

Internal Displacement in Azerbaijan: Its Causes and Consequences. What the International Community Can and Must Do?

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At the end of 1987, the Soviet Socialist Republic of Armenia (Armenian SSR) began to lay claim to the territory of the Nagorno-Karabakh autonomous oblast (NKAO) of the Soviet Socialist Republic of Azerbaijan (Azerbaijan SSR). Nationalistic demands marked the beginning of the assaults on the Azerbaijanis in both the NKAO and Armenia itself, soon leading to their expulsion. Shortly after the dissolution of the Soviet Union at the end of 1991 and the international recognition of both Armenia and Azerbaijan, armed hostilities and Armenian attacks against areas within Azerbaijan intensified. As a result, a significant part of Azerbaijan's territory, including Nagorno-Karabakh and seven adjacent districts, were occupied by Armenia; thousands of people were killed or injured; hundreds of thousands of Azerbaijani citizens were forced to leave their homes. The UN Security Council and other international organizations have addressed the problem on a number of occasions. Since 1992 the Organization for Security and Cooperation in Europe has engaged in efforts to achieve a negotiated settlement of the conflict under the aegis of its 11-country Minsk Group, currently under the co-chairmanship of France, the Russian Federation and the United States. The Co-Chairs of the OSCE Minsk Group have proposed a set of core principles and elements, which, in their opinion, should form the basis for a comprehensive settlement of the conflict. The elements underlying the proposal of the mediators include, inter alia, the liberation of the occupied territories and the right of return for all internally displaced persons (IDPs) and refugees. The article examines the international documents that refer to the problem of internal displacement in Azerbaijan, its causes and consequences, and the rights of the uprooted population. It also raises the question of whether the right to return is a human right or a privilege of belligerents. The article concludes that the lack of agreement on political issues cannot be used as a pretext to prevent the return of IDPs to their homes and properties and that the de-occupation of Azerbaijani territories can in no way be considered or introduced as a compromise, and used as a bargaining chip in the conflict settlement process.



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Essential facts

At the end of 1987, the Soviet Socialist Republic of Armenia (Armenian SSR), with the blessing and support of the influential members of its diaspora, overtly laid claim to the territory of the Nagorno-Karabakh autonomous *oblast* (NKAO) of the Soviet Socialist Republic of Azerbaijan (Azerbaijan SSR). Those claims marked the beginning of the assaults on the Azerbaijanis in both the NKAO and Armenia itself, leading to their expulsion from the area.

Contrary to the Soviet Constitution, which guaranteed the territorial integrity and inviolability of borders of the Union Republics,¹ both the Armenian SSR and members of the Armenian community of the NKAO adopted a number of decisions to institute the process of unilateral secession of the autonomous *oblast* from Azerbaijan. Those decisions were aimed at achieving either the incorporation of the NKAO into the Armenian SSR or the establishment of an independent entity. Under Soviet rule, all such decisions were declared null and void by the competent Soviet Union authorities. On 26 November 1991, pursuant to an Act adopted by the Supreme Council of the Republic of Azerbaijan, the autonomous status of the *oblast* was revoked.² Accordingly, Azerbaijan gained its independence based on the same territory and boundaries that it had within the USSR and that included the former NKAO.

However, towards the end of the Soviet era, nationalist aspirations in Armenia and Nagorno-Karabakh resurfaced with renewed force.³ Shortly after the dissolution of the Soviet Union at the end of 1991 and the international recognition of both Armenia and Azerbaijan, armed hostilities and Armenian attacks against areas within Azerbaijan intensified. As a result, a significant part of Azerbaijan's territory, including Nagorno-Karabakh and seven adjacent districts came under Armenian occupation; thousands of people were killed or injured; hundreds of thou-

1 According to Article 78 of the USSR Constitution, the territory of a Union Republic could not be altered without its consent, and the borders between Union Republics could be altered by mutual agreement of the Republics concerned, subject to approval by the USSR.

2 Bulletin of the Supreme Council of the Republic of Azerbaijan (1991), No. 24, pp. 77-78.

3 *Profiles in displacement: Azerbaijan*. Report of the Representative of the UN Secretary-General on the human rights of internally displaced persons, UN doc. E/CN.4/1999/79/Add.1 (1999), para. 22, p. 8.

sands of Azerbaijani citizens were forced to leave their homes in the occupied areas.

Since 1992, the Organization for Security and Cooperation in Europe (formerly CSCE) has been engaged in efforts to achieve a negotiated settlement of the conflict under the aegis of its 11-country Minsk Group, currently under the co-chairmanship of France, the Russian Federation and the United States. Meanwhile, the Co-Chairs of the OSCE Minsk Group have proposed a set of core principles and elements, which, in their opinion, should form the basis for a comprehensive settlement of the conflict. The elements underlying the proposal of the mediators include, *inter alia*, the liberation of the occupied territories and the return of all internally displaced persons and refugees back to their homes.

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Violation of the prohibition on the use of force

The Charter of the United Nations proclaims that one of the founding purposes of the organization is the maintenance of international peace and security. To that end, the Charter commits to taking 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 the bringing about by peaceful means, and in conformity with the principles of justice and international law, of adjustment or settlement of international disputes or situations which might lead to a breach of the peace.⁴

Pursuant to Article 2, paragraph 4, of the UN Charter, 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 Charter.⁵

The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Na-

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⁴ Charter of the United Nations (1945). New York: United Nations Department of Public Information (2001), article 1, para. 1.

⁵ *Ibid.*

tions of 24 October 1970 stipulates that a “war of aggression constitutes a crime against the peace, for which there is responsibility under international law”. In addition, under the Declaration, “[e]very 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”.⁶

The 1970 Declaration’s also concludes that 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” and, accordingly, that “[n]o territorial acquisition resulting from the threat or use of force shall be recognized as legal”.⁷ This position is also upheld in the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations of 18 November 1987, which stipulates that “[n]either acquisition of territory resulting from the threat or use of force nor any occupation of territory resulting from the threat or use of force in contravention of international law will be recognized as legal acquisition or occupation”.⁸

As the International Court of Justice established in its judgment in the *Military and Paramilitary Activities in and against Nicaragua* case, principles relating to the use of force that have been incorporated in the UN Charter reflect customary international law. The same holds true for the Court’s determination of the illegality of territorial acquisition resulting from the threat or use of force.⁹ This rule prohibiting the use of force is a conspicuous example of a peremptory norm of general international law (*jus cogens*), as defined in article 53 of the Vienna Convention on the Law of Treaties.¹⁰ The sole exception to this rule is the

6 UN General Assembly resolution 2625 (XXV). Resolutions adopted by the UN General Assembly at its twenty-fifth session. Official records of the General Assembly, 25th session, Supplement No. 28 (A/8028), p. 153.

7 *Ibid.*

8 UN General Assembly resolution 42/22. Resolutions adopted by the UN General Assembly at its forty second session. Official Records of the General Assembly, 42nd session, Supplement No. 41 (A/42/41), p. 403.

9 *Military and Paramilitary Activities in and against Nicaragua case (Nicaragua v. United States of America)*, Judgment of 27 June 1986, ICJ Reports (1986), paras. 188 and 190; see also *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*. Advisory Opinion of 9 July 2004, ICJ Reports (2004), para. 87.

10 *Vienna Convention on the Law of Treaties* (1969). For text, see Brownlie, I. (ed.) (2002) *Basic Documents in International Law*. 5th edn. Oxford, pp. 270-297, at p. 285. See also *Military and Para-*

right of self-defense under Article 51 of the UN Charter. As the International Court of Justice reaffirmed in its advisory opinion regarding the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, “Article 51 of the Charter ... recognizes the existence of an inherent right of self-defense in the case of armed attack by one State against another State”.¹¹

In 1993, the UN Security Council adopted four resolutions on the conflict in and around the Nagorno-Karabakh region of Azerbaijan, in which the Council reaffirmed the inadmissibility of the use of force for the acquisition of territory, condemned the occupation of the territories of Azerbaijan, reaffirmed respect for the sovereignty and territorial integrity of Azerbaijan and the inviolability of its international borders. It confirmed that the Nagorno-Karabakh region is part of Azerbaijan, and demanded the immediate, full and unconditional withdrawal of the occupying forces from all the occupied territories.¹² A series of Security Council presidential statements adopted between 1992 and 1995 and the documents of other international organizations are couched in the same terms.

There have been numerous instances of States trying to disguise their own role in the forcible seizure of the territory of another State, including by setting up puppet regimes in the occupied territories.¹³ Such practice is evidenced in Armenia’s policies in the occupied Nagorno-Karabakh region that manifested, *inter alia*, in the establishment of the Yerevan-backed separatist regime there. At a certain stage, when Armenia’s attempts to introduce the separatists as the area’s sole representatives was a serious obstacle in the peace process, the President of the Minsk Group made an important clarification, stating that both the Armenians and Azerbaijanis of Nagorno-

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military Activities in and against Nicaragua case (Nicaragua v. United States of America) (Merits), para. 190; *Articles on Responsibility of States for Internationally Wrongful Acts*. Annex to UN General Assembly resolution 56/83 of 12 December 2001, article 41, para. 2; Crawford, J. (2012) *Brownlie’s Principles of Public International Law*. 8th edn. Oxford, pp. 594-597.

¹¹ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, op. cit., para. 139.

¹² UN Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993).

¹³ Roberts, A. ‘Transformative military occupation: applying the laws of war and human rights’. Available at: http://www.iihl.org/iihl/Documents/roberts_militaryoccupation1.pdf (Accessed: 15 December 2014).

Karabakh are “interested parties” and equal.¹⁴

Internal displacement in Azerbaijan in the documents of international organizations

The scope of the international documents extends beyond mentioning the unlawful use of force and expressing support for the sovereignty and territorial integrity of Azerbaijan. There is also an explicit reference to serious violations of international humanitarian law committed during the conflict, including, in particular, the large-scale expulsion of civilians from occupied regions of Azerbaijan.

The fact that all Azerbaijanis were expelled from the occupied territories is well documented.¹⁵ In its resolutions and presidential statements, the UN Security Council expressed grave concern about “the displacement of a large number of civilians in Azerbaijan and the serious humanitarian emergency in the region” and condemned the “attacks on civilians and bombardment of inhabited areas.”

In its resolution 48/114 of 23 March 1994, entitled “Emergency international assistance to refugees and displaced persons in Azerbaijan”, the UN General Assembly expressed grave concern at the continuing deterioration of the humanitarian situation in Azerbaijan owing to the displacement of large numbers of civilians and noted with alarm “that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million”.

The UN General Assembly adopted three resolutions in connection with the conflict, with many more that refer, *inter alia*, to the humanitarian aspect of the conflict. In its resolution 48/114 of 23 March 1994, entitled, “Emergency international assistance to refugees and displaced persons in Azerbaijan”, the Assembly expressed grave concern about the continuing deterioration of the humanitarian situation in Azerbaijan owing to the displacement of large numbers of civilians and noted with alarm “that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million”.¹⁶ On 14 March 2008, the General Assembly adopted resolution 62/243 on the situation in the occupied territories of Azerbaijan, which reaffirmed the inalienable right of the population expelled from the occupied territories to return to their homes.¹⁷

14 CSCE Communication No. 279, Prague, 15 September 1992, p. 3.

15 *Report on the international legal rights of the Azerbaijani internally displaced persons and the Republic of Armenia’s responsibility*, UN doc. A/66/787-S/2012/289 (2012), para. 48, p. 14.

16 Operative para. 2. See also the official records of the 85th plenary meeting of the UN General Assembly, 20 December 1993, UN doc. A/48/PV.85, p. 6.

17 *Ibid.*, operative para. 3.

The UN Secretary-General has also addressed the conflict and its various aspects in his relevant reports to the General Assembly and the Security Council. Among these are the report pursuant to the statement by the President of the Security Council in connection with the situation relating to Nagorno-Karabakh¹⁸ and the report on the emergency international assistance to refugees and displaced persons in Azerbaijan.¹⁹ The Representatives of the UN Secretary-General on the human rights of internally displaced persons, Francis M. Deng and Walter Kälin, who visited Azerbaijan to study the situation of internally displaced persons in the country, stated in their reports that “Azerbaijan has one of the largest displaced populations in the world” and stressed “the right of internally displaced persons to return voluntarily to their former homes in safety and dignity”.²⁰

The European Union, through its executive and parliamentary institutions, has repeatedly expressed its position on the conflict, condemning the use of force and deploring the sufferings inflicted on populations and the loss of human life resulting from the fighting. On 22 May 1992, following the seizure by Armenian forces of Shusha and Lachyn, the European Community and its member States condemned “any action against territorial integrity or designated to achieve political goals by force, including the driving out of civilian populations” as contraventions of CSCE principles and commitments.²¹ On 3 September 1993, the Community and its member States condemned the offensives by Armenian forces in Nagorno-Karabakh and their deeper and deeper incursions into the territory of Azerbaijan. They noted 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”.²²

In its resolution of 20 May 2010 on the need for an EU strategy for the South Caucasus, the European Parliament expressed its serious concern “that hundreds of thousands of refugees and IDPs who fled their homes during or in connection with the Nagorno-Karabakh war remain displaced and denied their rights, including the right to return, property rights and the right to personal security” and called “on all parties to unambiguously and unconditionally recognize these rights, the need for their prompt realization and for a prompt solution to this problem that respects the principles of international law”.

18 UN doc. S/25600 (1993).

19 UN doc. A/49/380 (1994).

20 UN doc. E/CN.4/1999/79/Add.1 (1999), para. 1, p. 2. and A/HRC/8/6/Add.2 (2008), para. 7, p. 6, and p. 2.

21 European Political Cooperation, *Statement on Nagorno-Karabakh*. Brussels (1992), doc. P.61/92.

22 European Political Cooperation, *Statement on Nagorno-Karabakh*. Brussels (1993), doc. P.86/93.

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The conflict has also been addressed on a number of occasions in the framework of the Council of Europe, involving the organization’s Committee of Ministers and Parliamentary Assembly.

Having considered the impact of the conflict on the civilian population in the area of combat operation, particularly the shocking massacre committed by the Armenian forces against the Azerbaijani civilians in the Khojaly town in February 1992, the Committee of Ministers of the Council of Europe in its declaration of 11 March 1992 expressed deep concern “about recent reports of indiscriminate killings and outrages”, firmly condemned “the violence and attacks directed against the civilian populations in the Nagorno-Karabakh area of the Azerbaijan Republic” and underlined that “no solution imposed by force can be accepted by the international community”.²⁵

Among a number of resolutions and recommendations adopted by the Parliamentary Assembly of the Council of Europe, which are either devoted or refer to the conflict between Armenia and Azerbaijan,²⁶ the main elements qualifying the nature of the

²³ European Parliament, *Resolution on the need for an EU strategy for the South Caucasus* (2010), doc. (2009/2216(INI)), para. 8.

²⁴ *Ibid.*, para. 1 (b) and the European Parliament resolution of 18 April 2012 containing recommendations to the Council, the Commission and the European External Action Service, para. 1 (b).

²⁵ *Adopted by the Committee of Ministers on 11 March 1992 at the 471bis meeting of the Ministers’ Deputies.*

²⁶ See, e.g., Recommendation 1251 (1994) on the conflict in Nagorno-Karabakh, 10 November 1994; Recommendation 1570 (2002) ‘Situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia’; Resolution 1497 (2006) ‘Refugees and displaced persons in Armenia, Azerbaijan and

conflict have been reflected in the documents prepared by Terry Davis and David Atkinson, rapporteurs of the Parliamentary Assembly of the Council of Europe.²⁷ In its resolution 1416 (2005) of 25 January 2005, the Assembly noted particularly that “considerable parts of the territory of Azerbaijan are still occupied by Armenian forces” and 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 reaffirmed “the right of displaced persons from the area of conflict to return to their homes safely and with dignity and stated that independence and secession of a regional territory from a state cannot be achieved “in the wake of an armed conflict leading to ethnic expulsion and the de facto annexation of such territory to another state”.²⁸

The right to return: A human right or a privilege of belligerents?

The commentary on customary international humanitarian law prepared by the International Committee of the Red Cross notes that “displaced persons have a right to voluntary return in safety to their homes or places of habitual residence as soon as the reasons for their displacement cease to exist”.²⁹ The right to return of internally displaced persons stems from several distinct sources. They include international humanitarian law, international human rights law, regional human rights law, including, in particular, the European Convention on Human Rights, and a range of resolutions, recommendations and declarations adopted by international organizations, which attest to the existence of State practice underlining the right of internally displaced persons to return to their homes.³⁰

Thus, the occupied districts of Agdam, Kelbajar, Jebraïl and Fizuli were methodically dismantled or destroyed. In her report on the visit to the countries of the South Caucasus at the end of October 1993, the Chairperson-in-Office of the CSCE Council, Baroness Margaretha af Ugglas, expressed concern about the unacceptable scorched earth policy practiced by the Armenian military forces.

Georgia’.

27 See the Report of the Political Affairs Committee to the Parliamentary Assembly of the Council of Europe, doc. 10364 of 29 November 2004.

28 See paras. 1-3.

29 Henckaerts, J.-M. and Doswald-Beck, L. (2005) *Customary International Humanitarian Law*, vol. I: Rules, Cambridge: ICRC, p. 468.

30 *Report on the international legal rights of the Azerbaijani internally displaced persons I and the Republic of Armenia’s responsibility*, op. cit., paras. 106-115, pp. 29-31.

Against this background, the policies and practices implemented by Armenia in the occupied territories demonstrate its intention to prevent the expelled populations from returning to their homes. Thus, the occupied districts of Agdam, Kelbajar, Jebrail and Fizuli were methodically dismantled or destroyed. In her report on the visit to the countries of the South Caucasus at the end of October 1993, the Chairperson-in-Office of the CSCE Council, Baroness Margaretha af Ugglas, expressed concern about the unacceptable scorched earth policy practiced by the Armenian military forces.³¹ In addition, although the UN Security Council resolutions demanded unconditional and complete withdrawal of Armenian forces from the occupied territories and called for international agencies to assist the internally displaced persons to return to their homes, the districts where Armenians were not resident prior to the conflict are now depicted as part of “Artsakh” (the Armenian term for the occupied territories) on official Armenian maps. They are often referred to by Armenian officials as “liberated territories”, rather than “occupied territories”.³²

Moreover, various kinds of activities in the occupied territories, in particular those affecting their demographic, social and cultural character, represent serious barriers to the possibility of reaching a negotiated settlement, the core elements of which are the liberation of the occupied territories of Azerbaijan and the realization by the forcibly displaced populations of their right to

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return. Thus, over the period that has passed since the beginning of the conflict, significant numbers of settlers have been encouraged to move into the occupied areas depopulated of their Azerbaijani inhabitants. Numerous reports, including the Armenian ones, testify to the intentional character of this practice.

In January-February 2005, an OSCE fact-finding mission visited the occupied territories of Azerbaijan.³³ Based on the findings of the mission, which documented the presence of settlers in those areas, the Co-Chairs of the OSCE Minsk Group, in their letter dated 2 March 2005 and addressed to the OSCE Permanent Council, discouraged any further settlement of the occupied territories of

31 CSCE Communication No. 301, Prague (1993), p. 8.

32 International Crisis Group (2012), *Tackling Azerbaijan's IDP Burden*, p. 3.

33 See UN doc. A/59/747-S/2005/187 (2005), annex II.

Azerbaijan by Armenia. In view of the extensive preparations that would be required before the return of the refugees and internally displaced persons to their places of origin in these territories, the Co-Chairs recommended that “the relevant international agencies re-evaluate the needs and funding assessments in the region, *inter alia*, for the purpose of resettlement” of those moved into the occupied territories. They also urged the parties “to accelerate negotiations toward a political settlement in order, *inter alia*, to address the problem of the settlers and to avoid changes in the demographic structure of the region, which would make more difficult any future efforts to achieve a negotiated settlement”. The Co-Chairs emphasized in this regard that “the longer [settlers] remain in the occupied territories, the deeper their roots and attachments to their present places of residence will become” and that “prolonged continuation of this situation could lead to a *fait accompli* that would seriously complicate the peace process”.³⁴

In October 2010, the Co-Chairs of the OSCE Minsk Group conducted a field assessment mission in the occupied territories of Azerbaijan adjacent to its Nagorno-Karabakh region. The Co-Chairs were joined by the Personal Representative of the OSCE Chairman-in-Office and his team, two experts from the Office of the UN High Commissioner for Refugees and one member of the 2005 OSCE Minsk Group fact-finding mission. Following the visit, the mission submitted a report, which confirmed the continuation of actions affecting the demographic, social and cultural character of the occupied territories and involving, *inter alia*, the implantation of settlers, the extensive redrawing of administrative boundaries, and the changing of place names in those territories.³⁵ Based on the visual inspection during the mission and the information provided by the locals, the number of settlers transferred into the occupied seven districts of Azerbaijan surrounding Nagorno-Karabakh was roughly estimated by the mission to be 14,000 persons. Even this clear underestimate testifies to a more than tenfold increase in the number of Armenians in those areas in comparison with the pre-conflict period.

Consequently, the report of the field assessment mission made it clear that the recommendations of the 2005 OSCE Minsk Group

³⁴ *Ibid.*, annex I.

³⁵ For more information, see UN doc. A/65/801-S/2011/208 (2011), annex.

The settlement of the conflict obviously remains a prerequisite to the return of IDPs and, in the absence of a sustainable solution and in the light of the regular incidents on the front line, the option of a large-scale return remains elusive. However, the lack of agreement on political issues cannot be used as a pretext to prevent the return of IDPs to their homes and properties.

fact-finding mission had been substantially disregarded and, consequently, nothing had been done to dismantle settlements or discourage other illegal activities in the occupied territories. In this regard, the mission called once again for the cessation of additional actions that would change the demographic, social, or cultural character of those territories, and make it impossible to reverse the status quo and achieve a peaceful settlement.

The settlement of the conflict obviously remains a prerequisite to return of IDPs to their homes and, in the absence of a sustainable solution and in the light of the regular incidents on the front line, the option of large-scale return remains elusive. However, the lack of agreement on political issues cannot be used as a pretext to prevent the return of IDPs to their homes and properties.

The expulsion of the citizens of Azerbaijan; their inability to access their properties and possessions; the failure to enable their return to their homes; and the actions aimed at altering the demographic, social and cultural character of the occupied territories depopulated of their Azerbaijani inhabitants: these constitute clear violations of the laws of armed conflict (international humanitarian law) and of international human rights law. Such violations give rise to a number of consequences. The primary consequence revolves around the responsibility of states under general international law and the provisions of the European Convention on Human Rights.

A key element of state responsibility, and one particularly significant for the present purposes, is the obligation to cease violations, to offer appropriate assurances and guarantees that violations will not recur, and to provide full reparation for the injuries. Consequently, Armenia is under an obligation, in the first place, to end its occupation of the territories of Azerbaijan. It is clear that the implementation of that obligation, which would create the necessary pre-conditions for the return of Azerbaijani internally displaced persons, can in no way be considered or introduced as a compromise and, *a fortiori*, used as a bargaining chip in the conflict settlement process. As noted above, it is an established principle of general international law that no territorial acquisition resulting from the threat or use of force shall be

recognized as legal. This understanding equally applies to individual rights and freedoms, the violation of which can in no way produce the outcome that was *ab initio* designed by the perpetrator and that would serve for its benefit.

It is therefore, critical that the international community intensifies its efforts to achieve the resolution of the conflict, and the implementation of the UN Security Council resolutions demanding the withdrawal of occupying troops and supporting the return of displaced persons to their places of origin in safety and dignity. In the absence of political will and given the apparent disregard of international obligations, the concept of state responsibility acquires particular importance in relation to the long overdue breakthrough on conflict resolution.