

Reclaiming History, Restoring Rights

The Western Azerbaijani Cause

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“I am sure that there will come a time when our compatriots from Western Azerbaijan, their relatives, children, and grandchildren will return to our historical land, to Western Azerbaijan. I am sure that this day will come. I am sure the Western Azerbaijanis will return to their native lands with great desire and enthusiasm. [...] Western Azerbaijanis are a community that has been illegally deported many times. Their rights must be restored, and they must be able to return to their native lands. When I say this, I can foresee another hysteria in Armenia about Azerbaijan coming and invading them. No! We want to do it peacefully. We want to secure our rights through peaceful means. And let me say again, all conventions recognize this right.”

– Ilham Aliyev, 24 December 2022

The forced displacement of Western Azerbaijanis from their ancestral homes in parts of modern-day Armenia like Zangezur, Irevan (modern-day Yerevan), Sisian, and Gorus represents one of the most profound and underacknowledged human tragedies in the modern history of the South Caucasus. Over the course of the twentieth century, particularly during the Soviet era and the late 1980s, hundreds of thousands of Azerbaijanis were systematically expelled from Armenia as part of a broader campaign of ethnic cleansing driven by nationalist agendas, geopolitical maneuvering, and state-sanctioned persecution. These events, carried out in several waves, resulted in the near-complete erasure of the Azerbaijani presence from areas they had inhabited for centuries.

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Today, the call for justice and the right of return for these displaced populations stands as a matter of historical rectification and a legal imperative rooted in international law. This article examines the historical context, legal foundations, and contemporary relevance of the right of return for Western Azerbaijanis, arguing that their repatriation is essential for achieving lasting peace, reconciliation, and respect for fundamental human rights in the region.

Historical Context of Deportation

Following the 1827-1828 takeover by the Russian Empire of the Iravan Khanate and surrounding areas, thousands of Armenian families from Persian and Ottoman territories settled on fertile lands in the areas of Iravan, Karabakh, Nakhchivan, and Borchali. Article 15 of the Russo-Persian Turkmenchay Treaty (1828) granted residents who wanted to move from Persian territories into Russian ones a one-year period to transport and sell their movable property, goods, or belongings without being subjected to any customs duties or taxes. As for immovable property, a five-year period was granted for its sale or any voluntary disposition under Article 15. Resettlement committees were established in Irevan (Yerevan) and Nakhchivan to organize the relocation of migrants. Significant privileges were granted to the migrants: they were exempt from taxes and state duties for six years, provided with funds paid from the indemnities received from Iran, among other benefits. After certain preparatory measures were taken, the resettlement process began. As a result of this, the number of Armenians relocated from Iran was approximately 40,000–50,000 people. While the treaty did not explicitly reference Armenians, it enabled their large-scale resettlement onto Azerbaijani territories, ultimately reshaping the demographic makeup in favor of a group that had never before been a strong factor. Tsarist Russia's resettlement program aimed to establish a buffer zone between majority Azerbaijani areas now under Russian sovereignty and the Ottoman Empire. As a result, Armenian positions were reinforced, and the process of Armenianizing the Irevan khanate was accelerated as part of Russia's strategy to provide strategic support, comprised of Armenians, against the Turkic-Muslim population in the area. Armenian settlers were also granted special political and legal privileges, with these being progressively broadened over time.

The historical evidence indicates that the deportation and resettlement of Azerbaijanis from Armenia (Western Azerbaijan) began in the eighteenth century and was carried out systematically in three stages: 1905-1920, 1948-1953; and 1988-1992. By the end of this third stage, not a single ethnic-Azerbaijani remained in Armenia. Today, Armenia is one of the most mono-ethnic states in the world.

There is a document titled “List of Razed and Abandoned Muslim (Azerbaijani) Villages in Irevan Governorate as of March 1918” that provides a comprehensive overview of the brutality against the Azerbaijani community, which comprised 199 villages in the Irevan Governorate's Surmalin, Echmiadzin, Novobayazet, and Irevan uyezds (districts) that

were destroyed by Armenian militants. Measures used to drive the native inhabitants out of the areas where their families had lived for centuries included massacres, atrocities, intimidation, and the promotion of fear.

What amounted to a policy of genocide was raised to the state level after the first Republic of Armenia was established inside the boundaries of the Irevan Governorate in late May 1918. This occurred despite the Armenia-Ottoman Treaty of Batum, which was signed on 4 June 1918 (it was, in fact, the first international agreement of modern Armenia). One of its clauses obliged the Armenian government to guarantee the safety and unrestricted advancement of the Muslim population (i.e., Azerbaijanis) living in the country and allow them to freely practice their religion and receive an education in their native tongue.

Soviet Russia and Soviet Armenia signed a military-political agreement in Yerevan on 2 December 1920, resulting in the Sovietization of Armenia. In exchange, Soviet Russia declared that it indisputably recognizes the annexation of the entire former Erivan province, the Zangezur district, and the mountainous part of Gazakh district to Soviet Armenia.

Thus, the Soviet Bolshevik government continued its policy of seizing Azerbaijan's historical lands and handing them over to the Armenian SSR. The aim here was not only to strengthen Armenia, but also to reduce all road connections between the Turkic world and Azerbaijan. This was a clear indication that the policy pursued by Tsarist Russia for the sake of geopolitical interests was also pursued by the Soviet authorities.

The late 1980s saw a revival of ethnic conflicts, escalating quickly to what became known as the First Karabakh War. The start of the third and final of three phases of the deportation and resettlement of Azerbaijanis from Armenia (Western Azerbaijan) was precipitated by Mikhail Gorbachev's dismissal of Heydar Aliyev from all his positions in the Soviet Union's state and party leadership, including First Deputy Chairman of the Council of Ministers and full member of the Politburo in October 1987.

In February 1988, Armenia took the next step by asserting its territorial claims to then-Nagorno-Karabakh Autonomous Oblast of Azerbaijan. From 1987 to 1991, a series of occurrences resulted in the mass departure of Azerbaijanis from Armenia. Specifically, on 8 August 1991, the village of Nuvedi in the Zangezur region experienced the expulsion of its Azerbaijani inhabitants, marking the peak of deportations of ethnic-Azerbaijanis from seven settlements in the Zangezur Megri region, 11 in the Sisian region, 41 in the Kafan region, and four in the Gorus region. During this period, an estimated 300,000 Azerbaijanis had been ethnically cleansed or had been forced to flee from Armenia, effectively eliminating the Azerbaijani community in the country.

Here we can provide two quotes to advance the argument.

The first is by President Ilham Aliyev from 24 December 2022: “We all know and remember that history well. We also know the number of places where Azerbaijanis lived—more than 170 villages were populated solely by Azerbaijanis. I am talking about Armenia, the Republic of Armenia. The Azerbaijanis accounted for the majority of another 90 villages. At the time, Azerbaijanis had lived in more than 300 towns and villages across Armenia. All of them were forced out over the course of three years. They were expelled, and many of them were killed and tortured. All these crimes were taking place with the collusion of the Soviet government. Our last village, Nuvedi, was subjected to deportation in August 1991.”

The second is by the then-President of Armenia, Levon Ter-Petrosyan, said so explicitly, who in an address to the Inaugural Yerkrapah Congress on 23 July 1993 said that “Armenia and Nagorno-Karabakh solved a problem that the Armenian people had not been able to solve for 600 years: Armenia and Artsakh have been completely cleansed of other ethnicities. I say again, this was a 600 year-old problem, and its significance will be felt by the Armenian people for another 600 years. Imagine if today there were those 180,000 non-Armenians in Armenia who lived here until 1988, then today we would not have a state. We would not be able to protect Zangezur, safeguard our northeastern regions, or preserve the shores of Lake Sevan. We would have had several new autonomies here. Let us recall that Azerbaijanis were the majority in three regions: Vardenis, Masis, and Amasia—and they were numerous throughout the Zangezur zone. This problem has been resolved—not as a gift from Heaven, but through the efforts of our movement, [through] the national liberation struggle of our people [led by] the Armenian National Movement [HHS] and its military wing, our units of self-defense, the units of [the] Yerkrapah [Volunteer Union (YMU)]. [And the problem has been resolved] also in Artsakh: today, all the territory of Artsakh, plus much more, is in the hands of Armenians.”

The Right to Return for Reconciliation

In recent years, the Western Azerbaijan Community has actively advocated for these deportations to be formally recognized as a historical injustice. They stress the right of displaced Azerbaijanis to return to their ancestral territories, as supported by international legal standards like the Universal Declaration of Human Rights.

These efforts underscore the ongoing necessity for reconciliation, the restoration of basic human rights, and the safeguarding of cultural heritage. The expulsion of Azerbaijanis from areas such as Zangezur, Irevan, Sisian, and Gorus serves as a powerful reminder of the outcome of ethnic cleansing and the subsequent territorial conflict over Karabakh. Recognizing and confronting these historical occurrences

is essential for promoting enduring peace and mutual comprehension in the South Caucasus.

The tragic repercussions of the expulsion of Azerbaijanis from Western Azerbaijan (now located in Armenia) are well known to the Azerbaijani people. On this matter, the Azerbaijani government passed significant political resolutions. The text of a 18 December 1997 presidential decree titled “On the Mass Deportation of Azerbaijanis from their Historical and Ethnic Lands in the Territory of the Armenian SSR from 1948-1953,” indicates that, as a result of such an inhumane policy, implemented step-by-step, Azerbaijanis had been exiled from their historical native lands, where they had lived for a thousand years. The text further states that they endured extensive acts of violence, resulting in the widespread destruction of their historical landmarks, cultural heritage, and residential areas.

In its “Concept of Return” document, the Western Azerbaijan Community insists on an internationally binding agreement, supported by adequate verification and assurance measures, to facilitate the return of Azerbaijanis who were expelled from what is now Armenia.

Achieving lasting peace in the South Caucasus requires more than political agreements—it demands a deep process of reconciliation rooted in historical truth, justice, and mutual recognition of rights. Rapprochement between Azerbaijan and Armenia must involve acknowledging the suffering and displacement endured by Western Azerbaijanis, many of whom were uprooted from their homes solely due to their ethnic identity. Reconciliation must not be limited to intergovernmental dialogue but should extend to societal healing, cultural restoration, and the rebuilding of trust between communities.

On 24 December 2022, during the inauguration of the West Azerbaijan Community’s administrative center, President Ilham Aliyev addressed a group of intellectuals originally from Western Azerbaijan. On that occasion, he stated that “Western Azerbaijan is our historical land, which is established by a number of historical documents, historical maps, and our history itself. [...] Western Azerbaijan is the historical land of Azerbaijan. The names of cities and villages are of Azerbaijani origin, and we know perfectly well that the Azerbaijani people lived across present-day Armenia throughout history.”

Efforts toward reconciliation must involve inclusive dialogue and international support, focusing on the restoration of rights, the protection of cultural and religious sites, and an official acknowledgment of past injustices. Ultimately, reconciliation must be founded on a shared commitment to human dignity, equality, and coexistence. The return of Western Azerbaijanis to their historical lands should not be seen as a threat, but as a necessary step toward a just and inclusive regional order—one in which both

Azerbaijanis and Armenians can live securely, side by side, with mutual respect and recognition of their histories.

The Right of Return Under International Law

The Azerbaijani government, which is committed to safeguarding the rights of its citizens, employs a comprehensive strategy that includes historical research, legal reasoning, international engagement, and diplomatic dialogue. This multifaceted approach reinforces the consistency of its ideological stance and bolsters international recognition of Azerbaijan's rightful claims. Thorough examination of past events and the development of a scholarly foundation provide the basis for future efforts to defend the rights of hundreds of thousands of Western Azerbaijanis who experienced deportation and ethnic cleansing.

Reciprocity is a key principle in treaty commitments and customary international law. Countries commit to adhering to specific norms or behaviors with the expectation that other countries will likewise comply. In the absence of a powerful global enforcement authority, reciprocity can act as a practical means to ensure adherence and responsibility.

In 1948, the right of return became a recognized norm under customary international law. Since such norms are binding on all UN member states, they are legally required to adhere to the principles they establish. The right to live with dignity is a fundamental human right defined by international legal frameworks. Although humanity has made significant progress in recent decades, the basic right of Western Azerbaijanis—who were forcibly expelled from their ancestral lands in Armenia—remains unfulfilled.

The right of individuals to return to their homes and properties is supported by four distinct areas of international law: nationality law (particularly in the context of state succession), humanitarian law, human rights law, and refugee law (which is a branch of human rights law incorporating elements of humanitarian law). This right applies both to those who have been intentionally prevented from returning after a temporary absence and to those who have been forcibly expelled, whether on a large scale or individually. In situations involving forced expulsion, the legal duty of the originating state to allow these individuals to return is even more compelling under international law. Any governmental action aimed at obstructing the voluntary return of displaced persons is unequivocally forbidden.

Western Azerbaijanis have rights under Article 13 (2) of the Universal Declaration of Human Rights (UDHR), which states that “everyone has the right to leave any country, including his own, and to return to his country.” This article affirms the right of individuals to freedom of movement, specifically emphasizing the right to leave any country, including one's own, and the right to return to one's own country. It protects

individuals from being arbitrarily denied the ability to travel or return home, serving as a key foundation for the right of return in international human rights law.

This right has been flagrantly violated by the forcible removal of Western Azerbaijanis and the legal barriers erected by Armenia to their return. Although the right of Western Azerbaijanis to return to their country has been unjustly restricted since 1988, there are now genuine opportunities following the Second Karabakh War.

The 1951 Geneva Convention on Refugees and its 1967 Protocol also guarantee the right of return for Western Azerbaijanis. The right of return, refugee status, and forced relocation are all governed by this convention and protocol. The terms of this treaty substantially support the right of the evicted Azerbaijanis to return to Armenia because they were deprived of their homelands and subjected to persecution because of their national identity in 1988-1992.

Under international law, individuals who have been forcibly displaced due to ethnic or national persecution have a recognized right to return to their place of origin in safety and dignity. The displacement of Western Azerbaijanis constitutes a clear case of ethnic expulsion, falling squarely within the definition of forced migration as outlined in the Geneva instruments. Furthermore, the ongoing denial of their right to return not only contravenes international refugee law but also impedes reconciliation and long-term regional stability. The 1951 Geneva Convention on Refugees (and its 1967 Protocol) obligates all signatory states, including Armenia, to cooperate in finding durable solutions for refugees, including voluntary repatriation, which remains a legitimate and essential aspiration for the affected Western Azerbaijani population.

The 2015 outcome of the *Chiragov and Others v. Armenia* case brought before the European Court of Human Rights (ECHR) against Armenia also sets an important precedent affirming that the rights of displaced persons, including the right to return and the right to property, must be respected. In this case, ECHR recognized the ongoing nature of violations stemming from prolonged displacement and the denial of access to property and homes. Similarly, the Western Azerbaijanis have experienced violations of their property rights under Article 1 of Protocol No. 1 and their Right to Respect for Private and Family Life under Article 8 of the European Convention on Human Rights. These rights were infringed upon as a result of their forced displacement and the continued denial of access to their homes, lands, and ancestral properties. Their inability to access, use, or control their land constitutes a persistent interference with their property rights and undermines their personal and familial connections to these territories. This ongoing situation deprives them of material assets and disrupts their cultural and social heritage, much like in the *Chiragov* case.

The precedent established by the ECHR reinforces the legal and moral obligation to address such violations and to ensure that displaced populations, including the Western

Azerbaijanis, are afforded appropriate remedies and the possibility of return, restitution, or compensation.

Hence, the history of Western Azerbaijanis is marked by systematic displacement, political persecution, and the denial of fundamental human rights. Despite these grave injustices, the resilience of the Azerbaijani people and the commitment of the Azerbaijani state continue to drive efforts to restore the rights of those who were forcibly uprooted from their ancestral lands. International law—including the Universal Declaration of Human Rights, the Geneva Conventions, and the jurisprudence of the European Court of Human Rights—clearly affirms the right of return and the protection of displaced populations.

As Azerbaijan calls for reciprocity, justice, and the peaceful return of its citizens, the world must recognize the legitimacy of these demands and support efforts aimed at reconciliation, restitution, and the reintegration of Western Azerbaijanis into their historic homeland. The return of these communities is not only a legal and moral imperative, but also a necessary step toward lasting peace, coexistence, and reconciliation in the South Caucasus.