

Summary

Despite its modest size the Caucasus region offers scope for several violent territorial conflicts, namely in Abkhazia, South Ossetia, Chechnya and Nagorno-Karabakh. For over a decade these conflicts were considered as dormant, except for the Chechen conflict. However the war which ignited in August 2008 between Georgia and Russia over the region of South Ossetia showed how much explosive potential these conflicts still harbour. The background is not merely the unresolved tensions between the various population groups involved. In actual fact the Caucasus area is a hub for the interests of Europe, Russia and the USA, in terms of military strategy and energy policy. The Georgia conflict in particular made clear that the Caucasus, as a neighbour of Russia within its sphere of influence, represents a theatre for the jostling for global power between Russia and the western world, especially the USA. If Russia felt snubbed in the spring of 2008 by numerous states recognising Kosovo contrary to international law, it proved in August 2008 that it does not shirk from a demonstration of its power in the Caucasus and a response which ran equally contrary to international law.

In the shadow of the Georgia conflict stands another conflict which appears to have even greater explosive potential and significance for the states in question and for the balance of global forces. This concerns the conflict in Nagorno-Karabakh in which it is mainly the republics of Armenia and Azerbaijan which are set against one another. The Nagorno-Karabakh conflict led to 30,000 deaths in its worst phase and has made over a million people refugees. This is the secession conflict in the territory of the former Soviet Union which has claimed the most victims. This conflict is of importance beyond the Caucasus region mainly because the Republic of Azerbaijan concerned is of particular strategic and economic interest for Europe, Russia and the USA, due to Azerbaijan's proximity to Iran and Russia, its wealth in crude oil reserves and its pipelines carrying crude oil and natural gas around Russia.

The legal aspects of the Nagorno-Karabakh conflict stand at the core of this treatise. Current developments illustrate that the juristic aspects of secession conflicts are becoming blurred and being superseded in significance within the framework of international conflict resolution efforts. The disregard shown for international law by several western countries in the case of Kosovo, and in turn by Russia in the Georgia conflict merely present two aspects of this critical development. Therefore the aim of this treatise is to focus attention more strongly on the legal positions.

The analysis focuses here on two aspects of the Nagorno-Karabakh conflict: firstly to question the legitimacy or illegitimacy of the secession of Nagorno-

Karabakh according to Soviet law and also according to international law (Chapter A); secondly to clarify how the conduct of the Republic of Armenia in the Nagorno-Karabakh conflict is to be evaluated in terms of international law (Chapter B).

Up until now the community of states has underlined Nagorno-Karabakh's belonging to the Republic of Azerbaijan. It was supposed that this stance was founded on political grounds, and not on any firm legal basis. However in the course of the present analysis, the appraisal of the community of states has been borne out. Neither from the point of view of Soviet law nor international law did any right to secession emerge on the part of the Karabakh-Armenians. For this reason Nagorno-Karabakh continues to belong to the Republic of Azerbaijan which in this respect is able to invoke the principle of territorial integrity that applies under international law.

In accordance with the prevailing opinion, it has been shown in particular that the right to self-determination of peoples, on which the Armenian side bases its views, does not incorporate a right of secession for individual groups of the population or minorities. In respect to the ethnic mix which exists in practically every country, present-day international law proceeds on the assumption of rights of integration, but not of rights of separation. This particularly applies to minorities in border regions when the ethnic group to which these minorities belong constitutes the principal ethnicity in the neighbouring state. The minorities are entitled to rights to equality, to political participation and even to autonomy when applicable, however they are not entitled to rights to secession. This also applies in the case of Nagorno-Karabakh.

Nevertheless, contrary to this internationally prevailing opinion, a sizeable number of mainly German scholars of international law assume that ethnic minorities are entitled to a right to breakaway, at least in the case of the most severe, widespread and systematic human rights violations. This applies in any case when no outcome remains other than secession. The prevailing opinion rightly rejects this view by pointing to the lack of any adequate grounding for this under international law. This controversy is ultimately of no consequence in relation to the Nagorno-Karabakh conflict, as not even the conditions espoused by the minority opinion as being sufficient to constitute a right to secession, pertain here. The Karabakh-Armenians were not in a hopeless and overwhelming situation of repression.

It is common knowledge that there was trouble during Soviet times between ethnic groups and local authorities. The Soviet Union was set up as a multi-ethnic state in which several sections of the population felt bypassed in regard to the political status granted to them. The Karabakh-Armenians also felt they were unfairly assigned to the Azerbaijan Soviet Socialist Republic on the basis of their demographic majority established in the 19th century, and at an early stage they aspired to secession from the Azerbaijan Soviet Socialist Republic. This was bound to lead to a situation of conflict. To add to this, Moscow stirred up interethnic tensions for strategic reasons. Nonetheless these tensions did not reach the intensity required for a right to secession to be constituted according to legal scholars representing the lesser held view. Otherwise large parts of the former Eastern

bloc would have run the risk of falling apart due to conceivable secession demands. In addition to this the lesser held opinion does not resolve the issue as to whether a successor state, the Republic of Azerbaijan in this instance, must be held accountable for the conduct of a predecessor state, the USSR.

Acts of violence became widespread between 1988 and 1992 as well as during the subsequent war between Armenia and Azerbaijan. Beginning with the initial mass demonstrations in the Armenian Soviet Socialist Republic for the annexation of Nagorno-Karabakh, Azerbaijanis fled or were driven into exile. These events constituted a fundamental cause for acts of violence against Armenians in Sumgait. The ethnic groups subsequently became entangled in a spiral of violence and counter-violence. The conflict escalated to become an open international dispute. On both sides there were killings of civilians and forced displacements. According to estimates several tens of thousands of people were killed, and some 300,000 Armenians and between 700,000 and 1,000,000 Azerbaijanis became refugees. One of the most tragic events was the murder of a considerable number of Azerbaijani civilians by Armenian units in Khojaly. Azerbaijan claims the death toll numbered 613. Hardly any Azerbaijanis live in Nagorno-Karabakh since the expulsions. Ultimately this is not a scenario imagined by international law scholars representing the lesser held view whereby an ethnic group is hopelessly exposed to measures of suppression taken by another ethnicity. Rather this is a conflict which came about in Soviet times regarding the territorial assignment of a certain area of land. The background to this conflict were mainly cultural and political motives, but not humanitarian reasons.

Furthermore it has emerged that the Republic of Armenia is deeply implicated in the Karabakh conflict. The roots of the existing connections go back to 1986 when the breakaway movement in Nagorno-Karabakh was also set in motion from within the Armenian SSR. Troops from the Republic of Armenia waged war against Azerbaijan between 1992 and 1994, and still occupy Azerbaijani areas to this day. Military, political and financial assistance still form the backbone of the community established in Nagorno-Karabakh. The ties between Armenia and Nagorno-Karabakh are so strong that the administration in Nagorno-Karabakh can hardly be called an independent, *de facto* regime. But rather the relationship between Armenia and Nagorno-Karabakh can be practically described as a loose federation. The Council of Europe even talks of a “*de facto* annexation” by another state, namely Armenia. Thereby to this day the Republic of Armenia has been unjustifiably violating the prohibition on the use of force and the prohibition on intervention, as laid out by international law. However, this does not mean that a possible attack by Azerbaijan on Nagorno-Karabakh or Armenia would be lawful, in particular with respect to the prevailing line of ceasefire.

It is critical that within the framework of international conflict resolution, legal matters are diminishing in terms of importance, or as can be seen in the case of Kosovo, only play a minor role in the face of political aims. In addition to the general problems posed by the weakening of international law, this development leads to separatist movements worldwide feeling encouraged, which in the end essentially complicates the process of conflict resolution. In this respect the commu-

nity of states bears a significant co-responsibility as to whether secession conflicts can be resolved.

It is fundamentally clear that in the light of ethnic intermixing in the world and the universally voiced demands of individual groups for a state of their own, today's community of states needs the principle of territorial integrity as a leading standard of international law. However this principle can only develop an effective outcome if legal requirements remain clear-cut and form the guiding principles for a solution within the context of individual status negotiations. This also applies to the Nagorno-Karabakh conflict. As a consequence, the territorial integrity of Azerbaijan has to be maintained following the right perception of the community of states that Nagorno-Karabakh belongs to the Republic of Azerbaijan. Nagorno-Karabakh has to remain part of Azerbaijan, within which the rights of the Karabakh-Armenians should then be guaranteed. The attempts at conflict resolution should accordingly be focused on what is actually the core issue at hand, namely on the particular guarantees which are objectively required for assuring the rights of Karabakh-Armenians within the Republic of Azerbaijan.

Appendix

Charter of the United Nations (extracts)

PREAMBLE

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I: PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

5. The Organization is based on the principle of the sovereign equality of all its Members.
6. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
7. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
8. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.
9. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.
10. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.
11. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of

any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

***CHAPTER IV: THE GENERAL ASSEMBLY
FUNCTIONS and POWERS***

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

***CHAPTER VII: ACTION WITH RESPECT TO THREATS TO THE PEACE,
BREACHES OF THE PEACE, AND ACTS OF AGGRESSION***

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

***CHAPTER IX: INTERNATIONAL ECONOMIC AND SOCIAL
CO-OPERATION***

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the

principle of equal rights and self-determination of peoples, the United Nations shall promote:

12. higher standards of living, full employment, and conditions of economic and social progress and development;
13. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
14. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Friendly Relations Declaration (extracts)

DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORDANCE WITH THE CHARTER OF THE UNITED NATIONS

1883rd plenary meeting, 24 October 1970

PREAMBLE

The General Assembly,

Reaffirming in the terms of the Charter of the United Nations that the maintenance of international peace and security and the development of friendly relations and co-operation between nations are among the fundamental purposes of the United Nations,

Recalling that the peoples of the United Nations are determined to practise tolerance and live together in peace with one another as good neighbours,

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the levels of their development,

Bearing in mind also the paramount importance of the Charter of the United Nations in the promotion of the rule of law among nations,

Considering that the faithful observance of the principles of international law concerning friendly relations and co-operation among States and the fulfillment in good faith of the obligations assumed by States, in accordance with the Charter, is of the greatest importance for the maintenance of international peace and security and for the implementation of the other purposes of the United Nations,

Noting that the great political, economic and social changes and scientific progress which have taken place in the world since the adoption of the Charter give

increased importance to these principles and to the need for their more effective application in the conduct of States wherever carried on,

Recalling the established principle that outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means, and mindful of the fact that consideration is being given in the United Nations to the question of establishing other appropriate provisions similarly inspired,

Convinced that the strict observance by States of the obligation not to intervene in the affairs of any other State is an essential condition to ensure that nations live together in peace with one another, since the practice of any form of intervention not only violates the spirit and letter of the Charter, but also leads to the creation of situations which threaten international peace and security,

Recalling the duty of States to refrain in their international relations from military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any State,

Considering it essential that all States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Considering it equally essential that all States shall settle their international disputes by peaceful means in accordance with the Charter,

Reaffirming, in accordance with the Charter, the basic importance of sovereign equality and stressing that the purposes of the United Nations can be implemented only if States enjoy sovereign equality and comply fully with the requirements of this principle in their international relations,

Convinced that the subjection of peoples to alien subjugation, domination and exploitation constitutes a major obstacle to the promotion of international peace and security, Convinced that the principle of equal rights and self-determination of peoples constitutes a significant contribution to contemporary international law, and that its effective application is of paramount importance for the promotion of friendly relations among States, based on respect for the principle of sovereign equality,

Convinced in consequence that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter,

Considering the provisions of the Charter as a whole and taking into account the role of relevant resolutions adopted by the competent organs of the United Nations relating to the content of the principles,

Considering that the progressive development and codification of the following principles:

- (a) The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,
- (b) The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,
- (c) The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter,
- (d) The duty of States to co-operate with one another in accordance with the Charter,
- (e) The principle of equal rights and self-determination of peoples,
- (f) The principle of sovereign equality of States,
- (g) The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter,
- (h) so as to secure their more effective application within the international community, would promote the realization of the purposes of the United Nations,

Having considered the principles of international law relating to friendly relations and co-operation among States,

1. Solemnly proclaims the following principles:

The principle that States shall refrain in their international ~ relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations

Every State has the duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Such a threat or use of force constitutes a violation of international law and the Charter of the United Nations and shall never be employed as a means of settling international issues.

A war of aggression constitutes a crime against the peace, for which there is responsibility under international law.

In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.

Every State has the duty to refrain from the threat or use of force to violate the existing international boundaries of another State or as a means of solving international disputes, including territorial disputes and problems concerning frontiers of States.

Every State likewise has the duty to refrain from the threat or use of force to violate international lines of demarcation, such as armistice lines, established by or pursuant to an international agreement to which it is a party or which it is other-

wise bound to respect. Nothing in the foregoing shall be construed as prejudicing the positions of the parties concerned with regard to the status and effects of such lines under their special regimes or as affecting their temporary character.

States have a duty to refrain from acts of reprisal involving the use of force.

Every State has the duty to refrain from any forcible action which deprives peoples referred to in the elaboration of the principle of equal rights and self-determination of their right to self-determination and freedom and independence.

Every State has the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands including mercenaries, for incursion into the territory of another State.

Every State has the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts, when the acts referred to in the present paragraph involve a threat or use of force.

The territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter. The territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force. No territorial acquisition resulting from the threat or use of force shall be recognized as legal. Nothing in the foregoing shall be construed as affecting:

- (a) Provisions of the Charter or any international agreement prior to the Charter regime and valid under international law; or
- (b) The powers of the Security Council under the Charter.

All States shall pursue in good faith negotiations for the early conclusion of a universal treaty on general and complete disarmament under effective international control and strive to adopt appropriate measures to reduce international tensions and strengthen confidence among States.

All States shall comply in good faith with their obligations under the generally recognized principles and rules of international law with respect to the maintenance of international peace and security, and shall endeavour to make the United Nations security system based on the Charter more effective.

Nothing in the foregoing paragraphs shall be construed as enlarging or diminishing in any way the scope of the provisions of the Charter concerning cases in which the use of force is lawful.

The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered

....

The principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law.

No State may use or encourage the use of economic political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State, or interfere in civil strife in another State.

The use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention.

Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.

Nothing in the foregoing paragraphs shall be construed as reflecting the relevant provisions of the Charter relating to the maintenance of international peace and security.

The duty of States to co-operate with one another in accordance with the Charter

....

The principle of equal rights and self-determination of peoples

By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:

- (a) To promote friendly relations and co-operation among States; and
- (b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned;

and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter.

Every State has the duty to promote through joint and separate action universal respect for and observance of human rights and fundamental freedoms in accordance with the Charter.

The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people.

Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence. In their actions against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter.

The territory of a colony or other Non-Self-Governing Territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right of self-determination in accordance with the Charter, and particularly its purposes and principles.

Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country.

The principle of sovereign equality of States

....

GENERAL PART

2. Declares that:

In their interpretation and application the above principles are interrelated and each principle should be construed in the context of the other principles. Nothing in this Declaration shall be construed as prejudicing in any manner the provisions of the Charter or the rights and duties of Member States under the Charter or the rights of peoples under the Charter, taking into account the elaboration of these rights in this Declaration.;

3. Declares further that: The principles of the Charter which are embodied in this Declaration constitute basic principles of international law, and consequently appeals to all States to be guided by these principles in their international conduct and to develop their mutual relations on the basis of the strict observance of these principles.

UN Security Council Resolution 822 (1993)

Adopted by the Security Council at its 3205th meeting, on 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 Kelbadjar 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 Kelbadjar 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 Kelbadjar 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 Kelbadjar district of Azerbaijan, and to submit a further report to the Council;
5. **Decides** to remain actively seized of the matter.

UN Security Council Resolution 853 (1993)

Adopted by the Security Council at its 3259th meeting, on 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 Mink 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 at 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 the Azerbaijani 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 Nagorny-Karabakh region of the 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.

UN Security Council Resolution 874 (1993)

Adopted by the Security Council at its 3292nd meeting, on 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 Nagorny 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 Nagorny 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.

UN Security Council Resolution 884 (1993)

Adopted by the Security Council at its 3313th meeting, on 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 Nagorny 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 Nagorny 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 Zangelan 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 Zangelan 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 Zangelan 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 Nagorny 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 Zangelan district and the city of Goradiz, 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 Zangelan district and the city of Goradiz 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.

UN General Assembly Resolution A/RES/48/114 (1993)

85th plenary meeting

20 December 1993

Emergency international assistance to refugees and displaced persons in Azerbaijan

The General Assembly,

Recalling its relevant resolutions regarding humanitarian assistance to refugees and displaced persons,

Having considered the report of the United Nations High Commissioner for Refugees,

Recognizing the catalytic role that the High Commissioner plays, together with the international community and development agencies, in the promotion of humanitarian aid and development with a view to finding durable and lasting solutions for refugees and displaced persons,

Expressing its grave concern at the continuing deterioration of the humanitarian situation in Azerbaijan owing to the displacement of large numbers of civilians,

Welcoming the efforts made by the United Nations interim office and the Office of the United Nations High Commissioner for Refugees in Azerbaijan to coordinate the needs assessment and the provision of humanitarian assistance,

Welcoming also the consolidated United Nations inter-agency humanitarian programme for Azerbaijan for the period 1 July 1993 to 31 March 1994,

Expressing its appreciation to the States and intergovernmental and non-governmental organizations that have responded positively and continue to respond to the humanitarian needs of Azerbaijan, and to the Secretary-General and United Nations bodies for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

Also expressing its appreciation to the Governments of the neighbouring States that provide the necessary humanitarian assistance, including the provision of accommodation and transit routes through their territories for the displaced persons from Azerbaijan,

Noting with alarm that the humanitarian situation in Azerbaijan has continued to deteriorate seriously since the adoption of the programme in June 1993, and that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million,

Aware that the refugees and displaced persons are in a precarious situation, facing the threat of malnutrition and disease, and that appropriate external assistance is needed for the provision of foodstuffs, medical aid and the necessary shelter for the winter,

Deeply concerned about the enormous burden that the massive presence of refugees and displaced persons has placed on the country's infrastructure,

Affirming the urgent need to continue international action to assist Azerbaijan in providing shelter, medication and food to the refugees and displaced persons, especially to the most vulnerable groups,

1. Welcomes with appreciation the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute problems of the Azerbaijani refugees and displaced persons and in mobilizing assistance for them;
2. Urgently appeals to all States, organizations and programmes of the United Nations, specialized agencies and other intergovernmental and non-governmental organizations to provide adequate and sufficient financial, medical and material assistance to the Azerbaijani refugees and displaced persons;
3. Invites the international financial institutions and the specialized agencies, organizations and programmes of the United Nations system, where appropriate, to bring the special needs of the Azerbaijani refugees and displaced persons to the attention of their respective governing bodies for their consideration and to report on the decisions of those bodies to the Secretary-General;
4. Invites the Secretary-General to continue to monitor the overall situation of refugees and displaced persons in Azerbaijan and to make available his good offices as required;
5. Requests the United Nations High Commissioner for Refugees to continue her efforts with the appropriate United Nations agencies and intergovernmental, governmental and non-governmental organizations, in order to consolidate and increase essential services to refugees and displaced persons in Azerbaijan;
6. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the progress made in the implementation of the present resolution.

UN General Assembly Resolution A/RES/60/285 (2006)

98th plenary meeting
7 September 2006

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/60/L.60/Rev.2)]

60/285. The situation in the occupied territories of Azerbaijan

The General Assembly,

Seriously concerned by the fires in the affected territories, which have inflicted widespread environmental damage,

1. *Stresses* the necessity to urgently conduct an environmental operation to suppress the fires in the affected territories and to overcome their detrimental consequences;
2. *Welcomes* the readiness of the parties to cooperate to that end, and considers such an operation to be an important confidence-building measure;
3. *Takes note* of the intention of the Organization for Security and Cooperation in Europe to organize a mission to the region to assess the short- and long-term impact of the fires on the environment as a step in preparation for the environmental operation;
4. *Calls upon*, in this regard, the organizations and programmes of the United Nations system, in particular the United Nations Environment Programme, in cooperation with the Organization for Security and Cooperation in Europe, to provide all necessary assistance and expertise, including, inter alia, the assessment of and counteraction to the short- and long-term impact of the environmental degradation of the region, as well as in its rehabilitation;
5. *Requests* the Chairman-in-Office of the Organization for Security and Cooperation in Europe to provide a report on this matter to States members of the General Assembly by 30 April 2007.

*98th plenary meeting
7 September 2006*

UN General Assembly Resolution A/RES/62/243 (2008)

86th plenary meeting
14 March 2008

Resolution adopted by the General Assembly¹

[without reference to a Main Committee (A/62/L.42)]

62/243. The situation in the occupied territories of Azerbaijan

The General Assembly,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Recalling Security Council resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993, 874 (1993) of 14 October 1993 and 884 (1993) of 12 November

1993, as well as General Assembly resolutions 48/114 of 20 December 1993, entitled “Emergency international assistance to refugees and displaced persons in Azerbaijan”, and 60/285 of 7 September 2006, entitled “The situation in the occupied territories of Azerbaijan”,

Recalling also the report of the fact-finding mission of the Minsk Group of the Organization for Security and Cooperation in Europe to the occupied territories of Azerbaijan surrounding Nagorno-Karabakh and the letter on the fact-finding mission from the Co-Chairmen of the Minsk Group addressed to the Permanent Council of the Organization for Security and Cooperation in Europe,²

Taking note of the report of the environmental assessment mission led by the Organization for Security and Cooperation in Europe to the fire-affected territories in and around the Nagorno-Karabakh region,³

Reaffirming the commitments of the parties to the conflict to abide scrupulously by the rules of international humanitarian law,

Seriously concerned that the armed conflict in and around the Nagorno-Karabakh region of the Republic of Azerbaijan continues to endanger international peace and security, and mindful of its adverse implications for the humanitarian situation and development of the countries of the South Caucasus,

1. *Reaffirms* continued respect and support for the sovereignty and territorial integrity of the Republic of Azerbaijan within its internationally recognized borders;

¹ The draft resolution on the situation in the occupied territories of Azerbaijan (document A/62/L.42) was adopted by a recorded vote of 39 in favour to 7 against, with 100 abstentions.

² See A/59/747-S/2005/187.

³ A/61/696, annex.

2. *Demands* the immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of the Republic of Azerbaijan;
3. *Reaffirms* the inalienable right of the population expelled from the occupied territories of the Republic of Azerbaijan to return to their homes, and stresses the necessity of creating appropriate conditions for this return, including the comprehensive rehabilitation of the conflict-affected territories;
4. *Recognizes* the necessity of providing normal, secure and equal conditions of life for Armenian and Azerbaijani communities in the Nagorno-Karabakh region of the Republic of Azerbaijan, which will allow an effective democratic system of self-governance to be built up in this region within the Republic of Azerbaijan;
5. *Reaffirms* that no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining this situation;
6. *Expresses its support* to the international mediation efforts, in particular those of the Co-Chairmen of the Minsk Group of the Organization for Security and Cooperation in Europe, aimed at peaceful settlement of the conflict in accordance with the norms and principles of international law, and recognizes the necessity of intensifying these efforts with a view to achieving a lasting and durable peace in compliance with the provisions stipulated above;
7. *Calls upon* Member States and international and regional organizations and arrangements to effectively contribute, within their competence, to the process of settlement of the conflict;
8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-third session a comprehensive report on the implementation of the present resolution;
9. *Decides* to include in the provisional agenda of its sixty-third session the item entitled "The situation in the occupied territories of Azerbaijan".

*86th plenary meeting
14 March 2008*

Council of Europe – Parliamentary Assembly Resolution 1416 (2005)⁴

The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Conference

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 separatist 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 the democratic support of the inhabitants of such territory and not in the wake of an armed conflict leading to ethnic expulsion and the de facto annexation of such territory to another state. The Assembly reiterates that 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 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 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 and from propagating military action.

⁴ *Assembly debate on 25 January 2005 (2nd Sitting) (see Doc. 10346, report of the Political Affairs Committee, rapporteur: Mr Atkinson). Text adopted by the Assembly on 25 January 2005 (2nd Sitting).*

5. The Assembly recalls that the Council of Ministers of the Conference on Security and Co-operation in Europe (CSCE) agreed in Helsinki in March 1992 to hold a conference in Minsk in order to provide 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 comprising, *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 ceasefire in May 1994 and having constantly monitored the observance of this ceasefire 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 this agreement 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 to put forward 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 its 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 contact, 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 and to restore confidence 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 a reconciliation process.
12. The Assembly calls on the Secretary General of the Council of Europe to draw up an action plan for 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 interregional 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 evolution of this conflict towards its peaceful resolution and decides to reconsider this issue at its first part-session in 2006.

Organization for Security and Co-operation in Europe
Lisbon Summit 1996

Statement of the OSCE Chairman-In-Office

DOC.S/1/96 3 December 1996, Annex 1

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.

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