee of High-Ranking Persons.

III. The territories became free after withdrawal of armed forces form a separate zone and buffer zone conformed on II appendix:

A. On completion of withdrawal of armed forces, the buffer zone will be determined along the borderline of NKAR as in 1988 and the North and South borders of Lachin region. There will not be dwellings in the buffer zone and with the exception of peace defense forces of OSCE will be completely disarmed.

B. Separator zone will be disarmed, except the permitted forces for activity under the terms of cooperation with the compound standing commission, and also following forces confirmed in II appendix:

- 1) - units of peace defense operations;
- 2) - divisions for border service and mine cleaning;
- 3) - armed civil police intended in II appendix with defined quantity;

C. There will be a non-flight zone in buffer and separator zones as intended in II appendix. Parties are not allowed to carry on military flights under the control of peace defense operations of OSCE.

D. In accordance with II point, after the withdrawal of armed forces the security will be provided by existing military structures of Nagorno-Karabakh in all those areas which are under control of authorities of Nagorno-Karabakh.

IV. In accordance with resolutions of the OSCE Budapest Conference in 1994, the parties invite the multinational peace defense operations of OSCE and support their allocation, it will operate in cooperation with the compound standing commission and the Armenia-Azerbaijan Interstate Committee as intended in point 7.

The peace defense operations controls the withdrawal of heavy armament, prevention of military flights, protection of a disarmed regime, and position at the Armenia-Azerbaijan borderline as intended in II appendix. For these purposes,



parties invite the UN Security Council to adopt a resolution for a primary period of not less than one year and in case of necessity to restore the points of that resolution with the recommendation of functioning OSCE chairman. The parties come to terms on a total duration of the multinational peace defense operations that it will be in minimum necessarily limited depending on the stage in the region and the comprehensive adjustment rate of the conflict. The parties support the cooperation with peace defense operations to provide the implementation of the present pact and prevent any disorder and or stoppage of cases of peace defense operations.

V.As explained in the Annex 2, the parties shall assist in the safe and volunteer return of internally displaced persons to their former permanent residence in the separating area. In order to create hope in all parties for the observance of the disarmament regime in this area, Peace Defense Operations shall supervise safety of the returning population in cooperation with the standing mixed committee. The parties shall negotiate on the realization of soon, safe, and a volunteer return of all the persons with the exception of the persons, who moved after 1987 due to the conflict and tension between Armenia and Azerbaijan and who were covered in this agreement or all-round regulation.

VI. In parallel with the withdrawal of forces, the parties shall implement instantly all the necessary measures for opening of roads, railroads, electricity and communication lines, restoration of trade and other relations, as well as for achievement of these goals as soon as possible in accordance with the table contained in the Annex 3 and concrete provisions. The parties, including the ethnic minorities, shall guarantee availability of these links for everybody and provide communication of these minorities with their own ethnic groups in other parts of the region. Each of the parties undertakes to eliminate all the blockades and provide unimpeded delivery of cargoes and persons to all the other parties. The parties guarantee free and safe railroad communication between themselves.

VII. The parties shall cooperate fully with the International Red Cross Committee, UN High Commission for Refugees and other international organizations in order to provide the shortest and safest return of all persons arrested in connection with the conflict, search for the missing persons, return of all corpses, as well as indiscriminate transportation of humanitarian and rehabilitation aids to the regions suffered during the conflict through the territory controlled by themselves. The parties shall cooperate with OSCE Peace Defense Operations through the Standing Mixed Committee in realization of the measures aimed at strengthening of trust.

VIII. The parties shall instantly create a Standing Mixed Committee (SMC) to control implementation of this agreement's provisions on the problems regarding

Azerbaijan and Nagorno-Karabakh. The chairman of the SMC shall be a representative of OSCE acting chairman; one deputy chairman shall be from Azerbaijan, and one from Nagorno-Karabakh. The main task of SMC is control over the implementation of the agreement; tasks of the chairman from OSCE include as well mediation at contradictions and giving sanctions to taking measures at emergencies like natural calamities. SMC has got military, economic, humanitarian and cultural subsidiary committees, as well as a subsidiary committee for communication. SMC structure, functions and other details concerning it are elaborated in Annex 4.

IX. The parties shall instantly create an Armenian-Azerbaijan Intergovernmental Committee (AAIC) for assisting in the prevention of border conflicts between Armenia and Azerbaijan, realization of relations between frontier troops and other respective safety forces of both the countries, as well as controlling over and assisting in measures linked with the opening of roads, railroads, communications and pipelines, as well as restoration of other links. AAIC shall have two cochairmen: one from Armenia and one from Azerbaijan. The Committee shall include a representative appointed by the OSCE acting chairman. AAIC's structure, functions and other details concerning it are elaborated in Annex 5. Azerbaijan Republic and the Republic of Armenia shall create communication bureaus in each other's capitals.

X. Azerbaijan Republic and Republic of Armenia shall conduct bilateral and multilateral negotiations with the appropriate international and regional forums in order to increase the regional safety, as well as full observation of the treaty on military balance and common armed forces in Europe.

XI. The three parties in this agreement thus put an end to the military aspect of the conflict and agree to continue negotiations consciously with the assistance of the Minsk Conference co-chairmen and other appropriate parties invited by the OSCE acting chairman in order to achieve all-round settlement of all other aspects of the conflict, including the political aspect covering the definition of the Nagorno-Karabakh status and settlement of problems of the Lachin, Shusha and Shaumyan regions; after the regulation is achieved through negotiations and signed by the above-mentioned three parties, it should be recognized by an international community at the Minsk Conference to be called as soon as possible.

XII. Each of the parties shall respect fully the safety of the other party and its population. The parties shall undertake to develop good-neighborhood relations between their peoples through assisting in trade and normal mutual activity and avoid statements or actions that may break this agreement, or good-neighborhood relations.

XIII. In addition to the above-mentioned concrete provisions on protection of peace and withdrawal of forces, and remembering the OSCE respective principles and liabilities, as well as the principles and liabilities reflected in the Helsinki document of 1992 and Budapest document of 1994, OSCE shall realize control over the full implementation of all aspects of this agreement through the corresponding mechanisms and take appropriate measures in accordance with those principles and resolutions aimed at the prevention of violation of the agreement's conditions and obstruction of such cases. Witnesses of this agreement act through the OSCE Standing Council and United Nations Organization Security Council and assist in its full implementation. In the event this agreement is violated seriously, they shall advise about necessary measures among themselves, instantly inform the OSCE acting chairman and General Secretary of the UN Security Council and request the OSCE Standing Council or UN Security Council to consider corresponding actions in regard to this.

XIV. The parties undertake mutual liabilities to provide observation of the provisions of this agreement, as well as the realization of all the liabilities arising from this agreement, including the guarantee of safety for Nagorno-Karabakh, its population, as well as the returning IDPs.

XV. This agreement comes into force following its signature and ratification and stays in force together with the exceptions reminded in the XI clause on regulation. Modifications and additions may be made to this agreement or it may be stopped.

*December 2, 1997*

### **On principles of all-round settlement of the Nagorno-Karabakh armed conflict**

Armenia, Azerbaijan and Nagorno-Karabakh, which are able to solve the Nagorno-Karabakh conflict in accordance with standards and principles of international law, including the principles of territorial integrity of states and self-determination of peoples, have reached agreement on the following issues:

#### *I. Agreement on the status of Nagorno-Karabakh*

The parties shall sign an agreement on the status of Nagorno-Karabakh and it shall consist of the following provisions:

Nagorno-Karabakh is a state and territorial unit in the form of a republic, and forms a general state within the boundaries of Azerbaijan recognized in the international world.

Respective state authorities of Azerbaijan and Nagorno-Karabakh shall sign an agreement on the definition of the limits of realization of powers, as well as their mutual commissioning, and that agreement shall have the force of constitutional law.

Azerbaijan and Nagorno-Karabakh shall create a joint committee to include representatives of the presidents, prime ministers, and heads of the parliaments in order to establish the politics and activity regarding the joint powers.

Representative offices of Nagorno-Karabakh and Azerbaijan shall be created in Baku and Stepanakert respectively in order to keep in contact and coordinate the joint measures.

Nagorno-Karabakh shall have the right to maintain direct relations with foreign states in the fields of economy, trade, science, culture, sport and humanitarian field, provided it has the appropriate representation abroad. The political parties and public organizations in Nagorno-Karabakh shall be entitled to create relations with political parties and public organizations of foreign states. Nagorno-Karabakh shall take part in the implementation of Azerbaijan's foreign policy regarding the issues linked with its interests. The decisions on such issues shall not be made without consent of both parties.

The government of Nagorno-Karabakh may have their own representatives at Azerbaijan embassies or consulates in foreign states, where it has got its own specific interests, as well as send its own experts within Azerbaijan delegations to take part in international negotiations - if they concern interests of Nagorno-Karabakh.

The borders of Nagorno-Karabakh shall correspond to those of the former Nagorno-Karabakh Autonomous District. Their possible elaboration or modification may be a subject of special mutual agreements between Azerbaijan and Nagorno-Karabakh.

Borders between Azerbaijan and Nagorno-Karabakh shall be mutually open for free movement of each other's unarmed citizens. They shall not be imposed to customs or other duties at movement and official relations. Provision of the right of permanent residence shall be an authority of the respective governments.

Azerbaijan and Nagorno-Karabakh shall not use force, nor threaten with use of force, for the settlement of conflicts.

In cases of conflicts or contradictions unsolvable within the joint committee, the parties may ask for the advisory opinion of the OSCE acting chairman, and it shall be taken into account at adoption of final decision.

The status of Nagorno-Karabakh shall include the following rights and privileges to be formalized in the agreement on status of Nagorno-Karabakh approved by the Minsk Conference.

1. Nagorno-Karabakh shall have own constitution adopted by the people of Nagorno-Karabakh by referendum. This constitution shall incorporate provisions of the agreement on the status of Nagorno-Karabakh. Correspondingly, Azerbaijan shall make amendments to its own constitution for incorporation of this agreement.

Provisions of this agreement or of the parts of Azerbaijan and Nagorno-Karabakh constitutions incorporating this agreement cannot be modified without the consent of the three parties.

2. The Constitution and laws of Nagorno-Karabakh shall be in force in the territory of Nagorno-Karabakh. If Azerbaijan laws, resolutions and administrative decisions do not contradict the Constitution and laws of Nagorno-Karabakh, they shall be in force in the latter's territory.

3. Nagorno-Karabakh shall have its own flag, emblem and anthem.

4. Nagorno-Karabakh shall form the legislative, executive and court authorities independently and in accordance with its Constitution.

5. As an identification card, Nagorno-Karabakh citizens shall have Azerbaijan passports specially inscribed as "Nagorno-Karabakh". Only the government of Nagorno-Karabakh shall have the right to give such passports.

Nagorno-Karabakh citizens of Armenian origin can migrate to Armenia and be granted Armenian citizenship when moving there for permanent residence in accordance with the laws of that country.

6. The Nagorno-Karabakh population has the right to elect its own representatives to the Azerbaijan parliament and take part in presidential elections in Azerbaijan.

7. Nagorno-Karabakh shall be a free economic area. It shall have the right to issue its own monetary signs to be in circulation beparties the Azerbaijan ones, as well as its own stamps.

8. Nagorno-Karabakh shall have the right to maintain free and smooth transportation, as well as communication contacts with Armenia and Azerbaijan.

9. Nagorno-Karabakh shall have its national guard (security forces), as well as police forces, to be formed on volunteerism. These forces cannot operate outside Nagorno-Karabakh without the consent of Azerbaijan government.

10. The Azerbaijan Army, security forces and police shall not have the right to enter the territory of Nagorno-Karabakh without the consent of the Nagorno-Karabakh governmental bodies.

11. The Armenian language is the main language, and Azerbaijan - the second official language of Nagorno-Karabakh. Its citizens may use other native languages as well in all official and non-official cases.

12. The Budget of Nagorno-Karabakh shall consist of the means received from its own sources. The government of Nagorno-Karabakh shall encourage

Azerbaijan companies, as well as foreign companies and persons to invest capital, and shall provide a guarantee for this.

## *II. On the Lachin Corridor*

In the event that other decisions are not made about the special regime of Lachin region at the consent of Azerbaijan and Nagorno-Karabakh, use of the Lachin corridor by Nagorno-Karabakh for the provision of unimpeded contact between Nagorno-Karabakh and Armenia shall be a subject of individual agreement. Lachin region must remain a fully disarmed area at all times.

## *II. On the city of Shusha and city of Shaumyan*

The parties agree that all the Azerbaijan refugees may return to their permanent residence in the city of Shusha. Their safety shall be provided by the respective authorities of Nagorno-Karabakh. They shall have the same rights as all the citizens of Nagorno-Karabakh, as well as the right to create political parties, to take part in elections at all levels, to be elected to the state legislative bodies and municipalities, to be employed in state service, as well as in law-enforcement authorities.

Armenian refugees shall be granted the same rights at return to the city of Shaumyan.

Residents of the city of Shusha and city of Shaumyan shall be able to use roads, and communication with other parts of Azerbaijan and Nagorno-Karabakh, and other contacts, with no restrictions.

Authorities of Nagorno-Karabakh and Azerbaijan shall assist in the establishment and activity of representations of the OSCE Democratic Institutions & Human Rights Bureau in the cities of Shusha and Shaumyan correspondingly.

The three parties shall sign the agreement on the status of Nagorno-Karabakh and it shall come into force following its approval by the Minsk Conference,

## *III. Agreement on cessation of the armed conflict*

The parties agree that the agreement on the cessation of the armed conflict shall cover the following provisions:

I. The parties refuse to threaten with use of force, or use force for the settlement of disputes between them. They shall settle all such disputes through peaceful means, first through negotiations, or within the framework of the OSCE

Minsk Conference including the disputes which may arise in regard to the implementation of the agreement on cessation of the armed conflict.

II. The parties shall withdraw their armed forces in accordance with the following provisions and in the way explained comprehensively in Annex 1.

A. In the first stage, the forces in the current contact line to the east and south from Nagorno-Karabakh shall retreat in accordance with the lines indicated in Annex 1 and the table contained in that Annex, with due consideration of the Committee of High-Ranking Persons' (CHRP) recommendations in order to provide opportunity for initial placing of the front squad of OSCE multinational forces at the militarily grounded temporary buffer zone, separate the parties along this line and provide safety at the second stage of force withdrawal.

B. In the second stage, the forces shall be withdrawn at the same time and in accordance with the table in the Annex 1:

(1) Any Armenian forces outside the borders of the Republic of Armenia shall be taken into the borders of this Republic.

(2) Forces of Nagorno-Karabakh shall be taken into the 1988 borders of the Nagorno-Karabakh Autonomous District (NKAD) (with exception of Lachin region) until an agreement is reached on unimpeded movement between Nagorno-Karabakh and Armenia.

(3) Azerbaijan forces shall be withdrawn aside the line indicated in Annex I based on HLPG recommendations and from any Armenian territory.

(4) Heavy weapons shall be withdrawn to the places indicated in Annex I under control of OSCE peace defense operation with observation of the transparency and accountability requirements explained in the Annex I based on HLPG recommendations.

III. The territory released due to such withdrawal of forces, shall constitute a buffer zone and a separating area in accordance with the following provisions and as elaborated in Annex 2:

A. Following withdrawal of forces, the buffer zone shall locate along the Nagorno-Karabakh's borders of 1988. In the event an additional agreement is reached, it may pass along the Lachin region's borders as well. The buffer zone shall not be inhabited; it shall be fully disarmed with the exception of OSCE peace defense operation's elements.

B. As elaborated in Annex 2, the separating area allowed to cooperate with the standing mixed committee of the peace defense operation, shall be disarmed with exception of the following forces:

- (1) Elements of the peace defense operation,
- (2) Azerbaijan border guarding and mine-detecting squads,

(3) Azerbaijan civil police, number and allowed weapons which have been defined in Annex 2.

C. As explained in Annex 2, a non-flight area shall be created in the buffer zone and separating areas under control of OSCE peace defense operation; the parties shall not allow any military flight in this area.

D. Following the withdrawal of forces in accordance with the II Provision, the current safety structures of Nagorno-Karabakh shall provide safety in all places controlled by Nagorno-Karabakh authorities.

IV. Pursuant to the OSCE Budapest summit's decision in 1994, the parties invite OSCE multinational peace defense operation and assist in its placing. It shall operate in cooperation with the Standing Mixed Committee and Armenian-Azerbaijan Intergovernmental Committee. Peace Defense Operations shall control withdrawal of forces and heavy weapons, prohibition of military flights, maintenance of disarmament regime, as well as the situation at the Armenian-Azerbaijan border as explained in Annex 2.

Peace defense operation shall be established for a period not longer than one year in the initial stage based on the respective resolution of UN Security Council and prolonged at the recommendation of OSCE acting chairman in case of necessity. The parties agree that the total period of the multinational peace defense operation shall be at the minimal necessary bound depending on the situation in the region and the conflict's all-round settlement speed. The parties shall cooperate fully with Peace Defense Operations in order to provide the implementation of this agreement and prevent any violation, or stoppage, of peace defense operation.

V. The parties shall assist in the return of refugees and IDPs to their permanent residence in the separating area in a safe and voluntary way as indicated in Annex 2. Peace Defense Operations shall control the safety of returning people in cooperation with the standing mixed committee in order to create trust of all parties to the observation of the disarmament regime in this area. In addition to the issues covered in this agreement, the parties shall conduct negotiations on the realization of the safe and voluntary return of all other persons who became refugees or internally displaced persons due to the conflict and tension occurring between Armenia and Azerbaijan after 1987.

VI. The parties shall instantly realize all the measures for opening of roads, railroads, electric and communication lines, restoration of trade and other relations, as well as all the measures aimed at quickest realization of the necessary actions in accordance with the table contained in Annex 3, as well as concrete provisions. The parties shall guarantee the use of these communications by all persons, including ethnic minorities, and provide their unimpeded contact with their own ethnic communities at other places in the region. Each of the parties



undertakes the liability of eliminating all the blockades and providing unobstructed delivery of cargoes as well as persons to all other parties. The parties shall provide free and safe railroad communication between themselves.

VII. The parties shall cooperate fully with the International Red Cross Committee, UN High Commission for Refugees and other international organizations in order to provide the shortest and safest return of all persons arrested in connection with the conflict, search for missing persons, return of all corpses, as well as indiscriminate transportation of humanitarian as well as rehabilitation aids to the regions which suffered during the conflict through the territory controlled by themselves. The parties shall cooperate with OSCE Peace Defense Operations through the Standing Mixed Committee in the realization of the measures aimed at strengthening of trust.

VIII. The parties shall instantly create a Standing Mixed Committee to control implementation of this agreement's provisions on the problems regarding Azerbaijan and Nagorno-Karabakh. The Chairman of the SMC shall be a representative of OSCE acting chairman; one deputy chairman shall be from Azerbaijan, and one from Nagorno-Karabakh. The main task of SMC is control over the implementation of the agreement; tasks of the chairman from OSCE include as well as mediation at contradictions, and giving sanctions to taking measures at emergencies like natural calamities. SMC has got military, economic, humanitarian and cultural subsidiary committees, as well as a subsidiary committee for communication. SMC structure, functions and other details concerning it are explained in Annex 4.

IX. The parties shall instantly create an Armenian-Azerbaijan Intergovernmental Committee for assisting in the prevention of border conflicts between Armenia and Azerbaijan, realization of relations between frontier troops and other respective safety forces of both the countries, as well as controlling and assisting in measures linked with the opening of roads, railroads, communications and pipelines, as well as the restoration of other links. AAIC shall have two cochairmen: one from Armenia and one from Azerbaijan. The Committee shall include the representative appointed by OSCE acting chairman. AAIC's structure, functions and other details concerning it are elaborated in Annex 5.

X. Azerbaijan Republic and Republic of Armenia shall conduct bilateral and multilateral negotiations with the appropriate international and regional forums in order to provide an increase in regional safety, as well as full observation of the treaty on military balance and common weapons in Europe.

XI. Each of the parties shall respect the safety of the other party and its population. The parties shall undertake to develop good-neighborhood relations between their peoples through assisting in trade and normal mutual activity and

avoid statements or actions that may break this agreement, or good-neighborhood relations.

XII. In addition to the above-mentioned concrete provisions on the protection of peace and withdrawal of forces, and remembering the OSCE respective principles and liabilities, as well as the principles and liabilities reflected in the Helsinki document of 1992 and Budapest document of 1994, OSCE shall realize control over the full implementation of all aspects of this agreement through the corresponding mechanisms and take appropriate measures in accordance with those principles and resolutions aimed at the prevention of violation of the agreement's conditions and obstruction of such cases.

XIII. Three parties shall sign the agreement on cessation of the armed conflict and it shall come into force following its approval by the Minsk Conference and ratification at the parliaments of the three parties.

XIV. Following the signature of agreements and their approval by the Minsk Conference, Azerbaijan Republic and Republic of Armenia shall create full diplomatic relations with the permanent diplomatic missions at the level of ambassadors.

#### *IV. On liabilities*

1. The parties undertake mutual liabilities to provide observation of the above-mentioned agreements, including the guarantee of safety for Nagorno-Karabakh, its population, as well as the refugees and IDPs returning to their previous residence.

2. UN Security Council shall observe the implementation of the all-round agreement.

3. The Cochairmen of the Minsk Conference may sign the agreement on the status of Nagorno-Karabakh and the agreement on cessation of the armed conflict as witnesses. The Presidents of Russia, USA and France confirm the three countries' intention to operate jointly in order to seriously control the implementation of the agreements and to take appropriate measures for the implementation of this agreement.

OSCE or UN Security Council may take diplomatic, economic, or at a dead-end, military measures in the event of the necessity in accordance with the UN Charter.

*November 7, 1998.*

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## CONTENTS IN BRIEF

Nagorno-Karabakh problem can be solved only based on international legal norms

Author's note

Foreword

### I PART

#### **History of the Armenia-Azerbaijan, Nagorno-Karabakh conflict**

1. Tracking historical facts

2. Presentation of the Azerbaijan President Heydar Aliyev at the discussions in Milli Mejlis on February 23, 2001 on the problem of Nagorno-Karabakh

Final speech of the President of the Azerbaijan Republic Heydar Aliyev at the meeting of Milli Mejlis dated on February 24 .

### II PART

#### **Armenia-Azerbaijan, Nagorno-Karabakh conflict in international organizations**

1. Karabakh problem in the focus of attention of international organizations

UN

OSCE

The Organization of Islamic Conference (OIC)

European Union

2. Negotiations process on the settlement of the conflict and OSCE'S mediation mission

3. The European Council recognizes the fact that Armenia has occupied Azerbaijan territories

### III PART

#### **Documents adopted by international organizations**

United Nations Organization (UN)

OSCE

Amendments to OSCE Lisbon summit documents

European Union

Council of Europe

The Organization of Islamic Conference

### IV PART

#### **OSCE proposals**

Comprehensive pact on the Nagorno-Karabakh conflict settlement

Pact on cessation of Nagorno-Karabakh armed conflict

On principles of all-round settlement of the Nagorno-Karabakh armed conflict

Literature and sources

*Elshad Islam Abdullayev*

**THE NAGORNO-KARABAKH PROBLEM IN THE  
LIGHT OF INTERNATIONAL LAW**

«Təhsil» Publishing House Baku – 2005

Nəşriyyat redaktoru *Nina Suxomyas*  
Bədii və texniki redaktoru *Abdulla Ələkbərov*  
Kompyuterçi-dizayner *Arif Həsənov*  
Korrektorları *Nina Suxomyas, Ülkər Şaxmuradova*

Çapa imzalanmış 23.02.2005. Kağız formatı 70x100 <sup>1</sup>/<sub>16</sub>. Ofset çapı.  
Tabaşirli kağız. Fiziki çap vərəqi 14,0+2,5 yap. şək.  
Sifariş 1. Tirajı 1000.

Azərbaycan Respublikası Təhsil Nazirliyinin «Təhsil» nəşriyyatı,  
Bakı, 370073, Şəhriyar küçəsi, 6.