

THE LONG ROAD TO THE ARMENIA-AZERBAIJAN PEACE AGREEMENT: THE PREVALENCE OF THE PRINCIPLE OF TERRITORIAL INTEGRITY OVER THE RIGHT OF SELF-DETERMINATION

Jordi XUCLÀ

Ramon Llull University
Barcelona/Spain

Abstract

On March 13, 2025, Armenia and Azerbaijan announced a peace agreement to conclude a conflict that began in 1988. The disputed region of Nagorno-Karabakh exemplifies a paradigmatic case where the principle of territorial integrity and the right to self-determination have been in conflict for nearly four decades. Ultimately, the principle of territorial integrity has prevailed. This article examines the aspects of the peace agreement that are known so far, particularly the mutual recognition of both countries' territorial integrity based on Soviet-era borders, the necessity to reform the Armenian Constitution to eliminate any territorial claims on Azerbaijan, the prohibition of military deployments from third countries, the renunciation of any future international litigation, and the disbanding of the OSCE Minsk Group.

This text analyses relevant treaties, resolutions from international organizations, and the historical roles of external actors such as Russia, the European Union, and the United Nations. Special attention is given to the legal frameworks established by the UN Charter, the Helsinki Final Act, and the principle of *uti possidetis juris*.

Measures to strengthen the peace agreement are being studied. The analysis emphasizes the importance of combining economic cooperation and inter-community dialogue to promote long-term stability in the South Caucasus.

Keywords

Conflict resolution; international law; Nagorno-Karabakh; peace agreement; self-determination; territorial integrity

1. INTRODUCTION**1.1. From a historic conflict to the announcement of a peace agreement on 13 March 2025**

The Nagorno-Karabakh conflict was one of the most protracted and complex disputes in the post-Soviet space. Since the dissolution of the Soviet Union, Azerbaijan and Armenia have been at odds over this region, a dispute that extends beyond politics to encompass historical, ethnic, and legal dimensions. Nagorno-Karabakh represents a paradigmatic case in which the principle of territorial integrity and the right to self-determination come into conflict within a challenging postcolonial framework, marked by the absence of clear border delimitation mechanisms. Nagorno-Karabakh is a region populated mainly by ethnic Armenians but internationally recognized as part of Azerbaijan, and it has been the center of intense disputes since the Soviet Union's collapse (Saikh 2022). The Karabakh conflict has been driven not only by ethnic factors but was also a manifestation of the legal voids inherited from the Soviet period, where administrative borders were drawn without regard to demographic and cultural realities. Stuart J. Kaufman (1993), a professor of political science and international relations, argues that the conflict is not solely driven by "ancient hatreds" or purely rational pursuit of group interests. Instead, he suggests it involves "passionate politics" where emotional and ideological motivations play a significant role.

In this context, the announcement on 13 March 2025 of a peace agreement confirmed at the same time by the governments of Armenia and Azerbaijan takes on a historical dimension (Reuters 2025, March 13). Implementing the announced agreement will have to face the challenge of border delimitation in a post-Soviet space where the precise delimitation of borders is problematic.

Armenia and Azerbaijan have finalized a peace agreement to conclude over three decades of conflict centered on the Nagorno-Karabakh region. Key provisions of this agreement include (The Guardian 2025):

- **Mutual Recognition of Territorial Integrity:** Both nations will acknowledge each other's territorial boundaries as defined during the Soviet era, renouncing any future territorial claims.
- **Constitutional Amendments:** Armenia has agreed to amend its constitution to eliminate any territorial claims over Azerbaijan, addressing Azerbaijani concerns regarding implied claims in Armenia's founding documents.
- **Non-Deployment of Foreign Forces:** Both countries have consented not to station military forces from third-party nations along their mutual border, aiming to reduce external military influence in the region.
- **Termination of International Legal Actions:** The agreement stipulates that both parties will withdraw existing claims and refrain from initiating new legal proceedings against each other in international courts.
- **Dissolution of the OSCE Minsk Group:** The accord includes provisions for disbanding the OSCE Minsk Group, which previously mediated the conflict, signaling a shift towards direct bilateral negotiations.

While the agreement marks a significant step towards lasting peace, specific issues remain unresolved. In particular, the situation of Armenian detainees in Azerbaijan has not been addressed and no provision has been made for an Azerbaijani corridor through southern Armenia to connect the mainland of Azerbaijan with Nakhichevan.

A notable feature of the peace agreement is that the two sides have renounced the multilateral fora, where they have previously negotiated to focus on a bilateral negotiation and agreement (The Guardian 2025). The successful negotiation of this agreement reflects both nations' commitment to establishing enduring peace and stability in the South Caucasus region.

1.2. Introduction to the historical and legal context of Nagorno-Karabakh conflict

The historical-legal context is crucial for understanding the current claims. In 1921, the Soviet government created the Nagorno-Karabakh Autonomous Oblast within Azerbaijan, but tensions remained. The conflict intensified in the late 1980s as the Soviet Union weakened, leading to the declaration of independence by both Armenia and Azerbaijan. By 1991, after both nations had formally separated from the Soviet Union, the situation escalated into a full-scale war. Since the 1994 ceasefire, intermittent clashes and border skirmishes have persisted, as the Nagorno-Karabakh conflict remains unresolved, and no comprehensive peace agreement has been achieved.

According to Davit Khachatryan (2024), “The Nagorno-Karabakh Armenians’ claim to self-determination has historically been grounded in Soviet law, which allowed autonomous regions limited avenues for asserting political will. However, as Nagorno-Karabakh was not a Soviet republic, its claim lacked the legal standing required for international recognition”. The lack of a unified legal system to resolve internal disputes during the post-Soviet transition exacerbated tensions, creating a situation of political and legal indeterminacy in regions like Karabakh.

From the perspective of international law, borders inherited after decolonization or state dissolution must be respected under the principle of *uti possidetis juris*. This principle is key to the stability of new states, as it prevents unilateral modifications of inherited borders; however, when ethnic communities have self-determination demands, its application becomes complex. “*Uti Possidetis* is a general principle, and its obvious purpose is to prevent the independence and stability of new states from being endangered by fratricidal struggles provoked by the changing of frontiers following the withdrawal of the administering power” (Vinata, Kumala & Setyowati 2021). Moreover, “the international community, through the medium of the European Court of Human Rights, has refused to recognize the identity of Karabakh Armenians. In its judgment in the case of *Chiragov et al. v. Armenia*, the Court found criteria of occupation in the conduct of Armenia in the territories of Azerbaijan, including those claimed by

NKR” (Makili-Aliyev 2023). Ethnic and cultural factors have also spurred heated academic debate. Hannum (1996) cautions that while the right to self-determination is a fundamental principle of international law, it should not be interpreted as an absolute right to independence, particularly when it conflicts with the principle of territorial integrity.

One of the main objectives of this study is to examine the legal foundations that have underpinned territorial claims in the Nagorno-Karabakh conflict, focusing on the key principles of international law that influence its development and resolution. We address fundamental concepts such as territorial integrity and the right to self-determination—two principles which, although complementary in some contexts, can create tension when applied to territorial disputes. Additionally, the analysis covers how international treaties have shaped the legal framework applicable to this conflict, considering UN resolutions and other multilateral efforts that have attempted to mediate the dispute. The roles of institutions like the International Court of Justice (ICJ), the Organization for Security and Cooperation in Europe (OSCE), and the Minsk Group are examined to evaluate their impact and effectiveness in seeking a sustainable solution. The Organization for Security and Co-operation in Europe (OSCE) set up the Minsk Group in 1992 to mediate between the two sides. It is co-chaired by France, Russia, and the United States and has been unable to find a political settlement. In 2007, it presented the six Madrid Principles, revised in 2009, as a basis for negotiations. Armenia and Azerbaijan were unable to agree on the interpretation and implementation of these principles; however, small-scale border clashes continued to take place regularly (European Parliamentary Research Service 2023).

Most publications in both Russian and European languages on Nagorno-Karabakh are devoted to the history and stages of the conflict, interactions, and the positions of the disputing parties (Markedonov 2012), as well as scenarios, prospects, models and settlement mechanisms, and the impact of the main external players (i.e., Russia, USA, EU, Turkey, and Iran) (Kolosov & Zotova 2020).

Furthermore, this study explores legal mechanisms available for peaceful dispute resolution, including negotiation, mediation, arbitration, and

implementing bilateral or multilateral agreements. Using an interdisciplinary approach, elements of international law are integrated with political and geostrategic considerations. This approach allows us to understand the normative frameworks governing border delimitation and the historical, diplomatic, and security factors influencing the conflict's dynamics. This holistic perspective will help identify viable solutions that might contribute to lasting regional stability. In this vein, modern territorial conflicts require solutions integrating history and international law, especially when political and ethnic realities challenge traditional legal frameworks.

2. METHODOLOGY

2.1. Methodological Approach

This study adopts a qualitative methodological approach, using document analysis as the main tool to examine the legal and political complexities of the Karabakh conflict. Through this method, a systematic review of important documents is carried out, including international treaties, UN resolutions, ICJ advisory opinions, and reports issued by multilateral organizations, including OSCE. Documentary analysis allows researchers to construct a coherent interpretation of complex conflicts, facilitating the interconnection between normative frameworks and political and social realities. The robustness of qualitative research does not derive from statistical validation but stems from its systematic methodology, which includes the practice of reflexivity and the unique criteria for ensuring rigor, primarily through establishing trustworthiness (Guba, 1981; Guba & Lincoln 1981; Lincoln & Guba 1985). The study is also grounded in an extensive review of academic literature and secondary sources, including high-impact journal publications, reports from international organizations, and studies by experts in international law.

The secondary data collected through desk research has complemented the findings from the primary data collection. Hart (1999, 13) defines a literature review as: the selection of available documents (both published and unpublished) on the topic, which contains information, ideas, data, and

evidence written from a particular standpoint to fulfil certain aims or express certain views on the nature of the topic and how it is to be investigated, and the effective evaluation of these documents in relation to the research being proposed. Rigorous evaluation of secondary sources helps contextualize the evolution of territorial conflicts and their implications for international law. In this regard, a thematic analysis of the political and legal discourses of the actors involved has been applied, allowing the identification of dominant narratives and argumentative structures in the dispute.

For the purposes of this study, we also employ a legal dogmatic method. The legal dogmatic method describes the right to self-determination and territorial integrity, respectively, to achieve a precise and comprehensive understanding of the legal context. It is worth noting that the notion of territorial integrity—as referenced, for example, in the UN Charter and the Helsinki Final Act—is often treated in scholarly literature as synonymous with the concept of territorial sovereignty (Karimi 2021).

2.2. Comparative Approach and Historical Analysis

To complement the analysis, a comparative approach is employed, examining other territorial conflicts with similar characteristics, such as the case of Kosovo. This comparison helps identify patterns and evaluate the effectiveness of legal frameworks in different scenarios. Forsberg (1996) highlighted the advantages of the comparative method because it did not fall susceptible to the drawbacks in the explanatory power of single cases or quantitative-focused analyses” (Kirk, 2020). According to Keating (2008), comparing territorial conflicts reveals both the universality of certain international law norms and the limitations in their implementation in specific political contexts. Moreover, ethnic conflicts in territorial disputes often follow similar dynamics, which allows lessons and strategies to be extrapolated for their resolution. “Resolving ethnic conflicts requires a multifaceted approach. Power-sharing, mediation, and reconciliation efforts can help address underlying issues and promote peaceful coexistence” (Fiveable 2020). Alongside case studies, this research incorporates historical

analysis to trace the conflict's evolution from the dissolution of the Soviet Union to the most recent clashes. Understanding the historical evolution of territorial disputes is crucial for interpreting national claims and state responses. In summary, the effect of a territorial claim on a domestic public is likely to be conditional on the significance of the territory in their national identity (Fang & Li 2019). Additionally, Brubaker (1996) notes that border conflicts in the post-Cold War era are deeply influenced by historical narratives that shape perceptions of territorial legitimacy. To this end, the study examines official speeches, diplomatic statements, and key media publications to reconstruct the political and legal logic that has guided the conflict's evolution.

2.3. Inclusion of Regional Perspectives

To offer a balanced analysis, relevant regional sources on Azerbaijan's sovereignty and territorial integrity have been considered. The border between Armenia and Azerbaijan has never been fully delimited because it was initially an internal Soviet administrative boundary. This highlights the importance of considering inherited institutional structures in post-Soviet border disputes. The prolonged nature of the Nagorno-Karabakh conflict and the recent efforts to demarcate borders based on Soviet-era maps underscore the challenges in resolving territorial disputes in the post-Soviet space.

Additionally, various experts have pointed out that the intervention of external actors in the South Caucasus has shaped power dynamics in the region and influenced the evolution of its border conflicts. The rise of multipolarity is being promoted by the increasing role of a broad set of external actors – Turkey, Iran and China (Melvin 2024). “Turkey’s unwavering backing of Azerbaijan during the 2020 Karabakh War consolidated Ankara’s footprint in the region. Azerbaijan’s retaking of the rest of Karabakh in the latest military strikes on 19 September 2023 makes a peace accord between Azerbaijan and Armenia more likely, furthering Turkey’s interests and potentially limiting Russia’s role in the region” (Azizi & Isachenko 2023).

States often invoke international law and resolutions to legitimize their territorial claims and strengthen their negotiating dispute positions. This analysis helps contrast the perception and application of international norms with regional reality, identifying gaps between legal theory and diplomatic practice.

2.4. Multidimensional Approach

To ensure a comprehensive understanding of the conflict, the study adopts an analytical structure segmented into various thematic dimensions, addressing legal, political, social, and humanitarian aspects of border delimitation. Kymlicka (1995) argues that territorial conflicts cannot be analysed solely from a legal perspective; they require consideration of identity factors and distributive justice. Similarly, King (2008) maintains that a methodology incorporating multiple perspectives allows one to assess not only international law but also the practical effects of its application in complex geopolitical contexts. Finally, the study underscores the importance of international mediation and multilateral efforts to achieve a sustainable solution. Previous cases of resolving territorial conflicts are analysed, extracting lessons applicable to Nagorno-Karabakh. The combination of these approaches provides an integral view of the conflict and its possible solutions within the international law and international relations framework.

3.HYPOTHESIS

1. In the historic Nagorno-Karabakh conflict, the principle of territorial integrity and the right to self-determination have conflicted in a complex post-Soviet context marked by the absence of clear border delimitation mechanisms.
2. The resolution of the conflict between Armenia and Azerbaijan and the delimitation of their borders may have been stalled in various multilateral

forums for decades. In this context, confidence-building mechanisms between the parties are key to overcoming the impasse and resolving the conflict.

4. THEORETICAL FRAMEWORK AND DISCUSSION

4.1. Legal Foundations of the Conflict

4.1.1. The Principle of Territorial Integrity

The principle of territorial integrity, enshrined in Article 2(4) of the UN Charter, prohibits the use of force against the sovereignty and political independence of any state (UN 1945). This principle is a fundamental pillar of the contemporary international legal system, designed to preserve global stability and prevent the fragmentation of states. In the case of Nagorno-Karabakh, Azerbaijan has repeatedly asserted its territorial sovereignty, drawing support from UN Security Council Resolutions 822, 853, 874, and 884, which demand the immediate withdrawal of Armenian forces from the occupied territories and reaffirm Azerbaijan's territorial integrity.

The International Court has held that "the scope of the principle of territorial integrity is confined to the sphere of relations between States (ICJ 2010). "One of the basic principles of International Law is respect for the territorial integrity of States. The scope of application of this principle is the sphere of relations between States, its essential objective being to guarantee the non-interference of one state with another as a basic principle of international relations (Territorial Sovereignty Conflicts Code of Good Practice – Report 2020). Applying this principle to Nagorno-Karabakh poses significant challenges due to the facts on the ground, where local and regional forces have altered territorial control since the Soviet Union's dissolution. It is emphasized that respect for territorial integrity is fundamental for the stability of the South Caucasus region and to avoid setting precedents that could lead to a proliferation of separatist movements elsewhere.

The application of territorial integrity is also linked to the doctrine of *uti possidetis juris*, which ensures that the borders of former administrative units are respected upon independence. This doctrine is essential to avoid chaos in the

formation of new states. In Azerbaijan's case, *uti possidetis juris* validates its claims over Karabakh, as the region was within its recognized boundaries during the Soviet era. Inheriting territorial frontiers when independence is achieved is substantiated by the international judiciary and arbitration processes. The ICJ made this point very clear in the Frontier Dispute and Land, Island and Maritime Frontier Dispute cases" (Jankovic, Roeben 2022).

However, this principle has encountered practical challenges due to demographic and ethnic factors complicating effective border delimitation. UN Security Council resolutions have had a very significant impact in reinforcing the principle of territorial integrity. Resolutions 822 and 853 stress the need to restore internationally recognized borders, while Resolution 884 underscores the importance of state sovereignty for maintaining international peace and security. These resolutions set a precedent for handling similar conflicts in other regions.

Furthermore, the UN International Law Commission has highlighted that "recognition of territorial integrity is a determining factor in the stability of post-colonial and post-Soviet states, preventing the proliferation of territorial disputes" (International Law Commission 2002). UN resolutions in conflicts like Nagorno-Karabakh serve not only as legal guidelines but as an international consensus that reinforces state sovereignty and restricts unfounded secessionist claims.

The International Court of Justice has also recognized territorial integrity as a cornerstone of international law. In the case of Mali vs. Burkina Faso (1986), the ICJ declared that respect for inherited borders is indispensable for stability and peace in post-colonial and post-imperial states (ICJ 1986). This reinforces Azerbaijan's position in its claims over Karabakh since the region was always part of its recognized borders in the Soviet era and under international law. On the other hand, experts argue that territorial integrity and the principle of non-intervention must prevail over self-determination claims that do not meet international law standards, especially when recognized borders are violated.

In summary, the principle of territorial integrity is a central axis in resolving the Nagorno-Karabakh conflict, reinforced by both UN resolutions and international legal doctrine. Despite challenges in its application due to the region's

geopolitical and ethnic dynamics, it remains the fundamental framework underpinning Azerbaijan's claims and international resolutions supporting its sovereignty.

4.1.2. The Right to Self-Determination

The people's right to self-determination and the principle of territorial integrity of states are two of the most fundamental principles of international law. The right of peoples to self-determination, enshrined in Article 1 of the UN Charter and the International Human Rights Covenants, is a fundamental principle of international law (UN 1945). However, its application in territorial conflicts like Nagorno-Karabakh has generated controversy due to its potential conflict with state territorial integrity.

The UN General Assembly has stated that self-determination cannot be exercised to the detriment of the territorial integrity of a recognized sovereign state (UN, 1970). Doctrine highlights the distinction between internal and external self-determination. Internal self-determination implies the right of peoples to participate in government within a state framework, whereas external refers to the possibility of secession or independence. Self-determination claims must be evaluated cautiously, considering whether internal mechanisms exist to guarantee minority rights without altering state borders. Allen Buchanan also supports territorial integrity as a moral and legal aspect of constitutional democracy" (Buchanan 2007).

The ICJ's Advisory Opinion on Kosovo (2010) is relevant to the Karabakh case. The ICJ determined that "Kosovo's declaration of independence did not violate international law, as there was no specific prohibition against such declarations" (ICJ). However, the validity of a declaration of independence does not automatically imply international recognition or legitimacy under customary law. Nevertheless, Nagorno-Karabakh's lack of widespread recognition limits its ability to exercise the right to external self-determination fully. In Karabakh's case, the situation is complicated by the lack of international recognition and the absence of a political process supervised by the international community. Karabakh's self-determination claims lack a solid legal basis without an

accepted legal framework and UN recognition. Any attempt by Armenia to encourage, procure, or sustain the secession of the Nagorno-Karabakh region is simply unlawful in international law as amounting to a violation of the principle of respect for the territorial integrity of States and imports the responsibility of that State.

Armenia's speculations concerning the principle of self-determination have nothing in common with that principle, as it is set forth in the Charter of the United Nations, the 1975 CSCE Helsinki Final Act, and other international documents. International recognition is a crucial element in forming new states; without it, separatist entities face a prolonged legal limbo.

Another key aspect is the approach adopted by the OSCE in its mediation attempts. The Minsk Group has repeatedly stated that "any solution to the conflict must respect Azerbaijan's sovereignty and territorial integrity, while ensuring the rights and security of Nagorno-Karabakh's Armenian population" (OSCE 2016). This principle highlights the importance of a negotiated solution within the framework of international law, avoiding scenarios of unilateral independence without recognition.

Finally, international practice in other conflicts has reinforced the tendency to prioritize territorial integrity over secessionist claims, except in cases of severe human rights violations and genocide, as evidenced by South Sudan's secession after a protracted civil war. In Karabakh's case, the international criteria to justify a forcible secession have not been met. In conclusion, the right to self-determination in Nagorno-Karabakh must be interpreted in the context of the principles of territorial integrity and regional stability. Despite historical and political arguments in favor of self-determination, contemporary international law favors negotiated solutions and respect for recognized borders, reinforcing the need for an agreement that guarantees both Azerbaijan's sovereignty and the rights of the region's Armenian population.

4.1.3. Applicable Resolutions and Treaties

The international system has adopted multiple normative instruments to address territorial conflicts, and in the case of Karabakh, UN Security Council

resolutions and various multilateral treaties stand out. Among these, the Helsinki Final Act (1975) establishes fundamental principles such as the inviolability of frontiers and the territorial integrity of states, underscoring the importance of resolving disputes by peaceful means.

Regarding international mediation, the OSCE's Minsk Group played a central role in conflict resolution efforts. However, the absence of coercive mechanisms has limited its effectiveness since the parties are not obliged to accept its recommendations. The Eritrea-Ethiopia Boundary Commission (EEBC) was tasked with delimiting the border based on pertinent colonial treaties and applicable international law, providing a clear legal basis for its decisions¹.

Moreover, international humanitarian law is a key element in this context. Based on the Geneva Conventions, the civilian population and individual civilians shall enjoy general protection against the dangers of military operations. The following rules shall be observed in all circumstances to effect this protection. Compliance with these norms is essential to ensure that any solution respects human rights and the international normative framework (*Protocol Additional to the Geneva Conventions 1977*)².

Another relevant document is the International Covenant on Civil and Political Rights of 1966, which recognizes peoples' right to self-determination but conditions its exercise on respect for international law and the territorial integrity of states (International Covenant on Civil and Political Rights, *Right to Self-Determination* (1966)). This principle reinforces Azerbaijan's stance on the sovereignty of its borders and the need for a negotiated solution.

The experience of other border conflicts offers valuable precedents. International arbitration in the dispute between Eritrea and Ethiopia, facilitated by the Eritrea-Ethiopia Boundary Commission (EEBC), resulted in a legally binding decision based on principles of international law.

¹ Permanent Court of Arbitration, Case No. 99 (n.d.), <https://pca-cpa.org/en/cases/99/> (last visited Mar 13, 2025).

² Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) (1977)

In the context of multilateral commitments, the Alma-Ata Declaration (1991), signed by the ex-Soviet republics, recognized the inherited USSR borders and established the principle of *uti possidetis juris* as the basis for territorial stability in the region (Alma-Ata Declaration, *Recognition of USSR Borders and Uti Possidetis Juris* 1991). This principle supports Azerbaijan's territorial integrity in resolving the conflict.

From a legal perspective, border delimitation must be based on principles of stability and predictability, avoiding unilateral changes that could set destabilizing precedents. This aligns with the UN's approach, which in similar conflicts has prioritized recognizing established borders as a measure to prevent fragmentation and further tension.

Finally, the UN General Assembly has adopted several resolutions reaffirming the inviolability of borders and the need to resolve disputes through peaceful means, reinforcing the relevance of a multilateral framework in resolving the Nagorno-Karabakh conflict (*UN General Assembly Resolution on Territorial Integrity* 2008).

4.1.4. Delimitation and Demarcation after the War

Since the end of the 2020 conflict, negotiations between Azerbaijan and Armenia have been marked by the issue of border delimitation and demarcation. In various meetings facilitated by the European Union and Russia, Azerbaijan has insisted on resolving this issue as an essential prerequisite for normalizing relations.

However, Armenia has presented various demands that have hindered the process, delaying it for more than three years. In response, Azerbaijan has reiterated that border delimitation and demarcation should not be subject to preconditions but should be addressed immediately and in a technical manner, without linkage to other political demands.

Azerbaijan's position is reflected in its official proposal outlining fundamental principles for normalizing bilateral relations, presented to Armenia. In this document, Baku emphasizes that a clear definition of borders is an

indispensable step toward signing a definitive peace treaty and consolidating regional stability.

In conclusion, the international legal framework supports Azerbaijan's territorial integrity and provides various tools for conflict resolution. Implementing a more structured mediation process, along with international arbitration mechanisms, could accelerate the final delimitation of borders and the signing of a lasting peace agreement.

5. INTERNATIONAL ACTORS AND THEIR INFLUENCE ON THE CONFLICT

5.1. The Role of Russia

Russian foreign policy has undergone several paradigms shifts since the establishment of the modern Russian state. Russia has played a central role in the Nagorno-Karabakh conflict, acting both as a mediator in peace processes and as an actor with its own geopolitical interests.

Until recently, Russia was Armenia's principal ally, with extensive cooperation in political, economic and military spheres. Armenia remains significantly dependent on Russian gas and energy, and the Armenian economy relies on remittances from Armenian guest workers of Armenian origin in Russia. At the same time, the railroads are controlled by Russian companies, and the state border with Turkey has been guarded by Russian military forces until now (Gadimova-Akbulut & Petrosyan, 2024). The Russian military base in Gyumri, established under a 1998 bilateral agreement, is set to remain operational until 2044 (*Charter of the Collective Security Treaty Organization* 2002).

Additionally, Armenia is the only country in the South Caucasus that is a member of the Russia-backed Collective Security Treaty Organization, which obligates member states, including Russia, to support each other in the event of a military threat (*Charter of the Collective Security Treaty Organization* 2002).

At the same time, Russia has established strategic ties with Azerbaijan, particularly in the energy sector.

There were major changes in Caucasus-oriented policies from the Russian side. First, a re-approach to Azerbaijan. Although Azerbaijan had moved away politically from Russian precepts to rely on Turkey as an ally in the war, both in alliances and in arms purchases and the use of pipelines to extend its market to Europe as a strategy to maintain its independence, Russia did not punish this rapprochement as it might have done with Georgia in 2008. After the 2020 war, Russia solidified its influence by negotiating and guaranteeing the ceasefire agreement. This deal included the deployment of Russian peacekeeping forces in Nagorno-Karabakh, which reinforced Russia's role as the primary intermediary in the region. Russia's strategy in post-Soviet conflicts reflects a balance between maintaining regional stability and protecting its strategic interests. However, its mediation has also been criticized for perpetuating a status quo favourable to its interests, limiting the parties' autonomy in resolving the conflict.

According to Broers (2016), Russia's entire policy on the Armenian Azerbaijani conflict was for decades predicated on the avoidance of making a choice between the sides. Russia's roles were complex – mediator, ally, arms supplier, deterrent – as it acted in different ways to sustain the conflict, and by extension, its leverage over both Armenia and Azerbaijan. On the other hand, Russia leverages its regional influence to counteract the impact of other international actors like the European Union and the United States. This approach has led to perceptions of bias in its mediator role, complicating the implementation of impartial legal solutions based on principles of international law. Moreover, Russia has used the Karabakh conflict as an opportunity to reinforce its position as an indispensable arbiter in the South Caucasus, thereby securing its strategic influence.

5.2. The European Union and the United States

In contrast with Russia, Western influence in the South Caucasus diminished after the Second Karabakh War amid the intensified presence of Russia and Turkey in the region. While the EU and the United States welcomed the

deployment of the Russian peacekeeping force as a measure that prevented the Azerbaijani attack on Khankendi/Stepanakert/, they sought alternative ways to regain influence in the peace process and the future normalization of the Armenian Azerbaijani relations.

In this context, the OSCE Minsk Group continued to function as the main negotiating platform after the 2020 war and until the recent announcement of a peace agreement between Armenia and Azerbaijan, which included dismantling this negotiating platform. In the months leading up to the Russian attack on Ukraine in February 2022, both Western countries and Russia expressed interest in cooperating within the existing diplomatic framework. Through their participation in the OSCE Minsk Group, both actors have promoted mediation initiatives aimed at facilitating dialogue between the conflicting parties. However, these initiatives have faced significant limitations due to the lack of enforcement mechanisms and geopolitical rivalry with Russia. With the announcement of the bilateral peace agreement between Armenia and Azerbaijan, this multilateral negotiation platform is doomed to disappear, while its inadequacy is also evident.

The EU has sought to promote economic development and stability in the South Caucasus through programs like the Eastern Partnership. These initiatives are designed to strengthen democratic institutions and foster economic integration, creating a more favourable environment for conflict resolution.

Since the fall of the Soviet Union, the EU's engagement with the South Caucasus has focused on expanding economic development and cooperation. Over the past thirty years, the EU expanded trade with all three countries in the region, starting with applying WTO special provisions for developing countries, the so-called Generalised Scheme of Preferences (GSP), to Georgia in 1995 and Armenia in 2006. With both countries, the EU also concluded the so-called Partnership and Cooperation Agreements (PCA) in 1996, which outlined economic cooperation¹. With Azerbaijan, the EU also concluded a PCA in 1996, which

¹ Partnership and Cooperation Agreement Between the European Communities and Their Member States, and the Republic of Armenia – Protocol on Mutual Assistance Between Authorities in Customs Matters – Final Act – Joint Declarations – Exchange of

currently does not include trade preferences but eliminates trade quotas¹. Nevertheless, the EU's influence remains limited compared to Russia's.

Additionally, the lack of a unified approach among EU member states has made it difficult to implement coherent policies toward the region. The EU has also tried to reinforce its presence through monitoring missions, such as the one deployed on the Armenia-Azerbaijan border in 2023.

"The U.S. policy toward the Armenia-Azerbaijan conflict has both been straightforward and inconsistent, representing a balancing act between the interests of the conflicting parties themselves (in the case of Armenia and Azerbaijan) and those of the regional powers, especially Russia" (Jafarova 2022). This dual approach has drawn criticism for a lack of coherent and effective strategy to address the conflict.

Moreover, increasing U.S.-Russia competition in the region has complicated mediation efforts, reducing the prospects for effective cooperation to resolve the conflict. Diplomatically, Washington has promoted bilateral initiatives, such as facilitating negotiations between Azerbaijan and Armenia at the White House in 2022. However, the lack of tangible results has led to questions about the effectiveness of the U.S. strategy in the conflict.

5.3. The United Nations and Other Multilateral Bodies

The United Nations has played an essential role in reaffirming the principles of international law applicable to the Nagorno-Karabakh conflict. Security Council Resolutions 822, 853, 874, and 884 have emphasized the importance of

Letters on the Establishment of Companies – Declaration of the French Government (1996)

¹ Partnership and Cooperation Agreement Between the European Communities and Their Member States, and the Republic of Azerbaijan – Protocol on Mutual Assistance Between Authorities in Customs Matters – Final Act – Joint Declarations – Exchange of Letters on the Establishment of Companies – Declaration of the French Government (1996)

respecting Azerbaijan's territorial integrity and urged the withdrawal of Armenian forces from occupied territories.

However, implementing these resolutions has been limited due to the lack of effective mechanisms to ensure compliance. The Council of Europe has advocated for greater protection of human rights in the conflict's context, highlighting the need to ensure the rights of displaced communities and promoting compliance with international humanitarian law as a key step toward reconciliation. Furthermore, the European Court of Human Rights (ECHR 2021) has issued rulings related to human rights violations in the region, setting precedents on state responsibilities in territorial conflicts.

6. MEASURES TO ANCHOR THE PEACE AGREEMENT ANNOUNCED ON 13 MARCH 2025

6.1. Direct Negotiation

Direct negotiations between Armenia and Azerbaijan have been the most common mechanism for attempting to resolve the Karabakh conflict. With the announcement of the peace agreement on March 13, 2025, it has emerged as the most effective mechanism. However, in the past, this method has faced numerous obstacles, such as mutual distrust, irreconcilable differences over the status of Nagorno-Karabakh, and a lack of mechanisms to ensure compliance with previous agreements. For this reason, the current announcement of a peace agreement should be considered a historic event, marking a turning point in the region's geopolitical stability. Since the 1990s, negotiations have been intermittent and frequently interrupted by outbreaks of violence. Both sides held conflicting views on fundamental aspects, such as Nagorno-Karabakh's final status. Armenia has historically insisted on the right to self-determination of the region's Armenian population. In contrast, Azerbaijan has repeatedly stressed the importance of preserving its territorial integrity.

Furthermore, direct negotiations have often been influenced by pressure from external actors with strategic interests in the region. Russia, for example, has played an ambivalent role by acting as a mediator but also as Armenia's

strategic ally and Azerbaijan's commercial partner. This dual role has fostered distrust among the parties and the international community.

However, historical examples show the potential of direct negotiations when properly structured. For example, the peace process between Egypt and Israel in 1978, facilitated by the Camp David Accords, demonstrated that even the deepest disputes can be resolved through sustained commitment and a clear negotiation framework. Another crucial element for successful direct negotiations is including civil society and affected communities in the dialogue process.

According to Lederach (1997), "sustainable peace is built from the ground up, involving those most directly affected by the conflict." In Nagorno-Karabakh's case, the participation of civil society organizations could help address humanitarian concerns and create a more favourable environment for political dialogue. However, to be effective, they must be supported by confidence-building measures such as cessation of hostilities, prisoner exchanges, and joint projects benefiting both communities.

In this conflict, we have seen statements from leaders such as Azerbaijani President Ilham Aliyev, who emphasized the importance of direct talks to achieve a peace agreement and recognized the need for Armenia to recognize Azerbaijan's territorial integrity (Anadolu Agency 2024). However, Armenian leaders have historically expressed skepticism about diplomatic solutions, highlighting the difficulties in reaching a mutually acceptable agreement (Radio Liberty 2023). All this has changed radically with the announcement of the peace agreement of March 13, 2025. Direct negotiations are now the only guarantee of the agreement's implementation and represent a centrifugation of international actors who have demonstrated their inability to contribute to a solution to the conflict.

6.2 Arbitration and International Adjudication

A notable example of successful arbitration was the case between Eritrea and Ethiopia, handled by the Eritrea-Ethiopia Boundary Commission (EEBC). In that

case, arbitration led to a clear border delimitation, although implementation faced difficulties due to political tensions. This precedent demonstrates that arbitration can be an effective tool, provided the parties are willing to respect the decisions. Arbitration provides a neutral and objective framework for resolving complex disputes, especially when direct negotiations have failed to produce concrete results. However, the effectiveness of this mechanism depends on mutual consent to submit to the process and accept the ruling. Conversely, the International Court of Justice offers a judicial forum that has been instrumental in resolving territorial and border disputes. Cases like *Burkina Faso vs. Niger* (2013) or *Cambodia vs. Thailand over the Temple of Preah Vihear* (2011) highlight how the ICJ can provide legal clarity in protracted conflicts. Moreover, it is crucial that local reconciliation initiatives complement any arbitration or international adjudication process. This includes involving affected communities in designing and implementing decisions, which can help mitigate tensions and build support for proposed solutions. Lederach (1997) observes that "the sustainability of international agreements depends on their ability to address the needs and concerns of local communities." The announcement of the bilateral peace agreement, which stipulates that both parties will withdraw existing claims and refrain from initiating new legal proceedings against each other in international courts, definitively rules out mediation and international arbitration as the primary source of conflict resolution.

6.3. Hybrid and Regional Solutions

President Ilham Aliyev of Azerbaijan has repeatedly expressed his country's willingness to advance in delimiting the border with Armenia. In the post-war phase, diplomatic interactions between the two countries have revolved around three key issues: signing a peace treaty, preventing new hostilities, and resolving the border delimitation and demarcation process. A significant milestone was the trilateral meeting on January 11, 2021, in Moscow, involving the leaders of Azerbaijan, Armenia, and Russia. This meeting was the first high-level diplomatic contact after the end of the 2020 conflict. As a result, the Moscow

Declaration was signed – a four-point agreement that laid the groundwork for the peacebuilding process between the parties. Until the announcement of a peace agreement on March 13, 2025, Azerbaijan and Armenia have been actively working to delimit their borders after decades of conflict. In April 2024, both countries agreed to demarcate their border based on Soviet-era maps as a first step toward a potential peace treaty. As part of this agreement, Armenia returned to Azerbaijan four uninhabited villages in the Tavush province: Bağanis Ayrum, Aşağı Əskipara, Xeyrimli, and Qızılhacılı. Armenian Prime Minister Nikol Pashinyan deemed this decision an alternative to war, though it sparked domestic protests in Armenia (The Guardian 2024). During the negotiations, Azerbaijan demanded the opening of a corridor connecting its mainland with Nakhchivan via Armenia, which has been a source of controversy. It remains to be seen whether this issue has been resolved in the announced peace agreements.

6.3.1 *Economic Integration and Cross-Border Cooperation*

From a regional perspective, economic cooperation can be crucial in consolidating peace. Organizations like the Commonwealth of Independent States (CIS) and the Black Sea Economic Cooperation (BSEC) can facilitate joint projects in infrastructure, energy, and trade. Developing strategic transportation corridors, such as the Zangezur Corridor, would improve connectivity between Azerbaijan, Armenia, and other countries in the region, fostering economic interdependence and reducing incentives for conflict. History shows that economic integration has been key to stability in post-conflict regions, as seen in the case of the European Union after World War II.

6.3.2 *Cultural Diplomacy and Intercommunity Dialogue*

Beyond geopolitical and economic issues, inter-community reconciliation is essential for long-term peace. Initiatives in cultural diplomacy, academic exchanges, and projects to preserve shared heritage can help rebuild trust between Armenian and Azerbaijani communities. Sustainable peace requires the

creation of interpersonal and community relationships that challenge narratives of division and hostility. Educational and cultural cooperation programs have proven effective in other protracted conflicts, such as in the Balkans, where rebuilding social fabric has been key to regional stability.

7. VALIDATION OF THE HYPOTHESES

1. The first hypothesis has been partially validated. In the conclusion of the peace agreements between Armenia and Azerbaijan, the principle of territorial integrity prevailed over the principle of self-determination in the resolution of the historic Nagorno-Karabakh conflict. On the contrary, it has not been possible to validate that the weak border delimitations during the Soviet era were a problem in reaching the peace agreement.

2. The second hypothesis has been fully validated. The resolution of the conflict between Armenia and Azerbaijan and the delimitation of their borders has overcome decades of stalemate through bilateral negotiations between the two parties. Multilateral negotiation forums and third-party countries involved in conflict resolution have been relegated to the search for a stable and lasting solution. Confidence-building mechanisms between the parties have been key to reaching the peace agreement.

8. CONCLUSIONS

The Nagorno-Karabakh conflict has been one of the most complex challenges in contemporary international law. It is situated at the intersection of fundamental principles such as territorial integrity and the right to self-determination. Ultimately, the principle of territorial integrity prevailed over the right to self-determination. The study concludes that the uniform application of international law is essential to ensure a fair and sustainable resolution of conflicts in the arena of international public law.

On March 13, 2025, Armenia and Azerbaijan announced a historic peace agreement to end over three decades of conflict. Key provisions include mutual recognition of territorial boundaries, Armenian constitutional amendments to remove territorial claims, a ban on foreign military deployments, withdrawal of international legal actions, and the dissolution of the OSCE Minsk Group, shifting negotiations to a bilateral format. However, unresolved issues remain, such as Armenian detainees and the status of an Azerbaijani corridor through Armenia.

The parties have realized that in a highly volatile geopolitical context, only a prudently negotiated bilateral agreement could provide a stable and lasting solution.

The legal complexities of the conflict stem from Soviet-era border policies when Nagorno-Karabakh was an autonomous region within Azerbaijan. The principle of *uti possidetis juris*—preserving inherited borders—clashes with ethnic self-determination claims, complicating legal recognition. International courts, including the European Court of Human Rights, have sided with Azerbaijan's territorial claims.

This research has investigated the legal and geopolitical aspects of the conflict, including the role of international law, previous mediation initiatives, and dispute resolution mechanisms. A comprehensive resolution requires the integration of historical, legal, and political perspectives to ensure long-term regional stability.

The principle of territorial integrity, enshrined in Article 2(4) of the UN Charter, prohibits the use of force to alter a state's sovereignty. In the case of Nagorno-Karabakh, this principle reinforces Azerbaijan's position, supported by several UN Security Council Resolutions (822, 853, 874, and 884), which recognize Azerbaijan's territorial integrity and demand the withdrawal of Armenian forces.

The right to self-determination is another fundamental principle of international law, but its exercise cannot undermine the territorial integrity of a recognized state. In the case of Nagorno-Karabakh, the lack of international recognition of its independence limits its ability to exercise this right fully. The International Court of Justice (ICJ) has ruled in other cases (such as Kosovo) that a declaration

of independence does not necessarily violate international law, but this does not automatically imply international recognition.

Various international treaties and resolutions have influenced the management of the conflict. The Helsinki Final Act (1975) establishes the inviolability of borders and territorial integrity. The Alma-Ata Declaration (1991) reaffirms the principle of *uti possidetis juris*, maintaining the administrative borders of former Soviet states after their independence, thus reinforcing Azerbaijan's claims over Nagorno-Karabakh.

After the 2020 war, border delimitation and demarcation have been one of the main points of conflict between Armenia and Azerbaijan. While Azerbaijan insists on resolving this issue technically and without political preconditions, Armenia has presented various demands that have delayed the process.

The role of the International Community could be instrumental in this new phase. International actors could provide technical and political support necessary to implement peace agreements. However, for these efforts to be effective, promoting confidence-building measures between the parties through economic and cultural cooperation programs is essential.

Throughout this study, we have analysed the legal, political, and historical dimensions of the conflict, highlighted the limitations of existing international mechanisms, and identified opportunities for a sustainable solution based on the bilateral agreement reached.

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