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Ethnic Cleansing in Progress: War in Nagorno Karabakh

The Post-Soviet Conflict

During the summer of 1991, the Armenians of Nagorno Karabakh, in an attempt to be conciliatory, indicated a willingness to rescind their appeal for reunification with Armenia and to agree to live within the territorial boundaries of Azerbaijan. Also in 1991, the situation looked temporarily more hopeful as the international community intervened with the constructive initiative culminating in the Zheleznovodsk Agreement of September 23, 1991. The signatories were the Presidents of Russia, Kazakhstan, Armenia and Azerbaijan. Among the agreements reached were an end to the blockades by Azerbaijan, a ceasefire, an exchange of hostages and an opening up of normal channels of communication and transport. Unfortunately, these peace-promoting proposals were not implemented: the blockades continued unabated and Nagorno Karabakh remained a besieged, bombarded little enclave. In the autumn, the political situation deteriorated when Azerbaijan, appearing to see conciliation as a sign of Armenian weakness, announced that it would formally rescind Nagorno Karabakh's long-established autonomous status, which had been imparted when it was placed as a region within Azerbaijan in the 1920's. Azerbaijan also proclaimed its intention of renaming the capital of Nagorno Karabakh, Stepanakert, with a Turkish name.

The Armenians of Nagorno Karabakh were intensely alarmed by these announcements and the intentions which they perceived lay behind them. The spectre of the great genocide in Turkey, the massacres in Transcaucasia and the 'ethnic cleansing' of Nakhichevan loomed menacingly near, with fear for the impending loss of their ancient homeland. Perceiving the imminent demise of any measure of autonomy and the associated threat to their viable existence, they felt obliged to resort to measures for self-protection and survival.

Referendum and Elections in Nagorno Karabakh

The population of Nagorno Karabakh in the autumn of 1991 consisted of approximately 180,000 people, of whom about 75% were Armenians and 25% Azeri-Turks. When the leaders of Nagorno Karabakh perceived that their future as an autonomous enclave was in danger, the only democratic solution they could envisage was to hold a referendum, with a view to the possibility of declaring independence from Azerbaijan. Arrangements gave every citizen a chance to vote. The Azeri-Turks boycotted the vote, but the overwhelming majority of Armenians (over 90%) voted, and over 90% of these voted in favor of independence. With this mandate, the leaders went ahead with a General Election for a Parliament, which included a proportional representation of seats for the Azeri-Turkic population. Again the Azeri-Turks boycotted, but the rest of the seats were filled and the Parliament was opened, with prayers by the Bishop of Karabakh, Parkev Martirosian, in January 1992.

These developments were greeted with anger by the rulers of Azerbaijan, who proceeded to escalate military offensives in an attempt to quell this unilateral declaration of independence. Their task was made easier as the Soviet Army forces were being withdrawn by President Yeltsin. As they withdrew, Azerbaijani armed forces and OMON moved into take their place. Karabakh became an open battlefield, with the civilians trapped inside, besieged, blockaded and bombarded.

Escalation of the Military Offensive

The following account is based on first-hand evidence obtained during ten humanitarian missions to Nagorno Karabakh in 1992-93.

1992 was a year of unparalleled military onslaught against civilian populations. There has been massive bloodshed on both sides. For the Armenians of Karabakh, their predicament has been exacerbated by the tightening of the blockade, which cut off virtually all essential supplies, including water, energy, fuel, food and medicines.

January 1992: When the Andrei Sakharov Foundation combined with Christian Solidarity International (CSI) to mount two visits to Nagorno Karabakh in January 1992, delegates were shocked by the deterioration in the situation. Stepanakert was under constant bombardment by shelling and Alazan rockets from the Azeri-Turks based in Shusha, the hill-top fortress town towering above, only 3 miles away. The Armenians living in Stepanakert had to spend almost the whole time sheltering in basements and cellars in appalling conditions. With no light, heat or energy, they huddled in the dark, in sub-zero temperatures, with no running water, no sanitation, no proper ventilation. As the electricity had been cut off by the Azeri-Turks, the only water for the 82,000 inhabitants of Stepanakert was from 8 spring wells. It took up to 5 hours to walk to and from the wells and to wait with hundreds of others, in the bitter cold, under constant shelling, just to fill 2 buckets. Perhaps worst of all was the lack of adequate medical supplies. In the bombed hospital, we saw patients with severe injuries, such as extensive burns, bilateral amputations, glass in eyes and bullets in spines. The medical staff had no proper anesthetics or pain-killing drugs; often vodka was all they could give to try to relieve pain. While the CSI team was holding talks with senior government officials in Stepanakert, a message was received from the Azeri-Turk commander based in Shusha announcing that his troops would soon use fearsome GRAD multiple-missile rocket launchers against the civilians of Stepanakert and surrounding villages. This news instilled real fear into the Armenians, for GRAD launchers fire 40 powerful rockets in one volley; and each rocket can devastate a multistorey building. The toll of civilian casualties would inevitably rise steeply.

April 1992: The Armenians had been subjected to continuing bombardment of their towns and villages. They had, however, captured enough weapons from the ill-disciplined Azeri-Turk troops to enable them to fight back. But, their forces were thinly spread and could not defend the whole of Nagorno Karabakh. Thus many villages were vulnerable to Azeri-Turk offensives and atrocities.

The Armenian Counter-Attack

May 1992: The Karabakh forces achieved two military successes, both necessary for the survival of their people. The first was the capture of the Azeri-Turk stronghold in Shusha: a daunting military operation against a natural fortress set on a rugged mountain. This operation was essential if Stepanakert and all its inhabitants were not to be completely annihilated. With rockets from the GRAD launchers raining down on the Stepanakert, the level of civilian deaths and injuries was becoming increasingly intolerable; and the city was being reduced to rubble. The Armenians of Karabakh were inevitably apprehensive about the losses they would sustain in attacking the hill-top town. In the event, they left open a corridor through which the Azeri-Turks could escape. According to the Armenians, the Azeri-Turks used the escape route with alacrity, offering little resistance.

The second initiative was the opening of a corridor through Azerbaijan, linking Karabakh with Armenia. This was also necessary for survival, as the only lifeline of supplies had been by

small 2-ton helicopters or Yak-40 twin-engine jet aircraft. As the Azeri-Turks had missiles which had successfully shot down one of the jet aircraft and several helicopters, the lifeline was becoming increasingly endangered. Consequently, the blockade was becoming more damaging and the people of Nagorno Karabakh faced death by the slow strangulation of essential supplies. Hence the necessity to open an overland route through the town of Lachin and the establishment of a corridor for the transport of food, fuel and medicines and the evacuation of casualties.

The war in Nagorno Karabakh continued to escalate as 1992 progressed. The Azeri-Turks unleashed new and mighty forces against the tiny population of Nagorno Karabakh. By now, the 40,000 Azeri-Turk civilian population had virtually all left, or been driven from, their homes in the enclave, and the remaining 140,000 Armenians were fighting for survival against increasing odds.

June 1992: Azerbaijan held a general election and a new government representing the extremist Azerbaijani Popular Front took power. A key feature of the manifesto was the 'settlement' of the Karabakh 'problem'. Hence it was no surprise when shortly after the election the new government unleashed a major military offensive against Nagorno Karabakh. It was aided by at least 40 senior Turkish army officers, who took early retirement to enable them to come to support their Azeri-Turk brothers.

The military offensive was formidable. Villagers from the Shaumyan and Mardakert districts, which were over-run in the offensive, described the attacks. Sudden, simultaneous, massive aerial, tank and GRAD bombardment forced them to flee their homes and villages, with no time to collect goods or livestock. Many left with just the clothes they were wearing, some still in carpet slippers. As they fled to the relative shelter of the mountains and forests, they were still shelled by GRAD and tank artillery fire. Many were killed as they tried to flee. Families were split up; old people died as they tried to make the long 50-mile march to Stepanakert.

A young Armenian mother from the north of Nagorno Karabakh, Mrs. Shoushanik told CSI of her experience during the Azeri-Turk offensive:

"They attacked the village and started cutting the villagers into pieces. I myself heard the screams of a man who was having his head cut off by a saw. Then we took our children and ran away. The next day we returned to the village. The scene was atrocious! People were cut into pieces, their eyes were gouged out, their ears were cut off. We then saw the man whom I had previously seen being decapitated by a saw. The saw was lying next to him and all the blood had flowed out of the body. Another man - our uncle - was tied to the back of a tank and was dragged 500 metres away. After that we fled to Shaumyan. Ten days later the Azeri-Turks did the same things. After that I took the children and fled. We walked for 40 miles. We arrived thirsty and hungry and our clothes in tatters. We couldn't take anything with us. I've seen all these atrocities with my own eyes."

In that military offensive, all Armenians were driven from the Shaumyan and Mardakert districts and the Armenians of Nagorno Karabakh lost 40% of their small enclave. The Azeri-Turk forces came within about 10 miles of Stepanakert, near the town of Askeran. If the tanks had broken through and rolled into Stepanakert, that would have been the end of life for the Armenians of Nagorno Karabakh. Somehow, the small, well-disciplined force representing the 140,000 Armenians of Nagorno Karabakh withstood the massed forces of 7-million-strong Azerbaijan, aided by Turkey.

August 1992: On another visit taking humanitarian aid to Nagorno Karabakh, a CSI delegation witnessed a new dimension to the offensive against the people of Nagorno Karabakh: the Azeri-Turks were now using aerial bombardment, with SU 25 bombers dropping 500 kg bombs on the civilians of Stepanakert and surrounding villages.

October, 1992: The Azeri-Turks had resorted to even greater violations of the human rights of the people of Nagorno Karabakh: the bombers were now dropping cluster bombs on civilians, with devastating effect and a steep rise in casualties. Many families fled from Stepanakert to join the growing number of refugees from Karabakh seeking haven in Armenia.

The military offensive continued unabated until the end of the year and into 1993. SU 24 and 25 fighter bombers, joined by MIGs continued to attack Stepanakert and villages from Vank in the north to Martuni in the south. Continuing ground offensives along the borders deployed tanks, artillery and GRAD, and new longer-range missiles came into operation, fired from bases beyond the reach of the Nagorno Karabakh defense forces.

1993: The Military Offensive Against Nagorno Karabakh Continues

January 1993: A delegation from CSI accompanying another consignment of aid attempted to reach Nagorno Karabakh in order to spend the Armenian Christmas (January 6) with the people there. However a blizzard struck their bus in the mountains in southern Armenia and they were stranded in a snow drift at 7,000 ft. for 24 hours. They were not alone. Many cars were also trapped in that blizzard, in temperatures of -23 C (with the wind-chill factor, the real temperature was -50 C). It was possible to rescue these families from their cars and to enable them to spend that bitterly cold night on the bus; they could not have survived in their own vehicles.

This incident illustrates the fact that the corridor, essential for maintaining a supply route to Nagorno Karabakh, is used and maintained only with great difficulty and danger. It is constantly under attack, and those who use it do so at considerable risk. Vehicles have been hit by rockets from GRAD launchers; others (including a truck in an aid convoy from Elam Ministries, travelling at the same time as CSI in January) have hurtled to destruction over the precipitous edge of that perilous road.

On January 7, after eventually arriving in Stepanakert, the CSI delegation witnessed the latest device used by the Azerbaijanis against the people of Karabakh. At 11 am a loud explosion occurred, caused by a ground-to-air missile detonated to explode over the city. The massive tail-piece with the engine fell in a suburb; the rest of the 9-metre missile shed its potentially lethal shrapnel harmlessly on this occasion. But this new weapon is a deadly device: exploding without warning, its razor-sharp shrapnel can shred any civilians in its path. Azerbaijan has allegedly used about 30 of these weapons against the civilians of Stepanakert.

February 1993: An aid convoy sponsored by Elam Ministries took a consignment of food and other supplies to Nagorno Karabakh. They found the situation still critical. The Armenians of Nagorno Karabakh had recently retaken possession of several villages in The Mardakert district which had been overrun by the Azeri-Turks last year. But the casualty rate was high, with many wounded pouring into the field hospitals and into the main hospital in Stepanakert.

The delegation also visited parts of the Mardakert district, including the village of Vank and the mediaeval monastery at Gandsasar. Both places have been repeatedly, and recently,

attacked by aerial bombardment. The village is devastated, and the hospital destroyed by bombs. The last air attack was five days prior to the delegation's visit, with repeated bombing by SU 25 fighter-bombers. The monastery has been specifically targeted; the outbuildings have been hit, but to date the monastery itself is intact. The Bishop of Nagorno Karabakh, Parkev Martirosian, described the attempts to destroy the ancient monastery as "an attack on our soul... the monastery represents, the soul of our people."

However, the morale of the people was also high. The leadership of Nagorno Karabakh has adopted a policy of 'normalization': Stepanakert is being rebuilt, albeit in the context of a paradox. In the main street, opposite the rebuilt Music Academy, there are new airraid trenches for refuge against the continuing aerial bombardment.

The Minister for Education and Culture affirmed that all children in Nagorno Karabakh now attend school, even though the school buildings have been devastated by GRAD missiles. A university has opened with 3,000 students and some faculty from Yerevan. Yet there is an urgent need for educational material of all kinds. Symbolic of the spirit of the people was the opening of an art exhibition in Stepanakert, displaying paintings and sculptures created during the recent, dark years. Many are powerful in their imagery as well as being aesthetically pleasing. Perhaps most symbolic of all was the play performed in the theatre - one of the few buildings left relatively unscathed by the sustained bombardment. It had been intended to put on one of Shakespeare's plays, but a light comedy had been chosen instead, in order "to bring light and laughter into the darkness". All who saw the comedy, even those visitors who do not understand Armenian, found it hilariously funny and were impressed by the spirit of a people who can create such humour in the midst of great danger and threats to their survival.

Atrocities

One of the ugliest, most tragic aspects of the war in Nagorno Karabakh is the deliberate brutality inflicted over and above the deaths and injuries caused directly by military action.

Khodjaly: Many Azeri-Turk civilians died a tragic death during an Armenian assault on Khodjaly - 10 miles north of Stepanakert - on the night of February 25-26, 1992. Khodjaly is the site of Nagorno Karabakh's only airport. It was also, together with Shusha, the main base for Azeri-Turk military operations inside Nagorno Karabakh. It was from Khodjaly and Shusha that most of the GRAD rocket attacks on Stepanakert came. The civilian population of about 6,000 was made up of Azeri- and Mesketian-Turks, the latter having been resettled in Khodjaly after having been deported to Central Asia from northern Transcaucasia by Stalin.

On February 26, the Azerbaijani Interior Ministry released their casualty figures: 100 dead and 250 wounded (COVCAS Bulletin, March 5, 1992). But by the first week of March the sensation-seeking western press elevated into headline news fresh Azerbaijani government claims that over 1,000 Azeri-Turk civilians had been massacred by the Armenians at Khodjaly (see the *The Times* of March 2, 1993, the *New York Times*, March 3, 1992, *Boston Globe* of March 3 & 5, 1992). There was apparently little effort by western journalists covering the aftermath of the battle to investigate the claims made by Azerbaijani officials or to give equal weight to the account issued by the Armenian authorities in Nagorno Karabakh.

As a result of this partial reporting, the Azeri-Turks and their allies in Turkey have repeatedly used the Khodjaly bloodshed as an excuse for barbarities committed by Azeri-Turks, with the justification that their behaviour is an understandable form of retaliation, given the Armenians' brutality at Khodjaly. When those events are themselves questioned, the reply given

by the Azeri-Turk and Turkish officials is that they are only quoting information given in the western press.

Given these circumstances, delegates on a subsequent CSI mission tried to ascertain the Armenian version of events. Some aspects can be independently corroborated; others must always remain a question of the Armenians' word versus that of the Azeri-Turks, and whichever version is more consistent with facts which can be established.

According to the Armenians of Nagorno Karabakh to whom we spoke, it is acknowledged that they had decided to attack the Azeri-Turk town of Khodjaly, although they knew there were still some civilians there. They claim this attack was necessary to protect the civilians of Stepanakert, as Khodjaly was being used as a base for GRAD rocket launchers firing onto the city (this is true). They also claim that they did not want to harm civilians and so they issued advance warning of the attack, requesting the Azeri-Turks to allow any civilians to evacuate. This has been independently corroborated by Russians and by the testimony of Azeri-Turk survivors of the attack. Giving testimony to Helsinki Watch in Baku on April 28, 1992, A.H., an Azeri-Turk woman from Khodjaly stated:

"They (the Armenians - ed.) made an ultimatum... that the Khodjaly people had better leave with a white flag. Alif Gajiev (the head of the Azeri-Turk OMON in Khodjaly - ed.) told us this on February 15, but this didn't frighten me or other people. We never believed they could occupy Khodjaly." (Helsinki Watch, p. 20)

The Armenians claim that when they began to attack, they were concerned about civilians still in the town and tried to negotiate safe passage for them with the Azeri-Turk soldiers. They claim that the Azeri-Turk officers refused this. Moreover, they allege that, as the Azeri-Turk soldiers themselves evacuated, they intermingled with the civilians, firing at such close range that the women and children were caught in the cross-fire, receiving horrible injuries. The testimony of Azeri-Turk survivors corroborates the Armenian account. Twenty-three-year old Hijran Alekpera stated that the mass of civilians fleeing Khodjaly were "surrounded by a ring of defenders. They tried to defend us. They had guns and they would try to shoot back." S.A., a member of the Azeri-Turk OMON testified: "We (the OMON and civilian evacuees - ed.) were shooting and running in the pack, but it was not an organized retreat. We were all mixed together." Another young Azeri-Turk evacuee declared:

"When Armenians saw us they began to shoot. We hid. At the same time Azerbaijanis shot back. They were Azerbaijani OMON. Some of them were with us when we fled."

Helsinki Watch concluded:

"All Azerbaijanis interviewed who were in this group reported that the militia, still in uniform, and some still carrying their guns, were interspersed with the masses of civilians." (Helsinki Watch, p. 21)

Subsequently, the Armenians allowed the Azeri-Turk military to return to the area to collect their dead. This gave the Azeri-Turks the evidence of the civilian casualties which provided the basis for the allegations of cold-blooded, calculated Armenian 'atrocities'. One of the few journalists to probe beneath the surface of what the Azerbaijani authorities presented to the media was T. Mazalova from Czechoslovakia. She had seen two videos of the same collection of Azeri-Turk bodies, one filmed on February 29 and the other on March 2. She observed that the heads had been scalped in the meantime. When she raised the question of this discrepancy with the ex-President of Azerbaijan, Ayaz Mutalibov in April 1992, he declared

that the massacre at Khodjaly was "organized" by his political opponents to force his resignation. He found it doubtful that the Armenians would have allowed the Azeri-Turks to collect the bodies had the allegations of a massacre been true (COVCAS Bulletin, April 9, 1992, p. 4). Helsinki Watch published a list of 181 Azeri-Turks, 130 males and 51 females, including 13 children, who were reported by the Azerbaijani parliament to have died during the battle of Khodjaly. (Helsinki Watch, p.23).

Maragha: The name of this village is associated with a massacre which never reached the world's headlines, although at least 45 Armenians died cruel deaths. During the CSI mission to Nagorno Karabakh in April, news came through that a village in the north, in Mardakert region, had been overrun by Azeri-Turks on April 10 and there had been a number of civilians killed. A group went to obtain evidence and found a village with survivors in a state of shock, their burnt-out homes still smouldering, charred remains of corpses and vertebrae still on the ground, where people had their heads sawn off, and their bodies burnt in front of their families. 45 people had been massacred and 100 were missing, possibly suffering a fate worse than death. In order to verify the stories, the delegation asked the villagers if they would exhume the bodies which they had already buried. In great anguish, they did so, allowing photographs to be taken of the decapitated, charred bodies. Later, when asked about publicising about this tragedy, they replied they were reluctant to do so as "we Armenians are not very good at showing our grief to the world".

We believe it is important to put on record these events and the way in which they have, or have not, been interpreted and portrayed by the people themselves, and by the international media. International public opinion is inevitably shaped by media coverage and the Azeri-Turks certainly won great sympathy through their presentation of the 'Khodjaly massacre'. Conversely, the Armenians received much criticism and lost a great deal of political support as a result of their alleged behaviour at Khodjaly. The international media did not cover the massacre of the Armenians at Maragha at all. Consequently, in the eyes of the world, the armed forces of the Armenians of Nagorno Karabakh have been made to appear more brutal than those of the Azeri-Turks; in reality, evidence suggests that the opposite is more likely to be true.

Hostages

One disturbing effect noted by independent observers on several occasions has been the asymmetry between the Azeri-Turks and the Armenians in the treatment of hostages and prisoners of war. Of course observers cannot testify to the way in which all prisoners and hostages are treated. However, we have seen consistent first-hand evidence of gross maltreatment and torture of Armenian prisoners of war and hostages held by the Azeri-Turks.

We have not been shown any direct evidence of the maltreatment and torture of Azeri-Turks held by Armenians. We have been allowed to interview, on three occasions, Azeri-Turk prisoners of war held by the Armenians. All have been in reasonably good physical condition and kept in acceptable accommodation. The one exception to this rule was an Azeri-Turk army officer who, in our view, was not receiving adequate treatment to a serious injury sustained in conflict. We understand that surgical treatment was subsequently provided. We were allowed to interview prisoners of war according to the rules of the International Convention and have been satisfied with their treatment, apart from this one exception.

By contrast, the Armenians whom we have interviewed who have been in Azeri-Turk custody have been subjected to gross maltreatment and torture. We have seen at first-hand the treatment of a mother, 38-year-old Eleanor Grigorian Bugakov, and her 4-year-old son, Dmitri. The mother and son lived in Baku and had been held in captivity in the winter of 1992. During

that time they had been passed from one place to another, including: being held in Baku by the ruling Azerbaijani Popular Front; in Lachin by a military unit; in Shusha where they were in the custody of the Azeri OMON & then in a tank regiment; then in Agdam in the custody of the Popular Front; then in an 'investigative prison'. A CSI delegation found her in an appalling condition upon her release in March 1992. She had recently been beaten and was still bleeding; she had suffered multiple rapes, including one occasion when she was raped by an entire platoon; malnourished (she claimed she and her son had received no food or water for 8 days and when water was brought for the boy, it had a rat floating in it). The boy had evidence of cigarette burns on his hands and his mother said that their captors had hit him on the head with a hammer; his fur hat had given him some protection and when she tried to prevent them from removing it, they had beaten her with a chain.

The delegation also interviewed a 40-year-old electrician who had just been released following a period of three years in Azerbaijani prisons. We saw on him physical evidence of past and recent beatings; his face was heavily scarred and there was evidence of recently clotted wounds on his face, legs and back of the head. His skull was damaged, he was malnourished, there were apparent joint injuries, and he was psychologically confused and disoriented.

More recently, in January 1993, a delegation interviewed an elderly Armenian lady, Mrs. Arevad Bogozian, taken hostage by the Azeri-Turks during their offensive in northern Nagorno Karabakh in the summer of 1992. On the first day of her captivity, the fingernails on one of her hands had been pulled out by Azeri-Turk soldiers. Subsequently she had been sold from village to village as a slave, suffering repeated rapes and physical abuse. She has been separated from her husband since August 1992 and still does not know if he is alive. One of the disturbing aspects of the treatment of these hostages is the message conveyed to the Armenians of Nagorno Karabakh: that this is the way the Azeri-Turks will treat all their women and children when they succeed in overrunning the enclave. Indeed, when five more women hostages were recently released from Azeri-Turk custody, having been maltreated, the last words said to them by their captors were reported to have been: "We cannot wait to get into Nagorno Karabakh and to kill every Armenian, especially the women and children".

Humanitarian Aid

It was not possible for those who had seen the suffering of the people of Nagorno Karabakh to rest easy back at home. Attempts were made to persuade the International Committee of the Red Cross to take relief into Nagorno Karabakh, but they were prevented by their Charter from entering a country without permission from the host government - and Azerbaijan did not readily then grant this. The United Nations and other major relief organizations were similarly obstructed by the government of Azerbaijan. The difficulties of sending humanitarian aid to Nagorno Karabakh in cooperation with the Azerbaijani authorities were highlighted in March 1992 when the French Minister of Humanitarian Affairs, Bernard Kouchner and his convoy was harassed and robbed of most of their 22-ton consignment of emergency humanitarian aid before he was allowed to proceed through Azerbaijan to Stepanakert. Because of such problems, it was incumbent on CSI to raise the money to take back essential medical supplies, and to run the gauntlet of the blockade to take them in. Since then CSI has been the major provider of medical supplies for Nagorno Karabakh, sending 11 consignments of essential drugs, equipment and other necessities to the people of the enclave. CSI has also cooperated with the Andrei Sakharov Foundation to send a consignment of supplies to Azeri-Turk refugees from Nagorno Karabakh. However the priority has been the Armenians in Karabakh, as they have been trapped behind the blockade, while Azerbaijan is not blockaded and can freely receive help from the major aid organizations.

Inviolability of Borders vs. Human Rights

The peace initiatives of the international community have been hindered by an imbalance in the application of two principles: the inviolability of borders and the respect for human rights. The Armenians of Nagorno Karabakh are seen by the international community to have violated the principle of territorial integrity, to which bodies such as the CSCE (Conference for Cooperation and Security in Europe) are fundamentally committed; no matter that the blockades were a flagrant violation of human rights, causing incalculable suffering and death; no matter that the Azeri-Turks were using Shusha as a base from which to rain down death and destruction on the civilians of Stepanakert; no matter that the international community had done nothing effective to assist the people of Karabakh during the long months of acute suffering caused by the twin effects of blockade and bombardment. The international community, especially the CSCE, apparently put a primacy on the inviolability of territorial borders, even borders drawn arbitrarily or maliciously in the Stalin era. This was a principle to be respected above all others - even the protection of human life and health.

The apparent primacy of the principle of territorial integrity in the case of Nagorno Karabakh raises fundamental issues which, we suggest, will need to be considered in the longer term. Nagorno Karabakh is not the only territory to suffer a tragic destiny as part of the aftermath of Stalin's cruel reign of terror, including his brutal policies of forced relocation of entire peoples to alien lands or regimes. There may therefore be a case for reconsideration of the balance between the sometimes conflicting principles of respect for territorial integrity and the right to self-determination. Elena Bonner Sakharov, amongst others, suggests that, whereas the principle of respect for territorial integrity may appropriately command support in the longer-established states of western Europe and North America, it may be less appropriate for the sometimes cruelly drawn boundaries of the former Soviet Empire. She proposes that there may be a need for a period during which greater respect is given for the principle of self-determination, in some form, until some time has elapsed, allowing more congruence between ethnic, religious and territorial boundaries. In due course, when such boundaries have been established, then the principle of respect for territorial integrity may be more appropriately enforceable.