

STATEMENT ON THE OSCE MINSK PROCESS

The non-governmental organizations “Protection of Rights without Borders”, “International and Comparative Law Center” and “Artsakh Union” express grave concerns and objections to the joint initiative of Azerbaijan and Armenia to request the closure of the OSCE Minsk process. We call upon the OSCE participating States, especially the participants of the Minsk Process, the Chairperson-in-Office and the OSCE institutions to evaluate the consequences of this closure in terms of compliance with the Helsinki Final Act, OSCE commitments, including in human dimension, and the expected aim of the Minsk process as stated in the Helsinki additional meeting decision and the Budapest Summit decision.

On 8 August 2025, in Washington, Armenia and Azerbaijan initialled an Agreement on the Establishment of Peace and Inter-State Relations between the Republic of Armenia and the Republic of Azerbaijan (hereinafter – Agreement). The ministers of foreign affairs also signed a joint letter to the OSCE requesting the dissolution of the Minsk Group processes and related structures.¹

On 11 August, the Armenian MFA reported circulating a joint appeal by Armenia and Azerbaijan on the closure of the OSCE Minsk Group processes and related structures, along with the proposed draft decision.²

On 21 August, the President of Azerbaijan, in his speech, stated that “We have achieved our goals. The infamous Minsk Group is now in its final days”.³

As reported in the media, Finland, as the OSCE Chairpersonship-in-Office, has launched the process to respond to the joint appeal.⁴

At its meeting in Helsinki in 1992, the then-CSCE Council requested the Chairman-in-Office to convene as soon as possible a conference on the Nagorno-Karabakh conflict. This event was to take place in Minsk and provide a forum “for negotiations towards a peaceful settlement of the crisis on the basis of the principles, commitments and provisions of the CSCE”. In the document adopted at the Additional meeting of the CSCE Council in Helsinki in 1992, the Ministers agreed that the Conference would have as participants Armenia, Azerbaijan, Belarus, the Czech and Slovak Federal Republic, France, Germany, Italy, the Russian Federation, Sweden, Turkey and the United States of America. Elected and other representatives of Nagorno-Karabakh will be invited to the Conference as interested parties by the Chairman of the Conference after consultation with the States participating in the Conference.

¹ “Foreign Ministers of Armenia and Azerbaijan Signed Statement on Closure of Structures Related to OSCE Minsk Group,” August 9, 2025. <https://www.1lurer.am/en/2025/08/09/Foreign-Ministers-of-Armenia-and-Azerbaijan-signed-statement-on-closure-of-structures-related-to-OS/1360539>

² <https://armenpress.am/en/article/1226990>

³ “President Aliyev Reveals Purpose Behind Past Free Arms Supplies to Armenia.” Aze.Media, August 21, 2025. <https://aze.media/president-aliyev-reveals-purpose-behind-past-free-arms-supplies-to-armenia/>

⁴ “The OSCE Chairman-in-Office will hold consultations on the closure of the Minsk Group. Azerbaijani media, Tert.am, August 18, 2025. <https://tert.am/en/news/2025/08/18/armenia-azerbaijan/4240648>

In 1994, the OSCE Budapest Summit established the so-called Minsk Group, which was meant to work for the creation of conditions in which such a conference could take place. On 23 March 1995, the Chairperson-in-Office mandated the Co-Chairs (France, Russia and the USA) of the Minsk Group to provide an appropriate framework promoting a resolution of the conflict **without the use of force** (emphasis added)⁵ and, in particular, facilitating negotiations for a peaceful and comprehensive settlement with a view to permit the convening of the Minsk Conference to comprehensively address the issues.

However, the agreement presented as the basis for the peaceful settlement of the Nagorno-Karabakh conflict was, in reality, drafted and initialed under the threat of force. It does not reflect a balance of interests. The document omits essential elements of transitional justice and fails to embody the fundamental characteristics of a genuine peace treaty. On the contrary, it entirely excludes one of the principal parties to the conflict and contains provisions that deny victims any prospect of justice.

In this context, it is evident that none of the objectives of the Minsk process can be deemed fulfilled by the initialed agreement between Armenia and Azerbaijan. In particular:

1. The Initialed Agreement Does Not Constitute a Negotiated Conflict Resolution

This so-called “peace agreement” represents not a genuine settlement, but rather the final act of aggression in the large-scale military offensive launched by Azerbaijan against Nagorno-Karabakh and Armenia in 2020 and in its aftermath. Azerbaijan has repeatedly and openly acknowledged that it resorted to the use of force to “solve” the conflict, declaring, for example, that “*we have proved that there was a military solution*”⁶, and that “*Azerbaijan ensured peace by war.*”⁷ Such assertions, and the actions underpinning them, are in flagrant violation of Azerbaijan’s commitments under the OSCE, as well as its obligations arising under the Council of Europe and the United Nations. Moreover, Azerbaijan continues to occupy the sovereign territory of the Republic of Armenia. This fact alone suffices to classify the situation as an international armed conflict under the Geneva Conventions of 1949 - one that persists to this day.

On 21 August 2025, the President of Azerbaijan declared⁸:

“... we were moving towards the goal of leaving not a single separatist on our lands”, and “For us, September 19-20, 2023, are just as glorious and historic days as November 8. Since then, the Azerbaijani people have been living in peace and, I am sure, will continue to live in peace. You know that the Armenia-Azerbaijan reconciliation process has almost been completed, and the

⁵ OSCE. “Mandate for the Co-Chairs of the Minsk Process,” <https://www.osce.org/mg/70125>.

⁶ <https://president.az/en/articles/view/45924>

⁷ See, for example, “Azerbaijan waged aggressive war against Armenia and Karabakh, President Aliyev admits,” May 1, 2024. <https://news.am/eng/news/820931.html>

⁸ “President Ilham Aliyev met with Kalbajar residents and presented apartment keys,” August 21, 2025. https://azertag.az/en/xeber/president_ilham_aliyev_met_with_kalbajar_residents_and_presented_apartment_keys-3709187

documents signed are fully consistent with our interests. We have achieved what we wanted; the contemptible Minsk Group is living its last days.”

Against this backdrop, it is well-documented that Azerbaijan subjected the Armenian population of Nagorno-Karabakh to deportation and ethnic cleansing as a matter of deliberate policy. As numerous assessments confirm⁹:

“The available information, including the public statements of high-ranking Azerbaijani officials, indicates that the practices used to attack and intimidate the civilian population were well-organised, coordinated, and systematic. These actions aimed to drive Armenians out of Nagorno-Karabakh by creating conditions of severe insecurity, hardship, psychological duress, and genuine threats to life, health, and liberty for those remaining under Azerbaijani jurisdiction. The blatant denial of existing human rights violations by Azerbaijani authorities further solidified the perception that they had no intention of effectively addressing these issues or ensuring respect for the human rights of Armenians, nor providing access to effective remedies in cases of violations under their jurisdiction”.

Accordingly, to regard an agreement signed in the midst of the unlawful acquisition of Nagorno-Karabakh by force, accompanied by the forcible displacement and ethnic cleansing of its Armenian population and the continuing occupation of the territories of Armenia, as a “peace” settlement or the fulfilment of the Minsk process mandate, is to openly contradict the founding principles of the OSCE and normalise the use of force.

Therefore, treating this arrangement as a resolution of the conflict amounts to condoning aggression, ethnic cleansing, and violations of the UN Charter.

2. The Initialed Agreement Lacks the Defining Characteristics of a Peace Treaty

A genuine peace treaty is expected not only to end hostilities, but to embody principles of reconciliation, justice, and the establishment of durable peace between the parties to a conflict. It must address the root causes of the dispute, provide guarantees for the rights and security of all affected populations, and establish mechanisms for accountability, reparations, and transitional justice. The initialed agreement between Armenia and Azerbaijan contains none of these essential features.

Moreover, the agreement goes beyond merely omitting such provisions: it directly contradicts the very logic of peace treaties. In particular, it contains a clause obliging the parties to withdraw their pending interstate applications before international courts and to refrain from initiating any legal proceedings to address violations stemming from the conflict. Such an obligation does not promote

⁹ “Why Are There No Armenians In Nagorno-Karabakh? Fact-Finding Report”, https://freedomhouse.org/sites/default/files/2024-11/NO-ARMENIANS-IN-NK-DDF-FH_FACT-FINDING_REPORT_FULL_VERSION.pdf

peace - it institutionalises impunity. It seeks to foreclose avenues of justice for victims and to shield serious violations of international law from impartial adjudication.

It must be recalled that nearly half of the entire interstate docket of the European Court of Human Rights - seven of fifteen cases - concern the Nagorno-Karabakh conflict¹⁰, including grave violations committed since the large-scale hostilities of 2020. In addition, two interstate cases are pending before the International Court of Justice, which has already confirmed the existence of ethnic hatred between the two States and has issued standing provisional measures, including an order requiring Azerbaijan to enable the safe return of the Armenian population to Nagorno-Karabakh¹¹. By seeking to extinguish these proceedings, the agreement effectively denies victims the protections of international justice and undermines the authority of the very institutions designed to guarantee peace through law.

For these reasons, the initialed agreement not only lacks the defining characteristics of a peace treaty - it stands in direct opposition to them.

3. The Rights and Interests of the People of Nagorno-Karabakh as a Party to the Conflict Are Entirely Ignored.

Finally, and most importantly, the initialed agreement fails to address the interests of the people of Nagorno-Karabakh, who are the principal and most affected party to the conflict. Under the Minsk process, they were recognised as a party to the conflict, with provisions for their elected and other representatives to be invited to the Minsk Conference as interested parties by the Chairman, following consultations with the participating States. By contrast, the present agreement not only omits any reference whatsoever to the people of Nagorno-Karabakh, but also excludes them entirely from any form of consultation. Indeed, both Armenia and Azerbaijan have publicly stated that the inclusion of the people of Nagorno-Karabakh would have undermined the process—an assertion that disregards the very subject of the conflict, as though it were solely between Armenia and Azerbaijan.

While the parties now cite the initialed agreement as proof that the conflict has been resolved and that the Minsk process is no longer required, the agreement makes no mention of the rights of the Armenians of Nagorno-Karabakh. In particular, it fails to address the right of return, nor does it impose any obligations on Azerbaijan to facilitate the safe and dignified return of displaced persons and to ensure respect for their human rights.¹² No other commitments have been undertaken by Azerbaijan to guarantee these rights.

¹⁰ <https://www.echr.coe.int/inter-state-applications>

¹¹ <https://www.icj-cij.org/sites/default/files/case-related/180/180-20231117-ord-01-00-en.pdf>

¹² mfa.am. “Publication of the Initialed Agreement Between Armenia and Azerbaijan,” August 11, 2025.

<https://www.mfa.am/en/press-releases/2025/08/11/Initialed%20Arm-Az%20Peace%20Agreement%20text/13394>.

On the contrary, in a recent statement, the Prime Minister of Armenia declared that raising the issue of refugee return is “dangerous” for the peace process¹³:

“As for our compatriots displaced from Karabakh, I have publicly stated more than once that I do not consider their ideas about return to be realistic. And in general, I consider the discussion by both sides of the topic of return of those who have become refugees since the start of the conflict in Armenia and Azerbaijan to be a dangerous factor that damages the peace established between Armenia and Azerbaijan. Bilateral attempts to discuss these topics will not benefit the refugees themselves, but will become a new source of tension between the states”.

This statement makes clear that no genuine peace is in place, and that the conflict remains unresolved. It also amounts to an admission that the parties are not able to resolve these issues bilaterally - reinforcing the necessity of a multilateral platform, such as the OSCE Minsk Conference, to address them.

The OSCE participating States have long recognised the need to protect the rights of people at risk of displacement or already affected by it during all phases of the conflict cycle.¹⁴ They acknowledged that “displacement is often a result of violations of CSCE commitments, including those relating to the Human Dimension,” and welcomed “unilateral, bilateral, and multilateral efforts to ensure protection of and assistance to refugees and displaced persons with the aim of finding a durable solution.”¹⁵ The displacement of Armenians from Nagorno-Karabakh is a direct consequence of Azerbaijan’s violations of OSCE commitments, and must be addressed accordingly.

Yet, under Azerbaijani insistence, the issue has been excluded from the agreement. More troublingly, the agreement obliges the parties to withdraw their interstate applications pending before international courts (Article XV), effectively closing all international fora to the Armenians of Nagorno-Karabakh. The termination of the Minsk process on this basis would therefore eliminate the only multilateral framework available to address these fundamental issues.

Meanwhile, Azerbaijan continues to detain at least 23 Armenians in the context of the conflict¹⁶, denies displaced persons access to their homes and property, permits the looting of abandoned residences, and has begun the systematic destruction of entire neighbourhoods in Stepanakert and other formerly Armenian-populated areas of Nagorno-Karabakh.¹⁷

¹³ “Prime Minister Nikol Pashinyan Addresses the Nation,” August 18, 2025.

<https://www.primeminister.am/en/statements-and-messages/item/2025/08/18/Nikol-Pashinyan-Speech/>.

¹⁴ OSCE Ministerial Council, “Decision No. 3/11 on elements of the conflict cycle, related to enhancing the OSCE’s capabilities in early warning, early action, dialogue facilitation and mediation support, and post-conflict rehabilitation”, Vilnius, 27 December 2011, <https://www.osce.org/ministerial-councils/86621>

¹⁵ CSCE “Helsinki Document 1992 - The Challenges of Change”, Helsinki, 10 July 1992, <https://www.osce.org/files/f/documents/7/c/39530.pdf>.

¹⁶ Lilit Shahverdyan, “Azerbaijan: Baku is bulldozing Armenian legacy in Karabakh,” Eurasianet, May 30, 2024, <https://eurasianet.org/azerbaijan-baku-is-bulldozing-armenian-legacy-in-karabakh>

¹⁷ “Artsakh after the occupation of Azerbaijan. part 1: Hadrut,” CivilNet, June 12, 2024, <https://www.civilnet.am/en/news/781352/artsakh-after-the-occupation-of-azerbaijan-part-1-hadrut/>.

Ignoring these ongoing, grave violations of the rights of the people of Nagorno-Karabakh and pretending that they do not exist cannot be reconciled with any notion of peace. A settlement that disregards these realities cannot be regarded as a genuine or sustainable peace.

In light of the above and the numerous negative consequences of the proposed agreement, **endorsement and support of the decision to close the Minsk Group process would amount to acknowledging and legitimising the settlement of conflicts through the use or threat of force, ethnic cleansing, and war crimes. Such a step would fundamentally undermine the very foundations of the OSCE's concept of security, the principles enshrined in the Helsinki Final Act, and the OSCE commitments to which all participating States have subscribed. Rushed decisions, while "peace" exists only on paper, risk generating further negative consequences. It is evident that Azerbaijan seeks to hasten the closure of the Minsk process precisely to avoid addressing the rights of the Armenians of Nagorno-Karabakh.**

It must be emphasised that the agreement in question has only been initialed; it has not yet entered into force. Serious and potentially escalation-prone issues remain unresolved, including the delimitation of borders, the withdrawal of Azerbaijani armed forces from the occupied territories of Armenia, and, critically, the safe and dignified return of the Armenians of Nagorno-Karabakh to their homes.

The very purpose of the Minsk Conference is to take stock of such issues, to assess whether a genuine peaceful settlement has in fact been achieved, and to ensure that peace is lasting, comprehensive, and real—not merely a paper declaration.

Irrespective of the procedure through which closure might be endorsed - whether by silent procedure or by vote - the responsibility lies with each and every one of the 57 participating States, and in particular with the Chairmanship-in-Office. The choice before you is stark: either to accept the use of force and ethnic cleansing as legitimate methods of conflict resolution, thereby paving the way for their repetition in the future, or to uphold the principles of the Helsinki Final Act and the OSCE commitments you have collectively undertaken. There is no room for selective approaches. Economic or political interests cannot and must not override obligations in the human dimension.

We therefore call upon all OSCE participating States not to endorse the closure of the Minsk process. Instead, we urge the convening of the Minsk Conference to address the outstanding issues, to ensure accountability, and to work towards a settlement that is just, durable, and consistent with the principles of the OSCE.