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NAKHICHEVAN AT THE “CROSSROADS” OF PAN- TURANIAN AND GLOBAL PROJECTS

Abstract

The Moscow and Kars Treaties, which proved fateful for Armenia and resulted in the seizure of strategically important territories from the Armenian people, have been widely discussed in recent decades, with particular emphasis on the injustice and illegality of these documents from the perspective of international law. Under these treaties, Nakhichevan was illegally placed under the protection of Azerbaijan, and Baku is currently taking unilateral steps to change the status of this autonomous republic, in violation of the Moscow and Kars Treaties still in force.

The article examines Turkey's diplomatic efforts to transfer Nakhichevan to Azerbaijan, which were based on the pan-Turkic goals of the Turkish authorities, as well as the consistent policy of the Azerbaijani authorities aimed at the de-Armenization of the autonomous republic. The domestic and foreign

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Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

policy motives of the Azerbaijani authorities for changing the status of the Nakhichevan Autonomous Republic are also analyzed. The purpose of the article is to demonstrate the illegality of the actions of the Azerbaijani authorities in unilaterally changing the status of the Nakhichevan Autonomous Republic from the standpoint of international treaty law, as well as to indicate the possible political and legal consequences of violating the provisions of the Moscow and Kars Treaties regarding the status of Nakhichevan.

Keywords: *Nakhichevan, status of autonomous republic, Moscow and Kars Treaties, Armenia, Azerbaijan, Turkey, Pan-Turanian project.*

Introduction

As is well known, in 1921, under the Moscow and Kars Treaties, territories of strategic importance to the Armenian people were illegally taken from Armenia: the Kars region and the Surmalu district were transferred to Turkey, and Nakhichevan was placed under the protectorate of Azerbaijan.¹ In the post-Soviet period, the content of these documents was widely discussed, including issues relating to their conclusion with gross violations of international treaty law and Turkey's violations of their provisions.² However, following the Artsakh War of 2020 and the de-Armenization of Artsakh as a result of Azerbaijan's aggression in 2023, new circumstances have arisen that necessitate a rethinking of these issues.

After the 44-day war, Azerbaijan, with direct support from Turkey, managed to occupy part of the territory of the Republic of Artsakh. Following the trilateral statement of November 9/10, 2020, and subsequent territorial concessions, Armenia's Syunik region became a border region with Azerbaijan. Subsequently, Baku presented Armenia with a demand for land communication between the occupied territories of Artsakh and Nakhichevan through the Meghri region,³ later termed the “Zangezur Corridor,” the purpose of which was to obtain an extraterritorial, uncontrolled land connection with Nakhichevan.

¹ See **Barsegov** 2005; **Zohrabyan** 2010; **Hakobyan** 2000; **Hakobyan** 2010; **Marukyan** 2011, 129–139; **Marukyan** 2022, 181–198.

² See **Hakobyan** 2021, 9–57; **Marukyan** 2021, 301–318; **Marukyan** 2021, 3–19.

³ See Statement by the President of Azerbaijan, the Prime Minister of Armenia and the President of Russia on November 10, <http://kremlin.ru/events/president/news/64384> (24.10.2025)

Turkey's and Azerbaijan's demand for international transit communication with Nakhichevan via the so-called "Zangezur Corridor" fits into both China's global communications initiative "One Belt, One Road" and the "Middle Corridor" of Turkey's "Turan" project, and significantly increases the importance of the Nakhichevan region not only at the regional but also at the global level. It is therefore no coincidence that the Azerbaijani authorities have begun to take consistent steps to change the status and system of governance of the Nakhichevan Autonomous Republic.

Nakhichevan in Turkey's Pan-Turanian Projects

As is well known, in addition to the cession of the Kars and Surmalu regions to Turkey, in 1921, according to Article 3 of the Moscow Treaty, Nakhichevan was transferred under the protectorate of Azerbaijan on the condition that the latter would not cede it to a third state⁴ (i.e., to Armenia). These provisions violate *jus cogens* (peremptory norms), which constitute binding norms of international law.⁵

Article 3 of the Moscow Treaty was subsequently confirmed by Article 5 of the Treaty of Kars, signed on October 13, 1921, which stated, in particular, that "the Turkish Government and the Governments of Soviet Armenia and Azerbaijan agree that the Nakhichevan region, within the borders specified in Appendix 3 of this Treaty, shall be transformed into an autonomous territory under the protection of Azerbaijan."⁶ This wording emphasizes that Nakhichevan was not an ordinary territory transferred to Azerbaijan, but that the parties agreed to place it under Azerbaijan's protection only with a special autonomous status. It follows that a unilateral change in the status of Nakhichevan is excluded and can only be carried out with the consent of the interested states specified in the article: Turkey, Armenia, and Azerbaijan.

If one compares Article 3 concerning the transfer of Nakhichevan to Azerbaijan with the transfer of the Surmalu district to Turkey, it becomes obvious that the Turkish side agreed, in its calculations, to exchange the Batumi region

⁴ See Documents of the foreign policy of the USSR 1959, 598–599.

⁵ According to Article 34 of the Vienna Convention on the Law of Treaties of May 23, 1969, a treaty may be binding only on the signatory parties, and according to Article 35 of the same convention, a treaty signed between other parties may create obligations for a third party only if the latter has directly assumed this obligation in writing. See **Blatova** 1982, 81.

⁶ **Kirakosyan** 1972, 520.

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

for the Surmalu district, which borders Nakhichevan, thereby seeking to bring its land border as close as possible to the territory of Nakhichevan, which was to be placed under Azerbaijan. Apparently, the Turkish side took advantage of Soviet Russia's desire to take control of the Batumi district and proposed such an exchange of territories, as this directly followed from its pan-Turkist plans.⁷

Naturally, Turkey was not satisfied with the transfer of Nakhichevan under the protection of Azerbaijan and began to take steps to obtain a common border with this region. The transfer of the Surmalu district to Turkey did not solve this problem, since between Surmalu and Nakhichevan the southwestern part of the Yerevan province of Soviet Armenia remained as a “wedge territory,” referred to in Article 3 of the Moscow Treaty as the “triangular zone.” At the insistence of the Turkish side, during the Moscow Conference, this “triangular zone”⁸ became a “disputed” territory, and the question of its final ownership was to be decided at the Kars Conference.⁹ Due to the intransigent position of the Turkish side at the Kars Conference, as well as pressure from Soviet Russia, the delegation of Soviet Armenia was forced to agree to retain only the northern part of the “triangular zone” from Ararat station to Yeraskh and to cede the southern part of this zone to Nakhichevan, that is, to Azerbaijan. As a result, Turkey received a narrow land border with Nakhichevan.¹⁰

The narrow border strip of 9–10 km obtained under the Treaty of Kars could not satisfy Turkey, which began to take active steps to expand it. In the 1920s and 1930s, through border treaties and territorial exchanges with Iran, Turkey managed to establish control over the Lesser Masis region.¹¹ Although these deals resulted in Iran receiving greater territorial concessions in other areas, Turkey nevertheless obtained strategically important territories, significantly expanding its land border with Nakhichevan. It can be concluded that, for the sake of short-term gains, the Iranian authorities sacrificed the country's strategic interests, opening prospects for Turkey's pan-Turkic ambitions, including in Iran's northern territories.¹²

⁷ See **Marukyan** 2021, 3–19.

⁸ See **Kirakosyan** 1972, 501.

⁹ See **Melkonyan, Geghamyan** 2025, 46.

¹⁰ See **Zohrabyan** 2010, 402–403.

¹¹ See **Bournoutian** 2015, 97–107.

¹² See **Mkrtchyan** 2019.

Nakhichevan as part of Azerbaijan: discrimination policy and its consequences

Undoubtedly, the granting of autonomous status to Nakhichevan by international treaties was conditioned not only by the geographical isolation (exclave) of the region from the main territory of Azerbaijan. The autonomous status of both Nakhichevan and Karabakh was not an act of goodwill on the part of Azerbaijan, but a consequence of political decisions taken in 1921, based on the reality of the millennia-long presence of the Armenian population in these historical Armenian territories.

After Nakhichevan's separation from Armenia, the Azerbaijani authorities began to pursue a policy of discrimination against the Armenian population, including ethnic cleansing – forced deportations – as well as the destruction of Armenian cultural monuments.¹³ In the 1960s and 1980s, the Azerbaijani authorities and the local Muslim population prevented Armenians from visiting their religious and cultural monuments, thereby infringing upon their rights to the region's Armenian cultural heritage.

As a result of the discriminatory policy of the Azerbaijani authorities, the overwhelming majority of the Armenian population of Nakhichevan migrated to the Armenian SSR or other republics of the USSR. While Armenians constituted 34.4% of the population at the time Nakhichevan was placed under Azerbaijan's control, by 1989 their share had declined to 0.6%.¹⁴ These indicators clearly demonstrate the consequences of Azerbaijan's discriminatory policy toward the Armenian population of Nakhichevan. In academic literature, the forced deportation of the Armenian population and the destruction of Armenian heritage in this region have been described as "ethnic cleansing," "white genocide," or "Nakhichevanization."¹⁵

Nakhichevan's geographical isolation from mainland Azerbaijan and its autonomous status over decades shaped a tradition of independent decision-making by local authorities, separate from the center. During the First Artsakh War, Azerbaijan blockaded Armenia, thereby also cutting itself off from Nakhichevan. The region was blockaded; gas and electricity supplies and railway

¹³ See **Walker** 1991, 113–116.

¹⁴ **Kellogg** 2023, 5.

¹⁵ See **Broers** 2019, 80–82.

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

traffic were cut off.¹⁶ During the presidency of A. Elchibey (1992–1993), the head of the Nakhichevan Majlis, H. Aliyev, pursued a policy in the region that was largely independent of the central authorities. Under Aliyev, Nakhichevan developed closer socio-economic ties with neighboring Iran and Turkey than with Baku, which supplied electricity and food to the region.¹⁷

Taking advantage of the Shiite factor and the economic dependence of Nakhichevan residents on Iran, Tehran gradually attempted to strengthen its influence over the local authorities of the autonomous republic, which caused concern in Baku.¹⁸ After the end of the First Karabakh War, land communication with Azerbaijan was carried out through Iranian territory, giving Iran the opportunity to control the transportation of people and goods between Nakhichevan and mainland Azerbaijan.

On May 28, 1992, the “Umud” Bridge was opened across the Araks River, connecting Nakhichevan with Turkey, as a result of which Turkey’s socio-economic and military-political influence in the region began to grow steadily.¹⁹

Change of the autonomous status of Nakhichevan and a new regime of government

In response to the declaration of independence of the Nagorno-Karabakh Republic, Azerbaijan in 1992 decided to abolish the status of the Nagorno-Karabakh Autonomous Region. In parallel with the gradual occupation of the territories of the Republic of Artsakh, which began in 2020, Azerbaijan, through a policy of genocide (blockade, humanitarian crisis) and ethnic cleansing (forced deportation under the threat of attacks on the civilian population), achieved the de-Armenization of Artsakh and designated the territories that came under its control as the “Eastern Zangezur Region,” within which it identified the “Karabakh Economic Region.” By introducing the term “Eastern Zangezur,” official Baku was, in essence, making territorial claims to Armenia’s Syunik region, which, according to this logic, becomes “Western Zangezur.”

¹⁶ See **Jabrayilov** 2011, 421.

¹⁷ See “ARVAK”, 25.06.2025, 1–5. arvak.am (24.10.2025).

¹⁸ See **Svarants** <https://journal-neo.su/ru/2025/07/25/konstitucionnye-izmeneniya-v-nahichevanskoj-avtonomii/> (24.10.2025).

¹⁹ See **Jabrayilov** 2011, 423.

Subsequently, the Baku authorities began to abolish Nakhichevan's autonomous status. In July 2025, the President of Azerbaijan de facto changed the status of the Nakhichevan Autonomous Republic, transforming it into an ordinary administrative-territorial unit of Azerbaijan and effectively eliminating the remnants of its political autonomy. These changes marked the completion of the liquidation of the autonomous model created in Soviet Azerbaijan and preserved after independence.

It should be noted that the President of Azerbaijan took preparatory steps to abolish the political subjectivity of the Nakhichevan Autonomous Republic even after the 44-day Artsakh war. In November 2022, the Nakhichevan State Security Service and the State Customs Service were placed under the direct control of the central authorities. At the same time, current and former ministers of the autonomous republic were arrested. Under pressure from President Ilham Aliyev, the head of the Nakhichevan Majlis, V. Talibov, a close associate of his father, Heydar Aliyev, was forced to resign. Subsequently, on December 22, 2022, a plenipotentiary representative of the President of Azerbaijan was appointed in Nakhichevan and was granted broad powers to control the state bodies of the autonomous republic.

Further steps were aimed at giving legal and constitutional form to the process of direct control over Nakhichevan by the Baku authorities. For this purpose, appropriate amendments were made to the Constitution of the Nakhichevan Autonomous Republic, which had previously stated that "the foundations of Nakhichevan's autonomy are laid by the international treaties currently in force: the Moscow Treaty of March 16, 1921, and the Kars Treaty of October 13, 1921."²⁰ As a result of the amendments, the reference to the Moscow and Kars Treaties was excluded from the preamble of the Nakhichevan Constitution.²¹ The removal of references to the Moscow and Kars Treaties from the Nakhichevan Constitution effectively disrupts the balance in the South Caucasus, since Nakhichevan's status was based not on Azerbaijan's internal legal acts, but on an international compromise between states.

²⁰ Constitution of the Nakhichevan Autonomous Republic (with amendments and additions 24, 04. 2018).

²¹ See The mention of the Moscow and Kars treaties was removed from the Constitution of Nakhichevan, <https://news.am/rus/news/889621.html> (24.10.2025).

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

In the amended preamble to the Constitution of Nakhichevan, it is emphasized that the Nakhichevan Autonomous Republic is an “integral part of Azerbaijan,” and that its status is based on the Constitution of Azerbaijan of 1995 and the laws of 1991 on the restoration of independence.²²

The amendments to the Nakhichevan Constitution significantly limited the powers of the highest official of the autonomy – the Chairman of the Supreme Majlis (Parliament) of the Nakhichevan Autonomous Republic. Under Article 25 of the 1998 Constitution of the Nakhichevan Autonomous Republic, the head and members of the Cabinet of Ministers of the autonomous republic were appointed by the Supreme Majlis. The Chairman of the Supreme Majlis was vested with broad powers: he represented the autonomous republic in relations with other states and international organizations; local officials, judges, prosecutors, and the Human Rights Defender were appointed on his proposal.²³

According to the draft law “On Approval of Amendments and Additions to the Constitution of the Nakhichevan Autonomous Republic,” adopted by the Milli Majlis of Azerbaijan,²⁴ the executive branch of Nakhichevan is now directly subordinate to the President of Azerbaijan, and his authorized representative effectively becomes the head of the executive branch. Nakhichevan’s autonomous status has become largely formal, and the abolition of the last symbols of autonomy (its separate constitution and the Majlis) appears to be only a matter of time. Thus, deprived of its international legal foundations, the Nakhichevan Autonomous Republic is being transformed into an ordinary region under the direct control of the Baku authorities.

²² See **Arakelyan** <https://www.civilnet.am/ru/news/962384/> (24.10.2025).

²³ See Constitution of the Nakhichevan Autonomous Republic (with amendments and additions 24.04.2018).

²⁴ It is assumed that the draft law on amendments to the Constitution was previously adopted by the Supreme Majlis of the Nakhchivan Autonomous Republic, since, according to Article 50 of the Constitution of Nakhchivan, amendments and additions to the basic law are first adopted by the Supreme Majlis of the autonomous republic by a majority of 35 votes (the total number of deputies is 45), after which they are submitted for approval to the Milli Majlis of Azerbaijan. See Constitution of the Nakhichevan Autonomous Republic (with amendments and additions 24.04.2018).

Domestic and foreign policy reasons and motives for changing the status of Nakhichevan

From a domestic political perspective, the change in Nakhichevan's status represents an attempt to prevent potential centrifugal tendencies and to neutralize the possible future influence of regional elites capable of competing with the ruling clan. Under the clan-based political system that developed in Azerbaijan, the so-called "Nakhichevan clan" was traditionally more organized and, in the struggle for power, often prevailed over the "Absheron" and "Ganja" clans. Led by H. Aliyev, the "Nakhichevan clan" ruled Azerbaijan from the mid-1960s until the collapse of the USSR and managed to restore its power in independent Azerbaijan, ruling from the early 1990s to the present.

With H. Aliyev's move from Nakhichevan to Baku in 1969 and his rise to power, the position of the "Nakhichevan clan" in Azerbaijan was significantly strengthened. His return to power in 1993 also took place from Nakhichevan, where he served as the head of the Majlis (Parliament). During his presidency (1993–2003), representatives of Nakhichevan occupied key positions in Baku, while the autonomous republic itself was headed by the Chairman of the Majlis, V. Talibov, who was loyal to H. Aliyev and his family.

Taking this historical experience into account, the Aliyev family apparently fears that history could repeat itself and that, even if representatives of the "Nakhichevan clan" are unable to seize power in Baku, they might nevertheless orient Nakhichevan toward one of the neighboring states – Turkey or Iran.

It is no coincidence that after returning to power in 1993, H. Aliyev began to dismantle the relatively stable system of governance he had created in Nakhichevan. While the elder Aliyev acted with great caution, his successor has moved much more abruptly, given the new domestic and geopolitical challenges facing Azerbaijan and the ruling regime. Taking into account possible shifts in the regional balance of power, as well as the complex socio-economic situation within Azerbaijan, I. Aliyev seeks to complete the process of centralizing the state and to eliminate any potential challenges to his personal authority.

In foreign policy, the revision of Nakhichevan's status is aimed at reducing the role of regional actors and increasing Azerbaijan's weight in the South Caucasus. In Baku, there are serious concerns that if regional destabilization occurs,

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

the Nakhichevan exclave, separated from mainland Azerbaijan, could be exploited by external forces as a weak point against the ruling regime.²⁵

In the early 2010s, Ankara succeeded in making Nakhichevan almost completely dependent on Turkey in terms of economic and energy resources, while also significantly altering the region’s demographic situation. Azerbaijan is seriously concerned about Turkey’s growing influence in Nakhichevan and is attempting to prevent the potential loss of the region through legal and political reforms.

In addition, it is important to note that Turkish armed units are stationed in Nakhichevan, and Turkish officers serve as advisers to the 5th Army Corps of the Armed Forces of Azerbaijan and regularly conduct joint military exercises.²⁶ On this basis, Azerbaijan fears that Turkey’s growing influence in Nakhichevan could lead to Baku’s de facto loss of control over the region and a repetition of the Adjara scenario, which, while formally under Georgian sovereignty, is widely viewed in this text as being under strong Turkish influence.²⁷ The Nakhichevan issue has thus become one of the most sensitive problems in Baku–Ankara relations. Both sides seek to avoid escalation, given their shared interest in reducing the Armenian factor in the region.²⁸

Given the growing tension in Russian–Azerbaijani relations, these steps by Azerbaijan also clearly indicate Baku’s desire to reduce Russia’s influence and push it out of the region. Considering the high level of strategic partnership between Azerbaijan and Turkey, it is highly likely that Baku obtained Ankara’s prior consent to the change in Nakhichevan’s status; otherwise, Ankara, as a party to the aforementioned treaties, would hardly have remained silent on this issue.

Azerbaijan also appears to have taken into account the fact that Iran, which traditionally advocates for the preservation of regional balance and is particular-

²⁵ See “ARVAK”, 25.06.2025, 1-5, arvak.am (24.10.2025).

²⁶ Similar exercises were conducted on the eve of the 44-day Artsakh war, from July 29 to August 10, 2020. It is noteworthy that after the joint exercises held in Nakhichevan and Azerbaijan, Turkish commanders, instructors and F-35 fighters remained in place and took direct part in the 44-day Artsakh war as part of the Azerbaijani armed forces. See **Gabrielyan**, <https://www.civilnet.am/news/202717/> (24.10.2025).

²⁷ See **Svarants** <https://journal-neo.su/ru/2025/07/25/konstituzionnye-izmeneniya-v-nahichevanskoj-avtonomii/> (24.10.2025).

²⁸ See “ARVAK”, 25.06.2025, 1–5, arvak.am (24.10.2025).

ly sensitive to developments around Nakhichevan, was significantly weakened after attacks allegedly carried out by Israel with Western support and was therefore less able to respond promptly to these provocative steps, which also run counter to Iranian interests.²⁹

In addition, the revision of Nakhichevan's status by Azerbaijan can be used as a tool in relations with Armenia. In the ongoing process of delimitation and demarcation, Baku may attempt to use the change in Nakhichevan's status to present new territorial claims. In particular, by violating the Moscow and Kars Treaties, Azerbaijan may potentially challenge the borders of the Nakhichevan Autonomous Republic itself, advancing new claims regarding so-called enclaves in the Syunik and Ararat regions of the Republic of Armenia. By gradually eliminating Nakhichevan's autonomy, I. Aliyev is indirectly increasing pressure on Armenia to obtain the so-called "Zangezur Corridor," attempting to create "more legitimate grounds," in the eyes of the international community, for unimpeded land communication between mainland Azerbaijan and the Nakhichevan region, which is being transformed into a regular administrative unit.

Possible legal and political consequences of violating the Moscow and Kars treaties

It should be noted that the status of the Nakhichevan Autonomous Republic is enshrined not only in the Moscow and Kars Treaties, but also in modern international documents signed by the President of Azerbaijan. Thus, Article 9 of the Trilateral Statement signed by the leaders of Russia, Azerbaijan, and Armenia on November 9, 2020, explicitly refers to the Nakhchivan Autonomous Republic: "The Republic of Armenia guarantees the security of transport links between the western regions of the Republic of Azerbaijan and **the Nakhchivan Autonomous Republic** (emphasis added – A.M.), in order to ensure the unimpeded movement of citizens, vehicles, and cargo in both directions."³⁰

A similar reference appears in the so-called "Shushi Declaration," signed by Turkey and Azerbaijan on June 15, 2021. The preamble of the declaration

²⁹ Arakelyan <https://www.civilnet.am/ru/news/962384/> (24.10.2025).

³⁰ Statement by the President of Azerbaijan, the Prime Minister of Armenia and the President of Russia on November 10, <http://kremlin.ru/events/president/news/64384> (24.10.2025).

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

mentions the Treaty of Kars and notes that the parties reaffirm their commitment to the agreements signed between them, including the Treaty of Kars of October 13, 1921.³¹ The text further states that “the parties declare that the opening of the corridor (“Zangezur Corridor”) between the western regions of the Republic of Azerbaijan and the **Nakhchivan Autonomous Republic** (emphasis added – A.M.), uniting Turkey and Azerbaijan, and the construction of the Nakhchivan–Kars railway as an extension of the above-mentioned corridor will contribute to the deepening of transport and communication ties between the two countries.”³² These steps are framed within the broader “Turan” project promoted by Turkey, which aims to establish uninterrupted land communication with Azerbaijan and the countries of Central Asia while bypassing Iran.

Even Article 3 of the Joint Declaration signed by the leaders of Azerbaijan and Armenia in Washington on August 8, 2025, in the presence of the US President, states that the parties express their readiness to make efforts to ensure unimpeded communication between the main part of Azerbaijan and **the Nakhchivan Autonomous Republic** through the territory of Armenia, while ensuring reciprocal benefits for Armenia from international and intra-state connectivity.³³ Thus, it can be concluded that, by deciding to revise the autonomous status of Nakhchivan, the President of Azerbaijan violated not only the Moscow and Kars Treaties, but also international legal documents signed by himself.

The unilateral revision of the status of the Nakhchivan Autonomous Republic by the President of Azerbaijan constitutes a clear violation of the relevant provisions of the Moscow and Kars Treaties and may entail legal and political countermeasures by the states parties to these treaties.

According to international treaty law procedures, before changing the status of Nakhichevan – which clearly implies a revision of the provisions of the Moscow and Kars Treaties – Azerbaijan was obliged to notify the other parties to the treaties: Turkey, Georgia, Armenia, and Russia. It is evident that Azerbaijan did not make any such official proposal to the states parties to these treaties.

³¹ The full text of the Shusha Declaration signed between Azerbaijan and Turkey has been published, <https://ru.trend.az/azerbaijan/politics/3440708.html> (24.10.2025).

³² Ibid.

³³ “Asbarez”, 8 August 2025, <https://asbarez.com/text-of-declaration-signed-by-pashinyan-and-aliyev/> (24.10.2025).

Meanwhile, Article 40 of the 1969 Vienna Convention on the Law of Treaties provides: "Any proposal to amend a multilateral treaty as between all the parties must be notified to all the contracting States, each one of which shall have the right to take part in: (a) the decision as to the action to be taken in regard to such proposal; (b) the negotiation and conclusion of any agreement for the amendment of the treaty."³⁴ By its actions, Azerbaijan violated the rights of the other parties to these international treaties, which, within the framework of international treaty law, may take countermeasures to protect their rights and interests.

In this regard, it should be noted that Turkey did not react to Azerbaijan's actions, from which it may be inferred that a prior understanding had been reached between Baku and Ankara through backstage diplomacy. At the same time, while this issue is of little practical interest to Georgia, it is of vital and sensitive importance to Armenia and Russia. For Moscow, the issue may acquire even greater significance in the context of the deepening tensions in Russian–Azerbaijani relations.

If any party to the Moscow or Kars Treaties considers Azerbaijan's unilateral actions to constitute a violation of its rights, it may undertake certain countermeasures. Article 60 of the 1969 Vienna Convention on the Law of Treaties clearly states: "A material breach of a bilateral treaty^{*} by one of the parties entitles the other to invoke the breach as a ground for terminating the treaty or suspending its operation in whole or in part."³⁵ In particular, the other parties to the Moscow and/or Kars Treaties may demand an official explanation from Azerbaijan regarding the unilateral change in Nakhichevan's status without their consent, qualifying this as a violation of the provisions of these treaties. Regardless of whether an official response is received from Baku, this situation may already be classified as a dispute concerning the application or interpretation of the Moscow and/or Kars Treaties. If such disputes are not resolved through negotiations within 12 months, judicial proceedings may be initiated before the

³⁴ **Blatova** 1982, 82.

^{*} The preamble to the Treaty of Kars states that one party to the treaty is the government of the Turkish National Assembly, and the other is the governments of the Soviet republics of Armenia, Azerbaijan and Georgia with the participation of Soviet Russia. See **Kirakosyan** 1972, 517.

³⁵ See **Blatova** 1982, 89.

Nakhichevan at the “Crossroads” of Pan-Turanian and Global Projects

International Court of Justice, through international arbitration, or in other appropriate forums.³⁶

Not only Russia, as a direct party to these treaties, but also Iran, Armenia’s natural geopolitical partner in this context, may be interested in initiating a political and legal process aimed at preventing violations of the Moscow and Kars Treaties, since the advancement of the so-called pan-Turkic “Zangezur Corridor” project and the coordinated actions of the Turkish–Azerbaijani tandem around Nakhichevan are also clearly contrary to Tehran’s interests.

Moreover, the presence of Turkish armed forces in Nakhichevan is also presented in this text as a violation of the Moscow and Kars Treaties and raises serious concerns not only in Armenia, but also in Russia and Iran, especially in the context of Azerbaijani and Turkish claims regarding the so-called “Zangezur Corridor.” On this basis, it can be expected that Tehran may potentially support Armenian or Russian initiatives aimed at challenging Azerbaijan’s unilateral change of Nakhichevan’s status in international forums.

As is known, under Article 15 of the “Agreement on the Establishment of Peace and Interstate Relations between Armenia and Azerbaijan,” initialed in Washington on August 8, 2025, in the presence of the US President, the parties undertook to withdraw interstate claims and complaints and to suspend existing disputes within one month from the date of entry into force of the agreement, assuming an obligation not to bring new claims against each other and not to participate in international legal proceedings initiated by any third country against a party to the agreement.³⁷ This article, included at Azerbaijan’s insistence, clearly reflects Baku’s interests, since international judicial bodies have already adopted decisions on provisional measures against Azerbaijan on the basis of claims filed by Armenia, whereas Azerbaijan’s claims against Armenia, due to lack of substantiation, have not had comparable consequences.

It is well known that the Armenian side long refused to accept the final provisions of the agreement, including the clause on the withdrawal of interstate

³⁶ Ibid, 91.

³⁷ See “Agreement on the Establishment of Peace and Interstate Relations between the Republic of Armenia and the Republic of Azerbaijan”, [https://www.mfa.am/hy/press-releases/2025/08/11/Initialed%20Arm-Az%20Peace%20Agreement %20text/13394](https://www.mfa.am/hy/press-releases/2025/08/11/Initialed%20Arm-Az%20Peace%20Agreement%20text/13394) (24.10.2025)

claims in international courts.³⁸ However, motivated by a desire to achieve peace as soon as possible, the Armenian side, after lengthy discussions, made concessions and satisfied Azerbaijan's demand.

Despite these significant concessions, Azerbaijan continues to condition the final signing of the peace agreement on the fulfillment of new demands presented to Armenia,³⁹ while maintaining aggressive rhetoric and periodically voicing threats. All of this gives rise to serious doubts as to whether the Baku authorities genuinely intend to establish real peace and equal relations with Armenia, or are instead attempting to exploit the current favorable situation in order to extract maximum concessions.

In view of these realities, the Armenian side, according to the logic of this text, should not indulge in illusions of a rapid peace at the cost of complying with Azerbaijan's endless demands, including the withdrawal of lawsuits filed before international courts. Rather, it should consider the use of legal instruments to restrain aggressive behavior, including the filing of new claims. Experience suggests that it is precisely the firm stance of major powers, international organizations, and international courts that, to a certain extent, restrains the ambitions of the Baku authorities and prevents further destabilizing actions.

It is also necessary to take into account that Armenia's withdrawal of claims from international judicial bodies may lead to the revocation of provisional measures already adopted against Azerbaijan and the termination of ongoing proceedings, which the Baku authorities have consistently sought. At the same time, such steps may seriously undermine Armenia's international credibility and lead to mistrust should Armenia seek to appeal again to the same judicial bodies in the future.

In this context, the unilateral actions of the President of Azerbaijan regarding the change in the status of Nakhchivan may be used as a legal basis for filing an additional lawsuit against Azerbaijan in international courts and for obtaining another decision against the Baku authorities.

³⁸ See Aliyev announced the issues on which Armenia and Azerbaijan failed to reach agreement in the draft peace treaty, December 18, 2024, <https://armenpress.am/ru/article/1207738> (24.10.2025)

³⁹ See President Ilham Aliyev gave interview to Azerbaijani media representatives in Washington, 09.08.2025, https://azertag.az/en/xeber/president_ilham_aliyev_gave_interview_to_azerbaijani_media_representatives_in_washington_video-3693079 (24.10.2025)

Conclusion

Thus, Azerbaijan’s unilateral revision of the status of the Nakhchivan autonomy constitutes a violation of the provisions of the Moscow and Kars Treaties, which provides grounds for the parties to these treaties – Armenia and Russia – as well as for Iran, as an interested regional actor, to initiate a political and legal process for discussing this issue in international judicial bodies and international organizations. Such initiatives would aim to demonstrate to the international community the potential threats and consequences of the pan-Turkic project being implemented by the Turkish–Azerbaijani tandem.

In conclusion, it should be emphasized that any steps by Armenia in this direction must be preceded by serious political preparatory work, including consultations with major geopolitical and regional actors. It is no secret that powerful states often use international legal norms and principles instrumentally to advance their own interests, sometimes interpreting or even violating them in ways that suit their strategic objectives.

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ԱՐՄԵՆ ՄԱՐՈՒՔՅԱՆ

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Ամփոփում

Հայաստանի համար բախտորոշ Մոսկվայի և Կարսի պայմանագրերին, որոնցով հայ ժողովրդից օտարվեցին իր հայրենիքի ռազմավարական նշանակություն ունեցող տարածքները, անցած տասնամյակների ընթացքում բավական անդրադարձներ են կատարվել՝ ընդգծելով այդ փաստաթղթերի անարդարացի և միջազգային իրավունքի տեսակետից անօրինական լինելու հանգամանքները: Այդ պայմանագրերով ապօրինաբար Ադրբեջանի խնամատարությանը հանձնվեց Նախիջևանը և ներկայումս Բաքուն միակողմանի քայլեր է կատարում այդ ինքնավար հանրապետության կարգավիճակը փոխելու ուղղությամբ, ինչը Մոսկվայի և Կարսի գործող միջազգային պայմանագրերի դրույթների խախտում է:

Սույն հոդվածի շրջանակներում ներկայացվում են համաթուրանական նպատակներից ելնելով Նախիջևանը Ադրբեջանին փոխանցելու Թուրքիայի դիվանագիտական ջանքերը, ինչպես նաև ինքնավար հանրապետությունը հայաթափելու Ադրբեջանի իշխանությունների հետևողական քաղաքականությունը: Քննարկվում են Նախիջևանի Ինքնավար Հանրապետության կարգավիճակը փոխելու և կառավարման նոր կարգ հաստատելու Ադրբեջանի իշխանությունների ինչպես ներքաղաքական, այնպես էլ արտաքին քաղաքական շարժառիթները:

Հոդվածի նպատակն է ցույց տալ միջազգային պայմանագրային իրավունքի տեսակետից Նախիջևանի Ինքնավար Հանրապետության կարգավիճակը

Marukyan A.

միակողմանիորեն փոխելու՝ Ադրբեջանի իշխանությունների գործողությունների անօրինականությունը, ինչպես նաև նշել Մոսկվայի և Կարսի պայմանագրերի՝ Նախիջևանի կարգավիճակին վերաբերող դրույթների խախտման հնարավոր իրավաքաղաքական հետևանքները:

Բանալի բառեր՝ Նախիջևան, ինքնավար հանրապետության կարգավիճակ, Մոսկվայի և Կարսի պայմանագրեր, Հայաստան, Ադրբեջան, Թուրքիա, համաթուրանական ծրագիր: