



## **Armenia Is Next**

### **Azerbaijan Said So, and the West Is Making It Possible**

The Diplomatic Tour of Occupied Artsakh, the Duty to Prevent,  
and the Precedent of 1915

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Global Peace International  
Burbank, California  
2026  
*GPI White Paper Series, No. 4*

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Published by Global Peace International  
145 S. Glenoaks Blvd., #249  
Burbank, California 91502, United States  
[www.GlobalPeaceInternational.com](http://www.GlobalPeaceInternational.com)

GPI White Paper Series, No. 4  
First edition, September 2026.

Companion publication to Global Peace International White Paper No. 1, *Western Azerbaijan: A Conspiracy Against the Armenian People*; White Paper No. 2, *A Vote Without Consequences*; and White Paper No. 3, *Artsakh Is Not Lost*.

Research cutoff: September 12, 2026. Legal status references reflect publicly available materials through that date.

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## **A Note to the Reader**

On September 11 and 12, 2026, approximately 150 representatives of 58 countries and nine international organizations were driven into Artsakh by the government of Azerbaijan. They were taken to Stepanakert, which their hosts call Khankendi. They were taken to Shushi. They were assembled in front of a Victory Arch in a new Azerbaijani park built in the capital of a republic whose entire population had been driven out three years earlier, and they posed for a commemorative photograph. The next day they were taken to Gandzasar and Dadivank, and told that the founder of Gandzasar's cathedral had been an Albanian ruler. Azerbaijani state media described the exercise as the twenty-second diplomatic visit organized to the territories since 2020.<sup>1</sup>

Representatives of the United States, France, the United Kingdom and the European Union were among them. The American chargé d'affaires used the occasion to discuss more than eight billion dollars in commercial agreements, continuing strategic cooperation, American participation in an Azerbaijani defense exhibition, and the continued suspension of the one provision of United States law written to restrain Azerbaijan's conduct toward Armenians. The French ambassador called the reconstruction very impressive. The British ambassador praised it and discussed British participation in the Shushi master plan.<sup>2</sup>

This paper is written for anyone who looked at those photographs and could not put a name to what was wrong with them. The purpose of the paper is to supply one.

What happened in Stepanakert on September 11, 2026 is the fourth stage of a sequence the Armenian people have already lived through once. The stages are always the same. First the governments that could have acted are warned, in specific terms, by credible people, in writing. Then they do not act. Then no one is punished. Then the same governments sign commercial agreements with the state that carried it out, and eventually military ones, and the crime becomes the foundation of a partnership rather than a subject of a prosecution.

That is not an analogy. It is the documented history of the Armenian Genocide and of the powers that declared in May 1915 that they would hold the perpetrators personally responsible. Britain detained scores of Ottoman officials at Malta to be tried and released every one of them without a conviction. The award President Woodrow Wilson issued under the Treaty of Sèvres was discarded. At Lausanne in 1923 the Armenian question was settled by treaty without an Armenian signature. Within four years the United States had restored diplomatic relations with the successor state; within five, American oil companies held a quarter share of the concession covering the provinces Armenians had been deported from; within thirty, that state was a military ally. The men who had held the concessions over Armenian land wrote in respectable American magazines that the massacres had been exaggerated and that the deportees had come home fat and prosperous.

Read that last sentence again, and then read what Hikmet Hacıyev told 150 diplomats standing in front of a thirteenth-century Armenian monastery on September 12, 2026.

There is one further element, and it is the hardest. In the summer of 1915, while American consuls were cabling Washington that this was a campaign of race extermination, private American principals holding oil concessions on Armenian-inhabited land were arranging the transfer of two hundred thousand rifles and four hundred million rounds of ammunition, routed through a neutral

government, for delivery to the Turks. The file sits in a university archive in New York State. In 1992, as the first war over Artsakh was being fought, veterans of Iran-Contra appeared in Baku under the cover of an American oil company that never found oil, offering assistance to the regime's security services in exchange for oil contracts. Since 2002, five consecutive American presidents have waived the statutory restriction on assistance to Azerbaijan, every year, without interruption, through the 2020 attack and the blockade and the emptying of Artsakh. The most recent suspension was signed in Washington on August 8, 2025, in the presence of the President of Azerbaijan, on the same day and in the same city as the summit that produced the corridor project now named after an American president.

This paper sets that record out in full, with its sources, and with the limits of each source stated plainly.

It also states what comes next, because Azerbaijan has already announced it. The doctrine is called Western Azerbaijan. It holds that the Republic of Armenia is Azerbaijani land, that Armenians are late arrivals there, and that nearly three hundred thousand Azerbaijanis are entitled to return to it. It has a headquarters in Baku, a Concept of Return lodged on the United Nations record, identity cards issued through a state service system, a department of the Academy of Sciences devoted to renaming Armenian places, and an annual conference. President Aliyev explained the timing himself in December 2022: it had been premature to raise the subject while the Karabakh conflict remained unresolved, and now that it was resolved, this was the issue on the agenda.

Artsakh was not the end of the conflict. It was the demonstration.

Every government represented in that photograph has now confirmed that the method carries no cost. If the same method is applied to the Republic of Armenia, and the response is the same, then on the evidence of 1915 and of 2023 it is possible to predict with some confidence what the same governments will be doing a decade later. They will be signing agreements over the result, touring the reconstruction, and calling it peace.

This paper is an argument against that outcome, and a list of the specific legal steps available now to prevent it.

## Abstract

This white paper documents the diplomatic tour of occupied Artsakh conducted by the government of Azerbaijan on September 11 and 12, 2026, and situates it within two sequences: the Artsakh sequence of 2022 to 2026, and the Armenian Genocide sequence of 1915 to 1952. The paper's central finding is that the conduct of the Western governments represented on that tour reproduces, in compressed form, the conduct of the same governments after 1915: forewarning, failure to prevent, failure to punish, and then economic and military normalization with the perpetrator state.<sup>3</sup>

The paper establishes the knowledge base available to the United States, France, the United Kingdom and the European Union before September 19, 2023. That base included a ten-month obstruction of the Lachin corridor affecting approximately 120,000 people, a binding order of the International Court of Justice of February 22, 2023, a formal genocide opinion issued on August 7, 2023 by a former Prosecutor of the International Criminal Court, the presentation of that opinion to the Tom Lantos Human Rights Commission on September 6, 2023, and a Senate Foreign Relations Committee hearing on September 14, 2023. Azerbaijan attacked five days after that hearing, and more than 100,000 Armenians left within eight days.<sup>4</sup>

Against that record the paper applies the standard stated by the International Court of Justice in *Bosnia and Herzegovina v. Serbia and Montenegro*: the duty to prevent arises when a state learns, or should normally have learned, of a serious risk that genocide will be committed, and a state with means capable of a deterrent effect must employ them according to its capacity to influence the potential perpetrator. The paper does not assert that a tribunal has found any Western state responsible under Article I. It asserts that no such finding is necessary to justify an investigation, and that the governments concerned possessed political, economic and diplomatic leverage they declined to use.<sup>5</sup>

The paper then documents the historical precedent in detail: the contemporaneous knowledge of 1915, the Allied declaration of May 1915 promising personal responsibility for crimes against humanity and civilization, the collapse of the Constantinople courts-martial, the release of the Malta detainees without a single conviction, the discarding of the Wilson arbitral award, the Treaty of Lausanne concluded without Armenian participation, the denial campaign conducted by the holder of American concessions over Armenian land, and the restoration of diplomatic relations, the allocation of American oil interests, and the eventual military alliance that followed.<sup>6</sup>

A separate part documents the arming of the perpetrator in both sequences. It reproduces the substance of the Spanish Rifles file in the James Wood Colt archive at the University of Rochester, which records a July 24, 1915 arrangement for 200,000 Spanish Mauser rifles and 400 million rounds to be sold to a neutral government and delivered to the Turks at a given time, arranged with the participation of American holders of Ottoman mineral concessions covering oil on Armenian-inhabited land. It then documents the 1992 appearance in Baku of Iran-Contra veterans under the cover of the MEGA Oil company, the reported training of Azerbaijani forces, the offer of oil contracts in exchange for security-service assistance, and the absence of any public record of licensing under the Arms Export Control Act. It closes with the uninterrupted record of Section 907 waivers from 2002 to the suspension signed on August 8, 2025.<sup>7</sup>

The paper documents the Western Azerbaijan doctrine as the announced successor claim, including the institutional apparatus built around it since December 2022, and it documents the

mirror-filing pattern by which Azerbaijan places a counter-instrument on an institutional record alongside each Armenian legal gain. It assesses the Trump Route for International Peace and Prosperity as a forty-nine-year exclusive development right inside sovereign Armenian territory held through a company in which the United States side takes a 74 percent interest, and identifies the structural conflict of interest that arrangement creates.<sup>8</sup>

The paper concludes with findings and recommendations, including the reinstatement and enforcement of Section 907, the indefinite suspension of TRIPP pending accountability measures, and the opening of an evidentiary review by the United States Department of Justice under 18 U.S.C. §1091, the presence-based genocide jurisdiction Congress created in 2007 and which did not exist when Britain released the Malta detainees in 1921.<sup>9</sup>

## **Key Findings**

1. On September 11 and 12, 2026, Azerbaijan conducted a state-organized tour of occupied Artsakh for approximately 150 representatives of 58 countries and nine international organizations, accompanied by Hikmet Hajiyev, assistant to the President of Azerbaijan and head of the Foreign Policy Affairs Department of the Presidential Administration. Azerbaijani reporting described it as the twenty-second such visit since 2020.<sup>10</sup>
2. The delegation was assembled at Azerbaijan's new Victory Park in Stepanakert and photographed before the Victory Arch. The itinerary used Azerbaijani designations throughout: Khankendi for Stepanakert, Aghdara for Martakert, Kalbajar for Karvachar, Khudavang for Dadivank. On the second day Hajiyev described Hasan-Jalal Dawla, founder of the cathedral at Gandzasar, as an Albanian ruler.<sup>11</sup>
3. The United States chargé d'affaires in Azerbaijan used the visit to discuss more than \$8 billion in commercial agreements between American and Azerbaijani companies, their implementation, continuing strategic cooperation, upcoming American participation in Azerbaijan's defense exhibition, and the continued suspension of Section 907 restrictions. The French and British ambassadors praised the reconstruction; the European Union special representative discussed support for the peace process.<sup>12</sup>
4. Every government represented on that tour possessed, before September 19, 2023, specific notice of a serious risk of genocide against the Armenians of Artsakh. That notice included the February 22, 2023 order of the International Court of Justice, the August 7, 2023 expert opinion of a former Prosecutor of the International Criminal Court concluding that the blockade should be considered genocide under Article II(c) of the Genocide Convention, and the presentation of that opinion to a commission of the United States Congress on September 6, 2023.<sup>13</sup>
5. The notice given to those governments did not begin in 2023. Azerbaijani forces attacked on the recognized interstate border with Armenia in July 2020; the general assault on Artsakh followed on September 27, 2020 and lasted forty-four days; the United Nations Working Group on the use of mercenaries found in November 2020 that Azerbaijan, with Turkey's assistance, had relied on Syrian fighters in a manner consistent with the definition of a mercenary under a convention binding on Azerbaijan; and Genocide Watch issued a Genocide Emergency Alert in October 2020 placing Azerbaijan at the extermination and denial stages of its model. All of this occurred while the Secretary-General's global ceasefire appeal of March 2020 and Security Council Resolution 2532 of July 1, 2020 were in effect, the September assault beginning on the eighty-eighth day of the ninety-day humanitarian pause the Council had demanded.<sup>14</sup>
6. The assault of September 2020 was not a bilateral engagement. Turkey delivered armed unmanned aircraft with guided munitions shortly before it, increased its military exports to Azerbaijan approximately sixfold during 2020 with most deliveries occurring after July, and recruited and transferred Syrian fighters to the conflict zone. Israel accounted for 69 per cent of Azerbaijan's imports of major arms in 2016 to 2020, supplied the loitering munitions and ballistic missiles used in the assault, had licensed production of its unmanned aircraft inside Azerbaijan since 2011, and continued deliveries during the fighting. Those supply relationships were recorded in public arms-transfer data before the assault began.<sup>14</sup>

7. The 1992 request of the Conference on Security and Co-operation in Europe that participating states embargo weapons deliveries to forces engaged in combat in the Nagorno-Karabakh area was never made binding, monitored or enforced, and has never been withdrawn. Azerbaijan was armed throughout the intervening period by participating states of that organization and by Israel, which is not one. The strike aircraft used in 2020 carried electro-optical targeting sensors manufactured by a Canadian subsidiary of a United States corporation; Canada suspended the permits in October 2020, cancelled them in April 2021 on a finding of credible evidence of use in Nagorno-Karabakh contrary to end-use assurances, and resumed the exports in January 2024. The European Union adopted no arms embargo on Azerbaijan. The United Kingdom codified the 1992 request in the Export Control Order 2008 and in 2014 extended it to the whole of its Military List, then licensed approximately £85.9 million of security exports to Azerbaijan from 2010, including targeting equipment, and on July 1, 2025 narrowed the embargo to weapons, ammunition and munitions alone, twenty-one months after the population of Artsakh was removed and five weeks before the Washington summit. France, a co-chair of the OSCE Minsk Group throughout, had in December 2014 transferred to Azerbaijan's national operator title to a French-built optical Earth observation satellite, renamed Azersky, together with constellation operation, ground-segment access to half-metre imagery from the Pléiades satellites, a satellite control centre built in Azerbaijan and the training of more than twenty-five Azerbaijani specialists in France. The satellite remained in operation through the September 2020 assault.<sup>14</sup>

8. Under the standard stated by the International Court of Justice in 2007, the obligation to prevent arises on knowledge of a serious risk and requires a state to employ the means reasonably available to it in proportion to its capacity to influence the potential perpetrator. The United States, France, the United Kingdom and the European Union possessed substantial economic, diplomatic and military leverage over Azerbaijan in 2023 and did not employ it to prevent the outcome about which they had been warned. No tribunal has adjudicated their conduct. None has been asked to.<sup>15</sup>

9. That sequence has a documented precedent. The Armenian Genocide of 1915 was recorded contemporaneously by American consular officers, by missionaries, and by the press of the same powers; Britain, France and Russia jointly declared in May 1915 that they would hold the Ottoman leadership personally responsible for crimes against humanity and civilization. No power intervened to stop the deportations.<sup>16</sup>

10. The failure to punish was equally complete. The Constantinople courts-martial of 1919 and 1920 were cut short. Britain removed scores of Ottoman officials to Malta for trial and released all of them without a single conviction. The arbitral award issued by President Wilson under the Treaty of Sèvres was never implemented, and the Treaty of Lausanne of 1923 replaced Sèvres with no Armenian government party to it.<sup>17</sup>

11. Normalization followed on a measurable schedule. The United States restored diplomatic relations with Turkey in 1927. American oil interests received a quarter share of the Turkish Petroleum concession covering the former Ottoman oil provinces in 1928. Turkey received American military assistance from 1947 and entered NATO in 1952. The interval from the 1915 warning to full military alliance was thirty-seven years. The interval from the 2023 warning to the discussion of \$8 billion in agreements and defense-exhibition participation on the ground in occupied Stepanakert was three.<sup>18</sup>

**12.** In both sequences, American commercial actors holding rights over the disputed land participated in arming the perpetrator. The Colt archive at the University of Rochester documents a July 24, 1915 arrangement, made with the assistance of Grand Duke Michael Alexandrovich of Russia, for 200,000 Spanish Mauser rifles with bayonets and 400 million rounds of ammunition to be sold to a neutral government and delivered to the Turks at a given time. The American principals held Ottoman mineral concessions covering crude oil on Armenian-inhabited land. The final disposition of the consignment is not established by the surviving documents, and this paper does not assert it.<sup>19</sup>

**13.** In 1992, figures central to the Iran-Contra operations appeared in Baku under the cover of MEGA Oil, an American-linked company that is reported never to have found oil. Human Rights Watch reported that American military advisers linked to that company trained Azerbaijani forces, and a published study of the negotiation of the Contract of the Century states that the company offered oil contracts in exchange for assistance to the regime's security services. No public record shows authorization under the Arms Export Control Act for the provision of such defense services, and the question has never been resolved publicly.<sup>20</sup>

**14.** Section 907 of the Freedom Support Act, adopted in 1992 to restrict United States assistance to Azerbaijan until it ceased blockades and offensive force against Armenia and Artsakh, has been waived by every president since the first determination of January 25, 2002. The waivers continued without interruption through the April 2016 escalation, the September 2020 attack, the 2022-2023 blockade and the depopulation of Artsakh. President Trump signed the suspension again on August 8, 2025, during the Washington visit of President Aliyev and on the day of the summit that produced the TRIPP framework.<sup>21</sup>

**15.** The International Court of Justice order of November 17, 2023 requiring safe, unimpeded and expeditious return, and the protection of registration, identity and private-property records, remains outstanding. Sovereign title and private property rights are distinct questions; territorial control does not extinguish Armenian private, ecclesiastical, communal or institutional ownership, and foreign investment that consolidates control over such property without determining ownership or providing restitution engages the investor's own legal exposure.<sup>22</sup>

**16.** Azerbaijan has announced its next claim. The Western Azerbaijan doctrine designates the territory of the Republic of Armenia as Azerbaijani land. Since December 2022 it has acquired a headquarters in Baku, a Concept of Return adopted on January 26, 2023 and lodged on the United Nations record, a claimed constituency of nearly 300,000 persons, identity cards issued through the state ASAN Service system, a toponymy department within the Azerbaijan National Academy of Sciences, and an annual state-supported conference, the third of which met at Ordubad in June 2026. President Aliyev stated in December 2022 that it had been premature to raise the subject before the Karabakh conflict was resolved.<sup>23</sup>

**17.** Azerbaijan as a political entity in the Caucasus dates from May 1918, when the name of a province of northern Iran was applied for the first time to territory north of the Arax River. No Azerbaijani territorial claim to Armenian land predates that act, because no entity of that name existed to make one.<sup>24</sup>

**18.** The Trump Route for International Peace and Prosperity is no longer conceptual. Under the framework published by the parties, a development company in which the United States side holds a 74 percent controlling interest would receive exclusive land-use and development rights for an

initial forty-nine-year term over agreed areas inside sovereign Armenian territory. That arrangement gives the United States a direct commercial interest in the durability of the settlement that followed the destruction of Artsakh, which is the same structural conflict that made the holder of American concessions over Armenian land the loudest denier of the Armenian Genocide in the 1920s.<sup>25</sup>

**19.** The legal mechanism absent in 1921 now exists. Under 18 U.S.C. §1091 genocide is a federal crime, the statute of limitations has been eliminated, and federal jurisdiction extends to genocide committed abroad where the alleged offender is present in the United States. Congress adopted that presence-based jurisdiction in 2007 for the express purpose of preventing the United States from becoming a safe haven. It has not been applied to the destruction of the Armenian community of Artsakh.<sup>26</sup>

## **Figures, Tables, and Documents**

This paper relies primarily on official records, court orders, statutes and archival documents. The figures are analytical aids that display relationships already established in the text and in the annexed tables. No figure is offered as evidence independent of its underlying sources, and no table is a substitute for the instrument it summarizes.

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### **Documents**

The principal documentary sources reproduced or summarized in this paper are the order of the International Court of Justice of February 22, 2023; the order of November 17, 2023; the expert opinion of Luis Moreno Ocampo of August 7, 2023; the joint declaration of the Allied governments of May 1915; the report of the meeting of July 24, 1915 in the James Wood Colt archive, folder “Spanish Rifles, 1915,” University of Rochester; Presidential Determination No. 2002-15 and its successors; the Concept of Return of the Western Azerbaijan Community of January 26, 2023 as circulated on the United Nations record; and the framework agreement concerning TRIPP. Annex G lists each and states where it may be obtained.

**Table 1. The four-stage sequence, 1915 and 2023 compared**

| <b>Stage</b>                       | <b>First sequence</b>                                                                                                                                                                                     | <b>Second sequence</b>                                                                                                                                                                                                    |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Forewarning by credible authority  | American consular reporting from 1915; Morgenthau's cable of July 20, 1915; missionary testimony compiled by Bryce; Allied joint declaration of May 1915 promising personal responsibility. <sup>27</sup> | ICJ order of February 22, 2023; Ocampo expert opinion of August 7, 2023; Tom Lantos Human Rights Commission hearing of September 6, 2023; Senate Foreign Relations Committee hearing of September 14, 2023. <sup>28</sup> |
| Failure to prevent                 | No intervention; deportations and killings proceeded to completion.                                                                                                                                       | Assault of September 19-20, 2023; more than 100,000 Armenians displaced between September 24 and October 1, 2023. <sup>29</sup>                                                                                           |
| Failure to punish                  | Constantinople courts-martial cut short; Malta detainees released without a conviction; Wilson award discarded; Lausanne concluded without Armenian participation. <sup>30</sup>                          | No prosecution in any forum; ICJ orders of February and November 2023 outstanding; no sanctions imposed; Section 907 waived throughout. <sup>31</sup>                                                                     |
| Normalization with the perpetrator | Diplomatic relations restored 1927; American share of Turkish Petroleum 1928; military assistance from 1947; NATO accession 1952. <sup>32</sup>                                                           | \$8 billion in commercial agreements and American defense-exhibition participation discussed in occupied Stepanakert, September 11, 2026; TRIPP advanced from vision to reality, August 10, 2026. <sup>33</sup>           |

## **Part I. The Twenty-Second Visit**

### **1. September 11 and 12, 2026**

The tour was a state exercise, not a press encounter. Azerbaijani reporting placed approximately 150 representatives of 58 countries and nine international organizations in the occupied territories across two days, accompanied by Hikmet Hajiyev, assistant to President Ilham Aliyev and head of the Foreign Policy Affairs Department of the Presidential Administration. The same reporting identified the exercise as the twenty-second diplomatic visit organized to the territories since 2020, which establishes that this is a standing program rather than an occasion.<sup>34</sup>

The distinction matters to the argument of this paper. A single visit could be explained as curiosity, courtesy, or the ordinary business of accredited diplomats who go where the host government takes them. Twenty-two visits in six years constitutes a mechanism. Its function is to accumulate the physical presence of foreign officials at sites whose legal status is contested and whose population has been removed, and to accumulate their recorded words about what they saw there. The output of the mechanism is not information. It is endorsement.

Nothing in this paper suggests that the attendance of a diplomat at a site constitutes recognition of sovereignty as a matter of law. It does not. The doctrine of non-recognition operates on acts of state, not on itineraries. The claim made here is narrower and more practical: a government that sends its representative to be photographed at a victory monument in an emptied city, and permits that representative to praise the reconstruction, has made a political choice whose consequences are foreseeable and which its own citizens are entitled to have explained.

### **2. Victory Park**

On the first day the delegation was taken to Stepanakert, which Azerbaijan systematically calls Khankendi, and to Shushi. In Stepanakert they were brought to Azerbaijan's new Victory Park, where representatives of the diplomatic corps stood before the Victory Arch and posed for a commemorative photograph.<sup>35</sup>



**Figure 1.** Representatives of the diplomatic corps of 58 countries and nine international organizations assembled before the Victory Arch at Victory Park, Stepanakert, September 11, 2026. The arch stands forty-four metres high and is approached by forty-four steps, each number commemorating the forty-four days of the assault of 2020; plaques along the steps name the settlements taken. The Armenian population of the city had been removed three years before the photograph was taken, and no Armenian is present in it. Photograph by Toghrul Guluzade for APA, “Foreign diplomats visit Victory Park in Khankendi,” September 11, 2026, en.apa.az.

The site selection is the whole of the message. A victory park in the capital of Artsakh is not neutral infrastructure. It is a monument to the military operation that removed the city’s inhabitants, erected in the city from which they were removed, and the photograph taken in front of it is intended to be used. The design states the purpose without ambiguity. The park covers nine hectares. Forty-four steps lead from the entrance to the arch, for the forty-four days of the 2020 assault, with plaques along them giving the course of the fighting and the names of the settlements taken. The arch itself stands forty-four metres high, and a terrace installation represents the figure 8, for Victory Day on the eighth of November.<sup>36</sup> The delegation climbed those forty-four steps, past that roll of captured settlements, to be photographed under that arch. It will appear in Azerbaijani state media, in diplomatic briefings, and in the argument that the international community has accepted the outcome. That is the purpose of assembling the diplomatic corps in front of an arch rather than, for example, in front of the corridor along which the population left.

The word victory also carries a legal implication that deserves to be stated. Azerbaijan’s public position is that its operations in Artsakh were internal counter-terrorism measures conducted within its own recognized territory. A counter-terrorism operation does not produce a victory arch. The monument concedes what the diplomatic vocabulary denies: that this was a war of conquest, and that its object was achieved.

### **3. Gandzasar Through an Azerbaijani Lens**

On September 12 the delegation traveled into Martakert and Karvachar, designated by the Azerbaijani names Aghdara and Kalbajar, with scheduled visits to Gandzasar and Dadivank, two of the most important monuments of Armenian Christianity in Artsakh. Azerbaijani reporting listed the itinerary as including the Gandzasar Monastery Complex and Khudavang, the Azerbaijani designation for Dadivank.<sup>37</sup>

During that leg of the tour Hajiyev publicly described Hasan-Jalal Dawla, the founder of the cathedral at Gandzasar, as an Albanian ruler.<sup>38</sup>

Hasan-Jalal Dawla was an Armenian prince of Khachen. The cathedral he founded bears Armenian inscriptions recording his patronage. The Caucasian Albanian attribution is not a competing scholarly reading of that evidence; it is a state narrative constructed to detach Armenian monuments from Armenian history, and it has been applied across the occupied territories. Its function on a diplomatic tour is specific. If the monuments were not Armenian, then the people who were removed were not the heirs of anything, and their removal was not the severing of a continuity. The reclassification is retrospective work on the meaning of the depopulation.

### **4. What the Western Governments Said on the Ground**

The recorded statements of the Western participants are set out in full in Annex E. Four require attention here.

The United States chargé d'affaires in Azerbaijan, Amy Carlon, used the visit to discuss more than \$8 billion in agreements signed between American and Azerbaijani companies and the embassy's work to ensure their implementation. She separately addressed continuing strategic cooperation, upcoming American participation in Azerbaijan's defense exhibition, and the continued suspension of Section 907 restrictions.<sup>39</sup>

The French ambassador, Sophie Lagoutte, described the scale of Azerbaijan's reconstruction as very impressive. The British ambassador, Duncan Norman, praised the reconstruction and discussed British participation in demining and in the Shushi master plan. The European Union special representative, Magdalena Grono, spoke of support for Azerbaijan and for the peace process.<sup>40</sup>

Each of these statements is unremarkable in isolation, and each is the ordinary vocabulary of bilateral relations. Read on the site of the removal, three years after it, by governments that had been formally warned of genocide before it occurred, they constitute something else. The American statement is the most serious of the four, because it links the occasion directly to the suspension of the one instrument in United States law enacted to restrain the conduct in question, and to participation in the arms market of the state that carried it out.

### **5. The People Missing From the Photograph**

The most important feature of the photographs from Stepanakert is not who is standing in them. It is who is missing.

Between December 2022 and September 2023, Azerbaijan progressively obstructed the Lachin corridor, the only road connection between Artsakh and Armenia. By the summer of 2023 approximately 120,000 people were living under increasingly severe shortages of food, medicine, fuel and other necessities, with humanitarian delivery halted and the population dependent on rationed staples.<sup>41</sup>

Between September 24 and October 1, 2023, more than 100,000 people, virtually the entire remaining ethnic Armenian population, left for Armenia. The United States Department of State recorded that sequence in its own human rights reporting.<sup>42</sup>

Not one of them was present on the tour. No displaced family was brought to inspect its house. No Armenian historian was brought to Gandzasar. No representative of the displaced population was asked to address the delegation on the subject of return, which is the operative content of a standing order of the International Court of Justice. A tour of Artsakh that excludes the Armenians of Artsakh is not an inspection. It is a presentation, and the diplomatic corps agreed to be its audience.

## **Part II. What Those Governments Knew, 2020 to 2023**

### **6. July 2020: The First Attempt, and the Border It Crossed**

The record of notice does not begin with the blockade. It begins more than three years earlier, and it begins on the territory of the Republic of Armenia rather than in Artsakh.

Between July 12 and 16, 2020, Azerbaijani forces attacked in the direction of Tavush province, in the section of the internationally recognized interstate border between Armenia and Azerbaijan north of the Artsakh line of contact. The fighting killed servicemen on both sides, including a senior Azerbaijani general officer. It was not fighting over Artsakh. It occurred where no territorial dispute over Artsakh could be invoked, on the frontier of a state whose borders the international community does recognize.<sup>43</sup>

Two features of that engagement belong in the record of what governments knew.

The first is what followed inside Azerbaijan. The clashes were succeeded by mass demonstrations in Baku demanding war and mobilization, and by joint Azerbaijani-Turkish military exercises of unusual scale conducted over the following weeks in several regions of the country, including Nakhichevan. Whatever the intention behind the July engagement, the sequence that followed was the sequence of a state preparing for a general offensive, and it was visible to every embassy in Baku.<sup>44</sup>

The second is the absence of consequence. No sanctions followed. No arms restrictions followed. Section 907 was not reinstated, and the waiver was renewed as usual. An attack on the recognized territory of the Republic of Armenia, in the middle of a global pandemic and under the circumstances described in section 9 below, cost the state that carried it out nothing whatever.

Section 40 of this paper projects what would follow if Azerbaijan acted on the Western Azerbaijan doctrine against the Republic of Armenia and the international response resembled the response of 2020 and 2023. That projection does not rest on speculation about a future case. July 2020 is the case. Azerbaijani forces used force on the recognized border of Armenia, and the international system responded with statements.

### **7. September 27, 2020: Forty-Four Days**

On September 27, 2020, Azerbaijan launched a general assault on Artsakh along the whole length of the line of contact, with artillery, armor, Turkish and Israeli-supplied strike drones, and loitering munitions. Stepanakert and other civilian settlements were shelled from the first day. The assault continued for forty-four days and ended with the trilateral statement of November 9 and 10, 2020, under which Azerbaijan retained the territory taken and Armenia relinquished further districts, with Russian peacekeepers deployed along the Lachin corridor.<sup>45</sup>

The conduct of those forty-four days was documented as it happened, which is the relevant point for this paper. Cluster munitions were used in populated areas and their use was documented by international human-rights organizations. The Cathedral of Ghazanchetsots in Shushi was struck twice on the same day in October, the second strike occurring after journalists had arrived at the site. Thousands were killed. Tens of thousands were displaced from the districts transferred.<sup>46</sup>

Nothing about the 2023 operation was therefore a departure from an established pattern. It was the completion of an operation that had been conducted in the open three years earlier, with the same instruments, against the same population, and with the same absence of cost.

## **8. A Coordinated Operation: Turkey and Israel**

The assault of September 2020 is often described as a war between Armenia and Azerbaijan. That description is inadequate to the record. The operation was conducted with the direct participation of Turkey and with weapons systems that had been supplied, and in part manufactured under licence inside Azerbaijan, by Israel.

Turkey's role went beyond political support. The Stockholm International Peace Research Institute records that at least five Bayraktar TB2 armed unmanned aircraft, carrying MAM-L guided bombs, were delivered to Azerbaijan shortly before the assault, and that Turkish-supplied TRG-300 rocket launchers were reported in positions of strategic importance to the offensive. Turkish military exports to Azerbaijan rose approximately sixfold in 2020, reaching some \$77 million in September 2020 alone, with most of the drones, rocket launchers and ammunition delivered after July, which is to say in the weeks between the fighting at Tavush and the general assault. Published analyses of the operation indicate that the aircraft were in substantial part flown by Turkish crews.<sup>47</sup> Turkey's separate role in the recruitment and transfer of Syrian fighters is the subject of section 9.

Israel's role was of a different character and greater weight. SIPRI records that Israel accounted for 69 per cent of Azerbaijan's imports of major arms in the period 2016 to 2020, and 26.6 per cent across the decade to 2020. The systems concerned are the ones that decided the engagement: HAROP loitering munitions delivered from around 2015, Orbiter-1K and SkyStriker loitering munitions, Hermes-450 and Orbiter reconnaissance aircraft, Spike missiles and LORA ballistic missiles. Israeli-designed unmanned aircraft had been produced under licence inside Azerbaijan since 2011 through a joint venture established for the purpose. Israeli press reporting in October 2020 indicated that deliveries continued while the assault was under way.<sup>48</sup>

The reconnaissance layer of the operation had a third source. Azerbaijan had held its own French-built optical Earth observation satellite since December 2014, together with ground-segment access to higher-resolution French imagery, acquired from Airbus Defence and Space under an agreement signed in Baku in the presence of President Aliyev. That acquisition, and the position of the supplying state as a co-chair of the body mediating this conflict, are the subject of section 32.

Two consequences follow for the argument of this paper.

The first concerns characterization. An operation conducted by one state with the armed aircraft, crews and recruited fighters of a second, and with the strike systems of a third delivered during the fighting, is a coalition operation. The Armenian side of Artsakh, a population of roughly 150,000 at the time, was not facing Azerbaijan. It was facing Azerbaijan, the armed forces of a NATO member state, the arms industry of a state with no obligation under the applicable regional embargo, and a body of fighters recruited from the Syrian war.

The second concerns notice, which is the subject of this Part. The supply relationships described above were not secret. They were recorded by the principal public arms-transfer database, reported

in the press of the supplying countries, and in Azerbaijan's case openly celebrated by its own officials. Any government that wished to know what capability Azerbaijan had acquired, and from whom, and on what timetable, could establish it from published sources. Genocide Watch's emergency alert of October 2020 named the drones supplied by Turkey and Israel in its assessment. The build-up was visible, the delivery schedule immediately preceding the assault was visible, and the assault followed.

## **9. Mercenaries, and the Genocide Warning of 2020**

Two elements of the 2020 record bear directly on the argument of this paper, because both were placed before the same governments that have since expanded their relations with Baku.

The first is the use of mercenaries. On November 11, 2020, the United Nations Working Group on the use of mercenaries stated that there were widespread reports that the Government of Azerbaijan, with Turkey's assistance, had relied on Syrian fighters to sustain its military operations in the conflict zone, including on the front line. The Working Group stated that the manner in which those individuals were recruited, transported and used appeared consistent with the definition of a mercenary under the applicable instruments, including the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, to which Azerbaijan is a party. It further recorded reports that Turkey had engaged in large-scale recruitment and transfer of Syrian men to Azerbaijan through armed factions, that the fighters appeared motivated principally by payment, and that the families of those killed had reportedly been promised financial compensation and Turkish nationality. The Parliamentary Assembly of the Council of Europe subsequently condemned the use by Azerbaijan, with Turkey's assistance, of Syrian mercenaries.<sup>49</sup>

That finding is not a matter of Armenian allegation. It is the conclusion of a United Nations human-rights mechanism, addressed to the governments of Azerbaijan and Turkey, and it concerns a treaty obligation binding on Azerbaijan by its own accession.

The second is the genocide warning, and it is the element most often omitted from accounts of this history. The expert opinion of August 2023 was not the first. In October 2020, during the assault, Genocide Watch issued a Genocide Emergency Alert concerning Azerbaijan's conduct in Artsakh, placing Azerbaijan at Stage 9, extermination, and Stage 10, denial, on its ten-stage model. The alert cited Azerbaijan's denial of the past genocide against Armenians, its official use of hate speech, and the targeting of civilians in Artsakh, described the offensives against civilians as war crimes under the Geneva Conventions, and recommended that the United Nations Security Council demand a halt, that a peacekeeping force be positioned to deter attacks, and that world leaders condemn the hate speech and genocide denial of the Aliyev government.<sup>50</sup>

The consequence for the analysis in Part III is direct. When the duty to prevent is measured from the moment a state learns, or should normally have learned, of a serious risk of genocide, the clock in this case did not start in August 2023. A genocide emergency alert was issued in October 2020, by the organization whose founder devised the staging model in use in the United States government since the 1990s, and it was published, reported and circulated. The governments concerned therefore had three years of notice, not thirteen days, and they used those three years to renew the Section 907 waiver, continue security cooperation, and expand energy purchases.

## **10. The Ceasefire the United Nations Had Demanded**

There is one further circumstance, and it removes any suggestion that the international system was distracted or unprepared in 2020.

On March 23, 2020, the Secretary-General of the United Nations issued a global appeal for an immediate ceasefire in every corner of the world, on the ground that the pandemic demanded that armed conflict be silenced so that the common enemy could be confronted. On July 1, 2020, the Security Council adopted Resolution 2532, which demanded a general and immediate cessation of hostilities in all situations on its agenda and called for a durable humanitarian pause of at least ninety consecutive days to enable the delivery of humanitarian assistance during the pandemic. The Council had adopted four resolutions on the Nagorno-Karabakh conflict in 1993, and the conflict had remained on its records since.<sup>51</sup>

Set the dates against each other.

The Security Council demanded the cessation of hostilities on July 1, 2020. Azerbaijani forces attacked in the direction of Tavush eleven days later. The Council's ninety-day humanitarian pause, counted from the date of the resolution, would have run to late September. The general assault on Artsakh began on September 27, 2020, on the eighty-eighth day of that pause.

The world had been asked to stop shooting because a pandemic was killing people faster than any war then in progress. Azerbaijan opened the largest offensive in the South Caucasus in twenty-six years inside the window in which the Security Council had demanded silence, using fighters recruited from a war zone on another continent, and the states with leverage over it responded by calling for restraint and renewing their waivers.

That is the condition of the record before the first truck was turned back at the Lachin corridor.

## **11. The Blockade and the February 2023 Order**

On February 22, 2023, the International Court of Justice ordered Azerbaijan, by thirteen votes to two, to take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions. The Court expressly emphasized that provisional measures create binding legal obligations. On the same day it unanimously rejected Azerbaijan's counter-request concerning landmines.<sup>52</sup>

Azerbaijan did not comply. It installed a checkpoint on the corridor, and on July 6, 2023 the Court reaffirmed its earlier measure in response to Armenia's fourth request.<sup>53</sup>

The legal significance of that record is not limited to Azerbaijan's obligations. An unheeded provisional-measures order is public, dated and unambiguous notice to every state following the proceedings that the respondent is acting in defiance of the principal judicial organ of the United Nations with respect to the survival conditions of a specific civilian population. After February 22, 2023, no government could claim uncertainty about either the facts or their gravity.

## 12. The Ocampo Opinion and the Lantos Commission

On August 7, 2023, Luis Moreno Ocampo, former Prosecutor of the International Criminal Court, issued an expert opinion concluding that the blockade of Artsakh should be considered genocide under Article II(c) of the Genocide Convention, which covers the deliberate infliction on a group of conditions of life calculated to bring about its physical destruction. Ocampo identified starvation as the mechanism and stated that immediate action was required.<sup>54</sup>

On September 6, 2023, the Tom Lantos Human Rights Commission of the United States Congress held a hearing on the blockade. The Commission stated publicly that Ocampo had concluded there was a reasonable basis to believe genocide was being committed, and emphasized the duty to prevent under the Genocide Convention. Ocampo presented his opinion in person.<sup>55</sup>

The precision of this record is what makes the subsequent conduct difficult to explain. This was not an advocacy claim by an interested party. It was a legal opinion by the first Prosecutor of the International Criminal Court, framed in the operative language of the Convention, delivered to a commission of the United States Congress thirteen days before the attack.

## 13. The Senate Hearing and the Five Days That Followed

On September 14, 2023, Acting Assistant Secretary of State Yuri Kim appeared before the Senate Foreign Relations Committee at a hearing titled *Assessing the Crisis in Nagorno-Karabakh*.<sup>56</sup>

Five days later Azerbaijan attacked. On September 19 and 20, 2023, Azerbaijani forces conducted the military operation that established complete control of Artsakh. The capitulation followed within roughly twenty-four hours, and the exodus began within days.<sup>57</sup>

On October 5, 2023, the European Parliament described the attack as pre-planned and unjustified, called it a gross violation of international law and human rights, concluded that the mass forced exodus amounted to ethnic cleansing, and called for targeted sanctions, investigations of potential war crimes, and a comprehensive review of the European Union's relations with Azerbaijan. None of those measures was adopted.<sup>58</sup>

## 14. What Was Known, and by Whom

**Table 2. Knowledge held by Western governments, 2020 to September 19, 2023**

| Date         | Instrument or event                          | What it established                                                                                                         | Addressed to                     |
|--------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 23 Mar. 2020 | Secretary-General's global ceasefire appeal. | Armed conflict to be silenced worldwide for the duration of the pandemic. <sup>51</sup>                                     | All states.                      |
| 1 Jul. 2020  | Security Council Resolution 2532.            | Demand for a general and immediate cessation of hostilities and a humanitarian pause of at least ninety days. <sup>51</sup> | All states, through the Council. |

| <b>Date</b>        | <b>Instrument or event</b>                              | <b>What it established</b>                                                                                                                            | <b>Addressed to</b>                                               |
|--------------------|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 12-16<br>Jul. 2020 | Azerbaijani attack in the direction of Tavush.          | Use of force on the recognized interstate border of the Republic of Armenia, eleven days after Resolution 2532. <sup>43</sup>                         | Reported worldwide; no consequence followed.                      |
| 27<br>Sep. 2020    | General assault on Artsakh begins.                      | Opened on the eighty-eighth day of the ninety-day pause demanded by the Council. <sup>45</sup>                                                        | Reported worldwide in real time.                                  |
| Oct. 2020          | Genocide Watch Genocide Emergency Alert.                | Azerbaijan placed at the extermination and denial stages; Security Council action recommended. <sup>50</sup>                                          | Published and circulated internationally.                         |
| 11<br>Nov. 2020    | UN Working Group on the use of mercenaries.             | Finding that Azerbaijan, with Turkey's assistance, relied on Syrian fighters in a manner consistent with the definition of a mercenary. <sup>49</sup> | Governments of Azerbaijan and Turkey; public record.              |
| 12<br>Dec. 2022    | Obstruction of the Lachin corridor begins.              | Sole land link to Armenia severed for a population of approximately 120,000. <sup>59</sup>                                                            | Public; monitored by all missions in the region.                  |
| 22<br>Feb. 2023    | ICJ provisional measures order, 13 votes to 2.          | Binding obligation to restore unimpeded movement; Azerbaijan's counter-request rejected. <sup>60</sup>                                                | All states following the proceedings.                             |
| 6 Jul. 2023        | Further ICJ order after installation of the checkpoint. | Non-compliance with the February order placed on the judicial record. <sup>61</sup>                                                                   | As above.                                                         |
| 7<br>Aug. 2023     | Ocampo expert opinion.                                  | A former ICC Prosecutor's conclusion that the blockade constituted genocide under Article II(c). <sup>62</sup>                                        | Circulated publicly; transmitted to governments and institutions. |
| 6 Sep. 2023        | Tom Lantos Human Rights Commission hearing.             | Ocampo's opinion presented in person to a commission of the U.S. Congress; duty to prevent expressly invoked. <sup>63</sup>                           | United States Congress and executive branch.                      |
| 14<br>Sep. 2023    | Senate Foreign Relations Committee hearing.             | State Department testimony on the crisis five days before the assault. <sup>64</sup>                                                                  | United States Senate and executive branch.                        |
| 19-20<br>Sep. 2023 | Azerbaijani military operation.                         | Complete control established; capitulation within roughly 24 hours. <sup>65</sup>                                                                     | Reported worldwide in real time.                                  |

| <b>Date</b>         | <b>Instrument or event</b>                | <b>What it established</b>                                                     | <b>Addressed to</b>                                       |
|---------------------|-------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------|
| 24 Sep.-1 Oct. 2023 | Departure of more than 100,000 Armenians. | Virtually the entire remaining Armenian population left Artsakh. <sup>66</sup> | Recorded in U.S. State Department human rights reporting. |

The table is offered for a single purpose. It establishes that the governments represented on the September 2026 tour did not learn what had happened in Artsakh after the fact. They were told in advance, over three years, by the International Court of Justice, by a United Nations human-rights mechanism, by a genocide-prevention organization whose staging model originated in the United States government, by a former Prosecutor of the International Criminal Court, and by a commission of the United States Congress, and they were told in the operative language of the Genocide Convention.

## Part III. The Duty to Prevent

### 15. Article I and the Two Inseparable Words

Article I of the Convention on the Prevention and Punishment of the Crime of Genocide contains two obligations that cannot be separated: to prevent, and to punish. The duty to prevent is not contingent on a prior judicial determination that genocide is occurring. A prevention obligation that took effect only after a tribunal had finally pronounced would be incapable of preventing anything.

### 16. The Bosnia Standard

The International Court of Justice stated the operative standard in its judgment of February 26, 2007 in *Bosnia and Herzegovina v. Serbia and Montenegro*. A state's obligation to prevent, and the corresponding duty to act, arise at the moment the state learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed. From that point a state possessing means likely to have a deterrent effect must employ those means as circumstances permit. The Court characterized the obligation as one of conduct and due diligence rather than result.<sup>67</sup>

Two elements of that holding bear directly on the Artsakh record. First, the trigger is knowledge of serious risk, not certainty of commission, and the record set out in Table 2 satisfies any reasonable construction of that trigger. Second, the measure of the duty is capacity to influence: the Court expressly directed attention to the political links, economic links and other forms of leverage available to the state in question.

### 17. Capacity to Influence

Applied to 2023, that second element is where the analysis becomes uncomfortable for the governments concerned.

The United States held, at the relevant time, a statutory instrument written for precisely this circumstance. Section 907 of the Freedom Support Act conditions assistance to Azerbaijan on the cessation of blockades and offensive uses of force against Armenia and Artsakh. It was in suspension by presidential determination, and reinstatement required no new legislation. The United States was also a co-author of the 1992 OSCE arms embargo applicable to the conflict zone, a principal purchaser of Azerbaijani energy exports, and a security partner of Azerbaijan. The European Union had concluded an expanded gas arrangement with Baku in 2022 and was the destination of a substantial share of Azerbaijani exports. The United Kingdom's principal commercial actor in the country holds the largest foreign position in Azerbaijani hydrocarbons.

This is the leverage the Bosnia judgment directs a court to examine. The question is not whether these governments could have guaranteed a different outcome. Under the standard the Court adopted, that is not the test. The question is whether they employed the means reasonably available to them, in proportion to their capacity to influence Azerbaijan, once they knew of the serious risk. On the public record, the measures taken were statements.

## **18. What This Paper Does and Does Not Allege**

Precision is owed to the reader and to the governments named.

This paper does not allege that any Western state has been found responsible for a breach of Article I of the Genocide Convention. No such determination has been made, and none has been sought. It does not allege that any Western government participated in the planning or execution of the September 2023 operation. It does not treat the presence of a diplomat on a tour bus as an act of recognition under international law.

What this paper alleges is the following. Those governments were placed on notice of a serious risk of genocide by credible authority and in specific terms. They possessed substantial means of influencing the state concerned. They did not employ those means. The population was removed. No prosecution has followed anywhere. And the same governments are now expanding commercial and strategic relations with that state while standing on the territory from which the population was removed. Global Peace International's position is that this conduct requires investigation, not condolence, and that the absence of a judicial finding is a reason to seek one rather than a reason to treat the question as closed.

## Part IV. The First Sequence, 1915 to 1952

### 19. The Record Was Never in Doubt

The Armenian Genocide was not reconstructed by historians decades afterward. It was observed, recorded and transmitted in real time by officials of the same powers that later declined to act on it, and their reports are held in their own archives.

American consular officers in Aleppo, Trebizond, Harput and Smyrna described deportation caravans, mass executions and the systematic stripping of Armenian property before the deportees were driven toward the Syrian desert. Their reports went to Ambassador Henry Morgenthau Sr. in Constantinople and from there to Washington. Morgenthau's cable of July 20, 1915 stated the conclusion without hedging: this was not a question of massacres but a campaign of race extermination. The United States was still neutral. Its officials had no territorial ambition in the region and no partisan stake in the Armenian question.<sup>68</sup>

Missionaries and church workers supplied a second, independent stream of testimony, later compiled in the volume published under the name of Viscount James Bryce, *The Treatment of Armenians in the Ottoman Empire*, and presented to Parliament in 1916.<sup>69</sup> German and Austrian officials, allied with the Ottoman Empire and with every strategic reason to minimize what they saw, left diaries and reports that spoke openly of the annihilation.<sup>70</sup> American newspapers carried the story continuously under headlines that used the word extermination, and the relief campaign that became Near East Relief was organized in response, with congressional authorization and mass public support.<sup>71</sup>

There was no evidentiary gap in 1915. There is none now. In both sequences the denial came later and was constructed, not inherited.

### 20. The Warning of May 1915

Knowledge is one thing; a declared intention to hold the perpetrators responsible is another, and the Allied powers made one.

In May 1915 the governments of Great Britain, France and Russia issued a joint declaration warning the Ottoman government that they would hold members of the Young Turk leadership personally responsible for crimes against humanity and civilization committed against the Armenian population. The phrase entered the vocabulary of international law through the Armenian case, three decades before Nuremberg.<sup>72</sup>

The declaration is the closest historical analogue to the Ocampo opinion and the Lantos Commission hearing of 2023. In both cases the governments that later did nothing had first placed on the public record their understanding of what was being done and their assertion that it was criminal. The failure that followed was therefore not a failure of information or of legal characterization. Both were in place, in writing, and in the governments' own words.

## **21. The Failure to Prevent**

No power intervened to halt the deportations. The measures available in 1915 to the belligerent Allies were constrained by the war, and the measure available to the neutral United States, the leverage of a commercial and diplomatic relationship protected by the 1830 treaty under which its representatives remained safely in place, was not used for that purpose.

This paper does not apply the 1948 Convention retroactively to 1915; the Convention did not exist, and the duty stated in *Bosnia* is a treaty duty. The comparison being drawn is not legal but behavioral. The conduct the Court described in 2007 as a breach, knowledge of serious risk combined with unused capacity to influence, is exactly the conduct of the powers that issued the declaration of May 1915 and then allowed the deportations to run to completion. The Convention was written because of that conduct. The Artsakh record indicates that writing it down did not change it.

## **22. Malta: The Failure to Punish**

The failure to punish is documented with even less ambiguity, and it is the part of the record most directly relevant to the recommendations in Part XI.

Ottoman military tribunals convened at Constantinople in 1919 and 1920 convicted several Young Turk leaders in absentia for organizing massacres and deportations. The transcripts contain testimony from Ottoman officials describing how orders were transmitted and how the vocabulary of deportation and resettlement functioned as cover. Those proceedings were cut short by political change and Allied compromise.<sup>73</sup>

Britain removed scores of Ottoman officials to Malta with the stated intention of trying them for the massacres. Not one was convicted. The detainees were released, the last of them in connection with the prisoner exchange negotiated with the Kemalist movement, and the project of an international trial was abandoned in favor of a functional relationship with the emerging Turkish state.<sup>74</sup>

Two consequences followed, and both are live today. The first is that the men against whom the evidence was strongest were returned to public life, and several of the principal architects of the deportations died of old age or at the hands of Operation Nemesis rather than by judgment of a court. The second is doctrinal. The Malta episode established, for the first time in the modern era, that a great power could announce criminal responsibility for the destruction of a people and then decline to pursue it when the diplomatic cost became inconvenient. Every subsequent perpetrator has had the benefit of that precedent.

## **23. The Talaat Memorandum of February 1921**

Six weeks before he was killed in Berlin, Talaat Pasha explained the system to a visitor, and the British government wrote it down.

On February 8, 1921 a British dispatch from Berlin forwarded to London a memorandum received from what it described as a reliable source, summarizing a conversation with Talaat. The enclosure is headed “Interview With Talaat Pasha” and dated February 4, 1921. The British authorities were

tracking his movements at the same time: a War Office telegram of February 7 to the general commanding at Constantinople reported that he was believed to have left Rome in mid-January, destination uncertain.<sup>75</sup>

The organizer of the deportations was therefore not in hiding from the Allied powers in 1921. He was in Berlin and Rome, his movements were the subject of routine military telegrams, and his views were being collected and circulated within the British government as intelligence worth having.

What he said is the thesis of this paper stated by the perpetrator.

Talaat described the forthcoming London Conference as an opportunity for England to hand Mesopotamia to the Turkish Nationalists, who would in return grant England the oil concessions it wanted, and thereby furnish England with its answer to the Note the United States government had delivered on November 24. England, he said, would then be in a position to say that it was not obtaining the oil because it held a mandate, but because the owners of the land had granted it concessions to exploit the local oil and the right of way to the Russian fields.<sup>76</sup>

That is a former Ottoman Interior Minister, responsible for the destruction of the Armenian population of Anatolia, coolly explaining how the movement that succeeded him could satisfy Britain's need for petroleum in a form that would also satisfy Washington's objection to Britain's mandate. The Armenians are not mentioned. They are the population removed from the land whose ownership is being discussed, and the discussion proceeds as though the removal had cleared a question of title rather than destroyed a people.

Three further passages of the memorandum bear on this paper.

Talaat identified the Moscow channel by name. Enver had returned to Moscow, and Talaat was anxious to retain Russian support for Mustafa Kemal in order to maintain pressure on the Greeks and the Allies, while avoiding compromising himself so far that the Allies would refuse to deal with him when the time came to abandon Moscow. The Soviet government, he observed, was sufficiently disquieted about the state of feeling in Georgia, Azerbaijan and the other Muslim boundary states that it could not afford to make Enver or Kemal hostile. Section 30 of this paper concerns the arms and gold that flowed through that channel; the memorandum establishes that its architects understood exactly what they were doing with it and why Moscow would pay.

Talaat spoke about gold. The gold wealth of Turkey when he was Finance Minister had amounted to 120 million Turkish pounds, of which some twelve million had been paid out during the war. The remainder, he said, was easy to bury in the sand. He was discussing, without embarrassment, the disposition of a national treasury that had been swollen by the confiscation of Armenian property.

And Talaat recorded what he and his compatriots expected of the Malta detentions described in the previous section. His associates in Rome were expecting an amnesty for the political prisoners at Malta, and he complained of the indiscretion of the Allied general responsible for the arrests, citing the internment of men who had favoured the British. Six weeks before his death, the principal architect of the genocide regarded the release of the men held for trial as a matter of expectation rather than hope. He was right. They were released.

The memorandum is the clearest single document in this record for the proposition the paper advances. The men who organized the destruction of the Armenians did not fear the powers that had promised to punish them. They read those powers accurately as buyers of petroleum whose need for concessions would outlast their interest in accountability, and they planned accordingly, in conversations the same powers recorded and filed.

## **24. Sèvres, the Wilson Award, and Lausanne**

The remedial architecture collapsed on the same schedule.

The Treaty of Sèvres of August 10, 1920 recognized an Armenian state and provided expressly that the eastern frontier between Armenia and Turkey would be determined by the President of the United States. That was a binding commitment to arbitration, not a statement of sympathy. President Woodrow Wilson accepted the mandate and issued his award in November 1920, granting the Armenian Republic extensive territory in the historic provinces of Van, Bitlis, Erzurum and Trebizond, with access to the Black Sea. Under ordinary doctrine an arbitral award of that character has the force of a treaty provision.<sup>77</sup>

It was never implemented. The Kemalist movement rejected Sèvres and imposed new facts by force, and the Treaty of Lausanne of 1923 replaced it as the operative settlement in the eyes of the Allied Powers. Armenians were not at the table. The Armenian Republic had been crushed and Sovietized, and no Armenian government freely representing the Armenian people ever signed Lausanne or agreed to abandon the Wilson award.<sup>78</sup>

The parallel to 2023 requires no elaboration. In both cases a binding instrument in favor of the Armenian side, an arbitral award in one, provisional-measures orders of the International Court of Justice in the other, was overtaken by facts created through force and then treated by third states as a historical curiosity rather than an outstanding obligation.

## **25. Chester: Denial by a Concession Holder**

The stage between the failure to punish and the commercial partnership was occupied by denial, and the denial was produced by men with title to the land.

Rear Admiral Colby M. Chester held the American concessions in the Ottoman Empire that covered Armenian-populated territory. In January 1912 he published an article in *National Geographic Magazine* under the subtitle that the unspeakable Turk no longer existed, describing the Young Turk leadership as men of sterling character and unswerving integrity, fitted to lead their country through crises comparable to those of the United States at its founding. Those were the men who would order the deportations three years later.<sup>79</sup>

In September 1922, after the deportations, the killings and the destruction of Smyrna, Chester wrote in *Current History* that massacres of the past had been enormously exaggerated by prejudiced writers, that the deportations of 1915 had been prompted by Turkish fear of Armenian agitators, that the Armenians had been moved to the most delightful and fertile part of Syria, and that the deportees had returned entirely unmassacred, fat and prosperous. American newspapers reprinted it and noted that a decorated admiral's word was hard to set aside.<sup>80</sup>

The mechanism deserves to be named because it is operating again. A respectable Western or Western-facing figure, holding a commercial interest whose value depends on the legitimacy of the current possessor of the land, supplies the reassuring account of events that permits the governments that failed to act to proceed without embarrassment. Chester's concession required that the Armenians had not been destroyed. Hikmet Hacıyev's presentation to 150 diplomats requires that the monastery was never Armenian. The incentive structure is identical, and in the modern case the party supplying the narrative is the state itself.

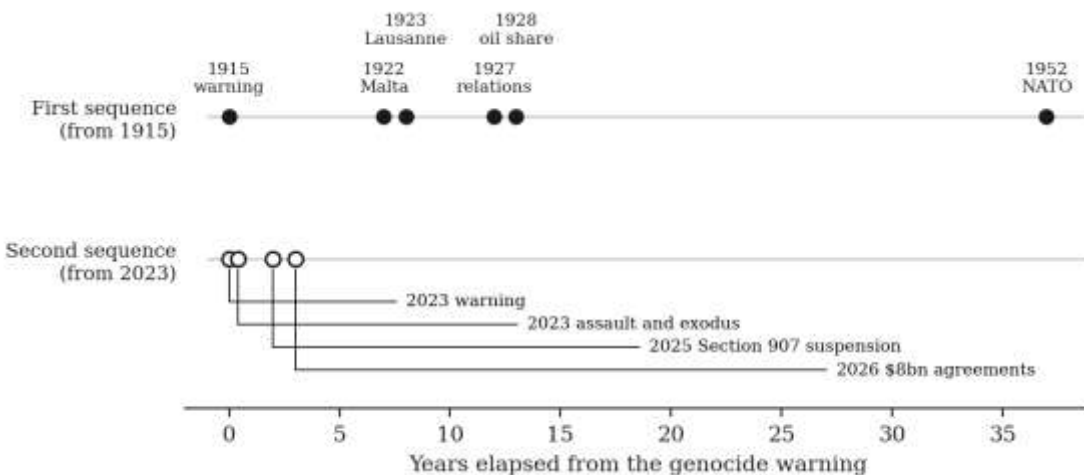
## 26. Commerce, Then Alliance

The final stage arrived on a documented schedule.

The United States Senate rejected the treaty of amity and commerce signed with Turkey at Lausanne in January 1927, and diplomatic relations between the two states were restored that same year regardless.<sup>81</sup> In 1928 the group agreement governing the Turkish Petroleum Company allocated a quarter share of the concession covering the former Ottoman oil provinces to an American corporation formed for the purpose, giving American oil interests a direct stake in the territory that had been cleared of its Armenian population.<sup>82</sup> Turkey received American military assistance under the Truman Doctrine from 1947 and acceded to the North Atlantic Treaty Organization in 1952, becoming a treaty ally of the United States and of the United Kingdom, which had detained and released the Malta prisoners thirty years earlier.<sup>83</sup>

Recognition of the genocide by the United States came in 2021, a century after the fact, and cost nothing. It was not accompanied by any reopening of the property question, the churches, the Wilson award, or the Malta releases.

## 27. The Two Sequences Side by Side



**Figure 2.** The two sequences, indexed to the year of the genocide warning. The upper line runs from the Allied declaration of May 1915 to Turkish accession to NATO in 1952. The lower line runs from the Ocampo opinion and the Lantos Commission hearing of 2023 to the discussion of \$8 billion in commercial agreements and American defense-exhibition participation in occupied

Stepanakert in September 2026. Positions are plotted in years elapsed from the respective warning. Sources as cited in Parts I through IV and in Annex A.

The point of the figure is the compression. In the first sequence, twelve years separated the warning from the restoration of diplomatic relations and thirty-seven from the military alliance. In the second, three years separated the warning from an American diplomat discussing billions of dollars in agreements and participation in the perpetrator's arms exhibition while standing in the emptied capital.

Two objections should be anticipated.

The first is that the cases are not comparable in scale, and that is true. The Armenian Genocide destroyed a civilization across an empire; the destruction of Artsakh removed approximately 120,000 people from a territory of some 4,400 square kilometers and, so far as the public record shows, did so principally through blockade, bombardment and flight rather than systematic mass killing. This paper does not equate the two in magnitude. The comparison concerns the conduct of third states, and on that axis the two records are not merely comparable but nearly identical in structure.

The second objection is that the modern governments have at least acknowledged what occurred, through the European Parliament resolution and through public statements using the words ethnic cleansing. That is correct, and it makes the analysis worse rather than better. In 1915 the Allied powers declared criminal responsibility and then abandoned it. In 2023 the European Parliament declared ethnic cleansing, called for sanctions, investigations and a review of relations, and the member governments abandoned it. The difference between the two cases is that the second set of governments had the first set's example in front of them, together with a treaty written expressly to prevent the repetition.

## **Part V. Arming the Perpetrator**

### **28. The Spanish Rifles File, July 1915**

The most difficult element of the 1915 record is not that the United States failed to stop the genocide. It is that American commercial interests holding rights over Armenian land participated in arming the state that carried it out, through private channels, while their own government was formally neutral.

The archive of James Wood Colt, held at the University of Rochester's River Campus Libraries, contains a folder titled "Spanish Rifles, 1915." It documents a meeting held at noon on July 24, 1915 at 3 Whitehall Court, London, between Colt and Grand Duke Michael Alexandrovich of Russia, younger brother of Emperor Nicholas II, at which the Grand Duke agreed to assist with the transportation of weapons.<sup>84</sup>

Colt's own signed report of that meeting describes the arrangement. Two hundred thousand Spanish Mauser rifles with bayonets and four hundred million rounds of ammunition were to be sold to a neutral government, Russia, and at a given time delivered to the Turks. The file identifies officers of the Russian Commission at India House as parties to the discussion. Among those backing the transaction were influential Americans and British subjects, including a war correspondent for the *Daily Mail*. The American representatives in the transaction were holders of mineral concessions in the Ottoman Empire that included crude oil found on Armenian-inhabited land, territory then believed to hold approximately one sixth of the world's known oil reserves.<sup>85</sup>

Two further elements of the file matter. The first is who Colt was. He had been sent to the Ottoman Empire to search for mineral deposits by the investment banking firm Kuhn, Loeb and Company, then headed by Jacob H. Schiff, and he also worked for J. P. Morgan of New York. He had worked with Admiral Chester on the railway project intended to connect Constantinople with Baghdad. A letter of June 11, 1912 from Garegin Pasdermadjian, the Armenian deputy for Erzurum better known as Armen Garo, addressed to Colt in New York, reports the terms the Ottoman finance minister had offered for a railway system of fifteen hundred kilometres and records that the proposition was being carried to London to be placed before J. P. Morgan. Garo's own report, "Project of Railway System in Anatolia with Mining Concessions," became the formula for the project that drew investors to the mineral deposits of the empire, deposits found mostly in Armenia, and which Chester, who held concessions over them, described as an apple of discord. This places the 1915 transaction not at the margin of American finance but inside it.<sup>87</sup> The second is how the money was found. G. Ward Price, the *Daily Mail* correspondent who had accompanied the Ottoman army through the Balkan war of 1912 and reported the Dardanelles and Salonika fronts for the Allies, appears from the correspondence to have located the financial means in London at a moment when almost no one wished to be associated with arming Germany's most powerful ally. Price's letter to Colt of August 21, 1915 records that Colt was understood to have ceased to be interested in the affair, and the transaction appears from the file to have concluded in December 1915.<sup>86</sup>

The dates should be held together. Morgenthau's cable describing a campaign of race extermination was sent on July 20, 1915. The meeting at Whitehall Court took place four days

later. The deal appears to have closed in December, by which time the deportations had run for eight months and the consular reporting on them filled the Constantinople embassy's files.

## **29. What the Colt Archive Establishes and What It Does Not**

The surviving documents do not establish the final disposition of the consignment, and this paper does not assert that the rifles described in the file were delivered, or that they were used in any particular operation. That limitation is stated here rather than buried, because the weight of the evidence does not depend on it.

What the archive establishes is the following. In the summer of 1915, private American principals whose commercial rights covered oil beneath Armenian-inhabited land negotiated, in secret and with the assistance of a member of the Russian imperial family, a structure for transferring a very large quantity of rifles and ammunition to the Ottoman government through a neutral intermediary. The structure was designed for deniability: the sale was to be made to a state not then at war with the Ottomans, with onward delivery to occur at a later and unspecified time. The consideration was access to petroleum. The men arranging it held title to resources under land whose inhabitants were at that moment being deported and killed, and the removal of those inhabitants was to their commercial advantage.

There is a further measure of the arrangement, and it comes from the Armenian who had drafted the railway formula that made those concessions attractive in the first place. On October 10, 1919, Garegin Pasdermadjian appeared before a subcommittee of the United States Senate as the diplomatic representative of the Armenian Republic. Armenians, he told the senators, had fought with the Allies, 160,000 in the Russian army besides the volunteers, five thousand with the French in Syria, a thousand in the Foreign Legion, and had refused the offer to side with the Germans and the Turks. Since the armistice, he said, they had received no allied help at all: not a single rifle nor any ammunition with which to defend their people, while they were surrounded by hostile communities who knew it.<sup>88</sup>

Set that against the file. In 1915, American principals holding concessions over Armenian land arranged two hundred thousand rifles and four hundred million rounds for the government destroying that land's inhabitants. In 1919 the representative of the surviving Armenians sat in a Senate hearing room and reported that his nation had been given nothing. The disparity is not an accident of the record. It is the record.

The character of the transaction is established by its design and its participants, irrespective of what became of the shipment. Any future edition of this paper should record whatever further archival evidence of delivery or cancellation emerges; the research file is open on the point.

## **30. Enver, the Nationalist Rearmament, and an Open Question**

The 1915 transaction has a second half that this paper cannot yet close, and the honest course is to set out what is known, what is not, and what would settle it.

Enver Pasha, one of the three principal architects of the deportations, was arrested on October 8, 1918 and held in pretrial detention on Malta under British supervision. He was secretly released on November 1, 1918, with the eventual destination of Berlin. From Germany he made his way to

Moscow, where he became a representative of the Turkish Nationalist Movement, acting for Mustafa Kemal.<sup>89</sup> His uncle Halil Pasha was among the intermediaries in the earliest contacts between the nationalist movement and the Soviet commissars.

What followed was the rearmament of the movement that completed what the Ottoman state had begun. Soviet Russia dispatched initial aid through Black Sea ports in July 1920, reported at approximately 200,000 gold rubles and 25,000 rifles with ammunition. An agreement of August 1920 provided ten million gold rubles, transferred in installments. On October 4, 1920, Soviet representatives handed over approximately 200.6 kilograms of gold ingots, six thousand rifles and more than five million rounds. After the Treaty of Moscow of March 16, 1921, a further ten million gold rubles followed, together with 33,275 rifles, approximately 58 million rounds, 327 machine guns, 54 artillery pieces, 129,479 shells, 1,500 sabers and 20,000 gas masks. Total gold transfers are commonly reported at approximately six tons.<sup>90</sup>

Those consignments armed the campaigns of 1920 and 1921 in the east, against the Republic of Armenia, and they are the material reason the Wilson award described in section 22 was never enforced. The deportations of 1915 and the destruction of Armenian Cilicia and the eastern republic afterward were carried out by the same movement, and the second phase was supplied by a state that had been at war with the first.

That brings the question back to the rifles.

The consignment described in the Colt file was 200,000 Spanish Mauser rifles and 400 million rounds, arranged for sale to Russia with delivery to the Turks at a given time. Whether that consignment reached Turkish hands, and if it did whether it was among the stocks that armed the post-1918 campaigns, is not established by the documents in the file.

Four observations narrow the question without answering it.

The first concerns the rifles themselves, and it is the most useful fact in the file. The Mauser Model 1893, commonly called the Spanish Mauser, was made for Spain in 7×57mm. The Ottoman variant of the same model was chambered in 7.65×53mm, which was also the calibre of the Ottoman Model 1890 and Model 1903 rifles that armed the empire.<sup>91</sup> A consignment of Spanish-pattern rifles was therefore useless to the Ottoman army unless its ammunition came with it, which is precisely why the arrangement bundled four hundred million rounds with two hundred thousand rifles. The bundling is not incidental detail. It is evidence that whoever designed the transaction understood the ordnance problem and solved it, which is the mark of a serious transfer rather than a speculative offer.

It also makes the consignment traceable. A stock of 7mm rifles inside a 7.65mm army is conspicuous in any ordnance return, and so is a stock of 7mm ammunition in a Russian depot system built around 7.62×54mmR.

The second observation is a negative finding, and it cuts both ways. The documented foreign rifle purchases of Imperial Russia in 1915 and 1916 are well catalogued: roughly 600,000 rifles from Japan, 34,400 Japanese rifles in 7mm from a defaulted Mexican contract, a further 128,000 through Britain, some 293,000 Winchester Model 1895 muskets, and the vast Mosin-Nagant contracts placed with Remington and Westinghouse. A purchase of 200,000 Spanish Mausers does not appear in that record.<sup>92</sup> That absence is consistent with two quite different conclusions: that the

transaction never completed as a delivery, or that it was handled outside the Russian purchasing commissions altogether, which is exactly what the Colt file describes, a private arrangement made with a member of the imperial family rather than a state contract.

The third observation answers the question as it was put. Subtracting the Soviet consignments to Ankara from the 1915 figure does not leave a remainder to be traced, because the two sets of rifles have not been shown to be the same rifles. The Soviet shipments of 1920 to 1922 amount to a few tens of thousands of weapons drawn overwhelmingly from Russian-pattern stocks, and nothing in the published record identifies them as Spanish Mausers. The correct statement of the problem is not that 160,000 rifles are missing from a known delivery. It is that 200,000 rifles were arranged for and that no delivery has yet been established at all. The distinction matters because the first formulation assumes what the inquiry is meant to prove.

The fourth observation is where the inquiry should go, and it is the Caucasus rather than Anatolia. If any part of the consignment reached Russian custody, it entered a depot system that collapsed in 1917. The disintegration of the Russian Caucasus Army left substantial stocks in Transcaucasia, and those stocks passed to the forces that formed there in 1918 and to the Ottoman Army of Islam under Nuri Pasha, which took Baku in September 1918. Baku fell to the Eleventh Red Army in April 1920. From that point the same corridor that carried Soviet gold and arms to Ankara ran through the Caucasus, with Halil Pasha, Enver's uncle, among those personally carrying gold to Turkey.<sup>93</sup> A rifle that went into a Russian depot in 1916 and came out of Baku in 1918 or 1920 required no second secret arrangement to reach Turkish hands. It required only the collapse of the state that had been holding it.

What would settle it is specific and findable. The shipping and customs records for the December 1915 transaction. The records of the Russian purchasing commissions, which would show whether the consignment was ever accepted and where it was sent. Depot returns for the Caucasus front recording rifles of non-standard calibre. Ottoman and Azerbaijani inventories for 1918 to 1920, and Soviet Azerbaijani ordnance records after April 1920. Turkish ordnance returns identifying 7mm rifles in service. And the remainder of the Colt and Price correspondence after December 1915. Global Peace International is pursuing those records and will publish the result whether it confirms the connection or excludes it.

**Table 3. The 1915 consignment: what is established and what is not**

| Element                                                                                                                                                         | Status                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| Meeting of July 24, 1915 at 3 Whitehall Court with Grand Duke Michael Alexandrovich                                                                             | Established by Colt's signed report in the archive. |
| Terms: 200,000 Spanish Mauser rifles with bayonets, 400 million rounds, sale to a neutral government, delivery to the Turks at a given time                     | Established by the same document.                   |
| Participants: Russian Commission officers at India House; American principals holding Ottoman mineral concessions; G. Ward Price locating the finance in London | Established by the file and the correspondence.     |

| <b>Element</b>                                                            | <b>Status</b>                                                                      |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Transaction appearing to conclude in December 1915                        | Stated in the correspondence as read by the author; the document trail ends there. |
| Physical delivery of the rifles to Russia                                 | Not established.                                                                   |
| Onward delivery to Ottoman or Turkish forces                              | Not established.                                                                   |
| Presence of Spanish-pattern rifles in Russian wartime acquisition records | Not identified in the published record.                                            |
| Use of the consignment in the post-1918 campaigns                         | Not established; this is the open question.                                        |

The question is raised here rather than suppressed because the paper's method requires it. An unproved connection stated as proved would discredit everything around it. An unproved connection left unstated would conceal the single most important open line of inquiry in this record: whether the arms arranged in London in July 1915, by men holding oil concessions on Armenian land, were still killing Armenians after the war in which they were sold had ended.

### **31. Chester and the Interned German Ships**

The same pattern appears in Chester's own account of his activities. In 1914 the United States interned a hundred German ships, and Chester had attempted to purchase them for the Turkish navy. The purchase was blocked by the United States government. He complained about it publicly in 1923, describing it as a lost opportunity that might have kept America out of the war.<sup>94</sup>

Had the purchase succeeded, the holder of the American concessions over Armenian land would have supplied the naval capacity of the empire then in the process of destroying that land's inhabitants. The transaction failed because a government department stopped it. That is the one instance in this record of an American institution preventing an American commercial actor from arming the perpetrator, and it is worth recording precisely because it demonstrates that prevention was possible.

### **32. MEGA Oil, Baku, 1992**

The 1915 structure reappeared in the same oil province seventy-seven years later.

In 1992, during the first war over Artsakh, an American-linked company called MEGA Oil appeared in Baku. Its significance was never petroleum; several accounts state that it never found oil. Its significance lay in the men associated with it. Peter Dale Scott recorded that Richard Secord, Harry Aderholt and Ed Dearborn turned up in Baku under the cover of that company. Secord was a central operational figure of Iran-Contra, documented by the independent counsel for his role in private arms procurement, covert logistical support and offshore financial structures. Aderholt's career was built on clandestine aviation and deniable transport across Cold War theaters.<sup>95</sup>

Human Rights Watch reported that American military advisers linked to Secord and MEGA Oil trained Azerbaijani forces, and Svante Cornell wrote that former American officers turned mercenaries appeared in Baku in 1992 to provide training and fighters for the Azerbaijani army.<sup>96</sup>

A published study of the negotiation of the Contract of the Century states that MEGA Oil offered to exchange oil contracts for assistance in improving the regime's security services.<sup>97</sup>

The elements are the same as in 1915: a commercial front, principals whose professional specialty was deniability, petroleum as the consideration, military assistance as the object, and a war over Armenian land as the setting. Azerbaijan in 1992 was acutely vulnerable to that form of intervention, with a collapsing military, unstable leadership and a newly valuable hydrocarbon basin, and the Caspian was already understood by Western strategists as a theater in which pipeline politics and post-Soviet realignment would be decided.

**Table 4. The arming record in both sequences**

| Date         | Actor                                                                                                         | Conduct                                                                                                                                                                                  | Consideration or cover                                                                                        | Legal question                                                                                                                               |
|--------------|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 24 Jul. 1915 | Private American principals with Ottoman mineral concessions; James W. Colt; Grand Duke Michael Alexandrovich | Arrangement for 200,000 Spanish Mauser rifles and 400 million rounds to be sold to a neutral government and delivered to the Turks at a given time. <sup>98</sup>                        | Oil concessions on Armenian-inhabited land; sale routed through a neutral state.                              | Disposition of the consignment not established by the surviving file.                                                                        |
| 1914         | Colby M. Chester                                                                                              | Attempted purchase of 100 interned German ships for the Turkish navy. <sup>99</sup>                                                                                                      | Ottoman concessions.                                                                                          | Blocked by the United States government.                                                                                                     |
| 1992         | MEGA Oil; Richard Secord, Harry Aderholt, Ed Dearborn                                                         | Reported training of Azerbaijani forces; offer of oil contracts in exchange for security-service assistance. <sup>100</sup>                                                              | American oil-company cover; company reported never to have found oil.                                         | No public record of authorization under the Arms Export Control Act; 1992 OSCE embargo in force.                                             |
| 1992-2020    | Russia, Israel, Belarus, Turkey; Western component suppliers                                                  | Supply of the systems used in the 2020 assault notwithstanding the 1992 OSCE embargo request; Western-manufactured sensors and engines fitted to the strike aircraft. <sup>104 105</sup> | Commercial sale; licensed production inside Azerbaijan; end-use assurances later found to have been breached. | Embargo never binding, never monitored, never withdrawn; one Western government revoked permits, in April 2021, and resumed in January 2024. |

| <b>Date</b> | <b>Actor</b>                                  | <b>Conduct</b>                                                                                                                                                                                                                                                                   | <b>Consideration or cover</b>                                                                                             | <b>Legal question</b>                                                                                                     |
|-------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| 2010-2020   | United Kingdom                                | Approval of approximately £85.9 million of security exports to Azerbaijan, including targeting equipment and aerial target equipment, notwithstanding the embargo codified in the Export Control Order 2008. <sup>107</sup>                                                      | Case-by-case licensing under the Strategic Export Licensing Criteria.                                                     | Targeting equipment falls within Military List entry ML5; the embargo was narrowed to entries ML1-ML4 on July 1, 2025.    |
| Dec. 2014   | Airbus Defence and Space (France); Azercosmos | Transfer of title to the SPOT 7 optical Earth observation satellite, renamed Azersky; constellation operation with SPOT 6; ground-segment access to Pléiades imagery at 0.5 m; control centre built in Azerbaijan; training of Azerbaijani specialists in France. <sup>106</sup> | Commercial sale valued in Azerbaijani reporting at 157 million euros; defence and security listed among the applications. | Supplied by a co-chair of the OSCE Minsk Group and a party to the 1992 embargo request; no export restriction identified. |
| 2002-2025   | Five United States administrations            | Uninterrupted annual waiver of Section 907 restrictions, including through the 2020 attack and the 2022-2023 blockade. <sup>101</sup>                                                                                                                                            | Counterterrorism, border security, energy security, national-security interest.                                           | Statutory condition never enforced; no public determination that Azerbaijan had ceased offensive force.                   |

### 33. The Unanswered Licensing Question

Under the Arms Export Control Act and the International Traffic in Arms Regulations, the provision of defense services and military training to foreign armed forces is a regulated activity ordinarily requiring licensing or formal authorization. No publicly available record shows that

MEGA Oil, Richard Secord, or associated personnel received such authorization to provide wartime military services to Azerbaijan.<sup>102</sup>

Adjacent statutes are also engaged by the reported conduct. If American-linked operatives helped organize, direct or materially support foreign military activity from United States territory or through United States structures, the Neutrality Act comes into view; if activities were conducted on behalf of Azerbaijani state interests without disclosure, the Foreign Agents Registration Act may be implicated. The publicly available record does not resolve those questions.

The documentary gap does not establish criminal liability, and this paper does not assert that it does. It establishes that a serious question of United States law, arising from reported American participation in arming a party to the Artsakh conflict during an arms embargo the United States itself co-authored, has been open for more than thirty years and has never been examined publicly by any American institution.<sup>103</sup>

### **34. The Embargo That Was Not Enforced, 1992 to 2020**

The international system did not fail to anticipate the assault of 2020. It anticipated it in 1992 and wrote an instrument for the purpose, and then declined to enforce the instrument for twenty-eight years.

In February 1992 the Committee of Senior Officials of the then Conference on Security and Cooperation in Europe requested participating states to embargo all deliveries of weapons and munitions to forces engaged in combat in the Nagorno-Karabakh area. The request was never converted into a binding measure. There was no monitoring mechanism, no reporting obligation, no penalty for breach, and no body charged with determining whether a given transfer fell within it. It has never been formally withdrawn.<sup>103</sup>

The premise of that request is the point. An arms embargo on a conflict zone is a prediction. It is the judgment, recorded by the states adopting it, that supplying weapons to these parties will produce renewed fighting over this territory. The 1992 request was the international system's own assessment that arming the forces in this conflict would lead to exactly the offensive that occurred. Every transfer made in the years that followed was made against that assessment.

The transfers were substantial, and their sources are a matter of public record. Over the decade to 2020, the principal suppliers of major arms to Azerbaijan were Russia at approximately 60 per cent, Israel at 26.6 per cent, Belarus at 7.1 per cent and Turkey at 2.9 per cent. Russia, Belarus and Turkey are participating states of the Organization for Security and Co-operation in Europe and were addressees of the 1992 request. Israel is not a participating state, which is a limitation on the embargo's reach rather than a defense of the outcome: the single largest supplier of the systems used in 2020 stood outside the only instrument the regional organization ever adopted.<sup>104</sup>

Western participation was less direct and is more often denied, and it therefore requires precision.

The United States was not a principal supplier of heavy offensive systems to Azerbaijan. Its contributions were concentrated in border control, maritime radar, patrol assets, communications and training, delivered under the Section 907 waivers described in the next section. The distinction matters and is stated here because overstating it would be inaccurate. It is also thinner than it appears. Capabilities supplied for border and maritime security release domestic resources for

offensive procurement, and they embed the recipient's forces in a training and interoperability relationship that is itself a form of endorsement.

The material Western contribution to the 2020 assault ran through components. The Bayraktar TB2 aircraft that conducted much of the strike campaign carried electro-optical imaging and targeting sensors manufactured in Ontario by L3Harris Wescam, a subsidiary of the United States corporation L3Harris, and engines produced by an Austrian subsidiary of a Canadian manufacturer. On October 5, 2020, in the second week of the assault, Canada suspended the relevant export permits to Turkey. On April 12, 2021 it cancelled them, its Foreign Minister stating that a review had found credible evidence that Canadian technology exported to Turkey had been used in Nagorno-Karabakh, inconsistently with Canadian foreign policy and with the end-use assurances Turkey had given. Canada resumed those exports to Turkey in January 2024. The European Union adopted no arms embargo of its own on Azerbaijan at any point, and member-state licensing continued under the Union's common position on arms exports, whose criteria require refusal where there is a clear risk that the equipment would be used in aggression or in violation of international humanitarian law.<sup>105</sup>

The United Kingdom's record requires separate treatment, because it did the opposite of ignoring the embargo. It wrote it into law.

Of all the states addressed by the 1992 request, the United Kingdom gave it the most formal domestic effect. The embargo is implemented through the Export Control Order 2008, with Armenia and Azerbaijan listed among the embargoed destinations, and the transit and transshipment exception that ordinarily spares goods merely passing through the country is expressly disappplied to goods destined for either state, so that a licence is required even to tranship. On July 2, 2014 the government refined its interpretation to cover the export, supply or delivery of all goods and items on the United Kingdom Military List where the equipment could be used in the Nagorno-Karabakh region or on the land border between Armenia and Azerbaijan. That is a broader prohibition than the 1992 text itself, which spoke only of weapons and munitions, and it is the strictest formal implementation identified anywhere in this record.<sup>107</sup>

Licences were granted against it. Reporting drawn from the government's own export data records that from 2010 onward approximately £85.9 million of security exports to Azerbaijan were approved, and that the military items among them included targeting equipment and aerial target equipment alongside assault rifles, machine guns, pistols and small-arms ammunition. In the classification the United Kingdom itself uses, targeting equipment falls within entry ML5 of the Military List, the entry covering radars, sensors, target acquisition and fire control. These are not weapons. They are the devices that tell a weapon where to strike, which in a drone and artillery campaign against a fixed population is the decisive category.<sup>107</sup>

Then the law was changed, and the timing is the point. On July 1, 2025 the government narrowed the embargo. It no longer covers all Military List goods; it covers only entries ML1 to ML4, weapons, ammunition and munitions. The condition referring to the Nagorno-Karabakh region was deleted, leaving only equipment that might be used on the land border. Schedule 4 of the Export Control Order 2008 was to be amended to match. Targeting equipment, military electronics, aircraft and the rest of the Military List fall outside the embargo as it now stands.<sup>107</sup>

That narrowing came twenty-one months after the Armenian population of Artsakh ceased to exist as a community, and five weeks before the Washington summit at which the United States signed

the latest suspension of Section 907 and the parties framed the corridor project. Fourteen months after that, the British ambassador stood at Victory Park in the emptied capital, praised the reconstruction, and discussed British participation in the Shushi master plan. The embargo was not repealed because the danger had passed. It was narrowed at the moment the territory it protected had been taken, by the state that had written the strictest version of it into its own law.

France's contribution was of a different order, because it was not a component but a national reconnaissance capability, and because France held a formal mediating office in this conflict throughout.

On December 2, 2014, at the Bakutel exhibition in Baku and in the presence of President Aliyev, Azercosmos, the Azerbaijani national satellite operator, signed a strategic cooperation agreement with Airbus Defence and Space of France. Under it Azerbaijan took title to SPOT 7, a French-built optical Earth observation satellite launched five months earlier, which was renamed Azersky. The satellite produced imagery at 1.5-metre resolution. The agreement did not stop at the transfer of one spacecraft. It provided for joint operation of Azersky with Airbus's SPOT 6 in a constellation whose combined acquisition capacity the parties put at six million square kilometres a day, and for a ground segment in Azerbaijan giving access to imagery from the Pléiades 1A and 1B satellites at half-metre resolution. Airbus built the satellite control centre in Azerbaijan and trained more than twenty-five Azerbaijani specialists in France over the following eighteen months. Azerbaijani reporting placed the value of the programme at 157 million euros.<sup>106</sup>

The purpose was not concealed. Azercosmos itself listed defence, security and maritime surveillance among the applications of the satellite, in that order, in its own announcement. The satellite remained in Azerbaijani operation through the assault of September 2020, and French press reporting on October 15, 2020, in the third week of that assault, addressed its defence and security role notwithstanding the official presentation of the programme as an instrument for monitoring oil and gas infrastructure. Azersky ceased operations in April 2023.

This paper does not assert that imagery from Azersky was used to direct any particular strike, and nothing in the public record establishes that. The point does not require it. Persistent overhead imagery of a small, mountainous theatre at one-and-a-half metres, with access to half-metre imagery through the same ground segment, is a reconnaissance capability, and its acquisition by one party to an active territorial conflict is a material change in the balance between the parties. It was sold by the state that sat, throughout the period, as a co-chair of the OSCE Minsk Group, the body charged with mediating that conflict, and that had joined the 1992 request to embargo weapons deliveries to the forces engaged in it. Armenia had no equivalent capability and did not acquire one until it contracted for its own satellite after the territory was gone.

Two findings follow.

The first is that the Canadian decision of April 2021 is the only instance identified in this record of a Western government determining, on evidence, that its exports had contributed to the assault on Artsakh and acting on that determination. One government out of the group. It reversed the decision within three years.

The second is the relationship between this section and Part III. The duty to prevent is measured by the means available to a state and its capacity to influence the potential perpetrator. Export licensing is that capacity in its most concrete form. A state that has licensed the components of the

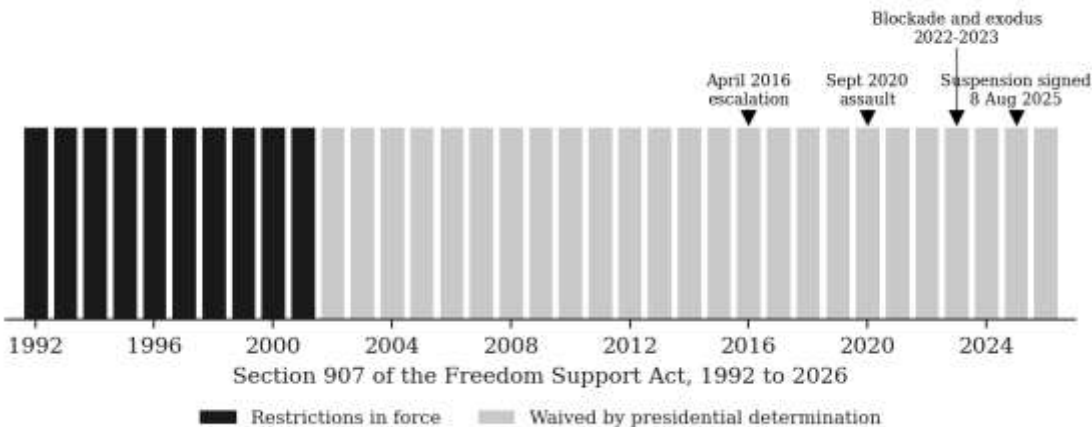
weapons a government is using has, by definition, a channel of influence over that government, and it has one that requires no diplomacy to exercise. The revocation is a signature. Between 1992 and 2020 the embargo that named this conflict was treated by the states party to it as a recommendation, and the equipment it was written to keep out of the conflict zone arrived on schedule.

### 35. Section 907: Twenty-Three Years of Waivers

After 1992 the arming and assistance of Azerbaijan ceased to require concealment. It became an annual, signed, published act of the United States government.

Section 907 of the Freedom Support Act, adopted in 1992, prohibited direct United States assistance to the government of Azerbaijan until Baku took demonstrable steps to cease blockades and other offensive uses of force against Armenia and Nagorno-Karabakh. It was a rare statutory recognition that a post-Soviet state's conduct toward a civilian population could justify binding aid restrictions.<sup>108</sup>

After September 2001, Congress amended the provision to permit presidential waivers where assistance was deemed necessary for counterterrorism, border security, energy security or broader national-security interests. President George W. Bush issued the first waiver on January 25, 2002. Every administration since has renewed it. President Trump signed the suspension again on August 8, 2025, during the Washington visit of President Ilham Aliyev, on the same day as the summit that produced the TRIPP framework.<sup>109</sup>



**Figure 3.** Section 907 of the Freedom Support Act, 1992 to 2026. Dark bars indicate years in which the restrictions were in force; light bars indicate years in which they were waived by presidential determination. Markers indicate the April 2016 escalation, the September 2020 assault, the 2022-2023 blockade and exodus, and the suspension signed on August 8, 2025. Sources as cited in note 84 and Annex C.

The figure makes one fact visible that prose tends to soften. Across nine years the statute operated as written. Across the twenty-four years that followed, it was suspended every single year, without a single interruption, by five presidents of both parties, through the escalation of 2016, the attack of 2020, the ten-month blockade, the September 2023 assault and the removal of the entire

Armenian population of Artsakh. Not one of those events produced a reinstatement, or, so far as the public record shows, a determination that the statutory condition remained unmet.

In 1915 the arming of the perpetrator was arranged in secret at Whitehall Court by men with oil concessions, behind the flag of a neutral state. Since 2002 it has been public, signed by name, and renewed on a schedule. On September 11, 2026, the continued suspension was discussed approvingly by an American diplomat standing in the emptied capital of Artsakh.

## **Part VI. Property, Heritage, and the Laundering of Confiscation**

### **36. The November 2023 Order**

After the exodus the International Court of Justice acted again. On November 17, 2023 it ordered Azerbaijan to ensure that persons who had left Nagorno-Karabakh after September 19, 2023 and who wished to return could do so safely, unimpeded and expeditiously. It further required Azerbaijan to protect and preserve registration, identity and private-property documents and records, and to give those materials due regard in its administrative and legislative practices, and to report on compliance.<sup>110</sup>

That order is outstanding. It was not mentioned in any recorded statement from the September 2026 tour, and no element of the itinerary addressed it.

### **37. Title Does Not Follow the Tank**

The distinction between sovereign title and private property rights is elementary and is being systematically elided.

Armenians did not lose ownership of their houses, farms, businesses, churches, foundations and institutional holdings because they fled. Deeds did not become void when Azerbaijani forces obtained territorial control. A change in the party exercising effective control over territory does not transfer private title to that party, and the law of occupation expressly limits what an occupying power may do with private and public property under its control.

Global Peace International therefore condemns foreign investment, reconstruction activity and commercial participation that knowingly appropriates, exploits or consolidates control over legally protected Armenian private, ecclesiastical, communal or institutional property without determining ownership, obtaining lawful consent, or providing restitution and compensation. Companies undertaking such activity should understand that they are not acquiring clean title, that the ICJ order requiring preservation of property records remains in force, and that the Armenian claim survives both the change of control and the physical redevelopment of the site. Concrete poured over a confiscated property does not launder its history. White Paper No. 3 documents the commercial record on the other side of this question, including Azerbaijan's grant of mineral rights over areas it did not control, and the concession holder's announcement of the restoration of contract areas it had never physically held.<sup>111</sup>

### **38. The Ottoman Precedent for Legalized Confiscation**

Armenians have watched this specific process before, and they know what stage follows redevelopment.

After 1915 the Ottoman state enacted abandoned-property legislation and created commissions to administer and redistribute Armenian land, shops, houses and factories. Property was transferred to officials, army officers and favored families, and foreign capital then negotiated with the new custodians of Armenian wealth. Confiscation was first laundered through domestic law and then

through investment, and by the time the question could be raised again the properties had changed hands repeatedly and the registries had been rewritten.<sup>112</sup>

That is the process now beginning in Artsakh, and the diplomatic corps was taken to admire its early results. The single most valuable protective measure available at this stage is the one the International Court of Justice already ordered: preservation of the registration, identity and property records. Every year those records go unexamined increases the probability that the Armenian claim becomes unprovable in practice, which is the object of the exercise.

### **39. Gandzasar, Dadivank, and the Albanian Reclassification**

The cultural dimension follows the same sequence: remove the population, inherit the monuments, reclassify their origin, and then bring foreign officials to see the new version.

A comprehensive Armenian scholarly catalogue documents 5,658 tangible cultural monuments across 308 settlements in Artsakh. Dadivank preserves centuries of Armenian Christian history; Gandzasar is a thirteenth-century monastery founded by an Armenian prince of Khachen. Cemeteries, khachkars, inscriptions, fortresses, churches and settlements physically document Armenian continuity across the territory.<sup>113</sup>

Architecture does not decide sovereign title, and this paper does not claim that it does. What it proves is presence and continuity, which is why the state that now holds the territory has invested so heavily in denying it. President Aliyev publicly claimed in 2021 that the inscriptions on a church at Hadrut were fabricated and that the building was Caucasian Albanian.<sup>114</sup> In September 2026 Hajiyeve presented Hasan-Jalal Dawla as an Albanian ruler and Gandzasar within the same framework, to an audience of 150 foreign officials.<sup>115</sup>

### **40. Shushi: One Church Erased, One Church Falsified**

Shushi demonstrates both available methods in a single city.

The nineteenth-century Kanach Zham, the Armenian Church of St. John the Baptist, was demolished outright and reduced to rubble after coming under Azerbaijani control. The Cathedral of Ghazanchetsots, shelled twice during the 2020 attack, was subsequently subjected to alteration works and reclassification. One Armenian church in Shushi has been physically erased. The other has been made to survive as a falsehood.<sup>116</sup>

**Table 5. Cultural reclassification and destruction, selected instances**

| <b>Site</b>               | <b>Azerbaijani designation or claim</b>                                   | <b>Method</b>                                                                               | <b>Status</b>                   |
|---------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------|
| Gandzasar Monastery, Vank | Founded by an “Albanian ruler”; presented as Caucasian Albanian heritage. | Reattribution of founder and tradition; presentation to foreign delegations. <sup>117</sup> | Standing; narrative reassigned. |

| <b>Site</b>                                | <b>Azerbaijani designation or claim</b>                                                    | <b>Method</b>                                                                 | <b>Status</b>                          |
|--------------------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------------|
| Dadivank, Karvachar                        | “Khudavang.”                                                                               | Renaming; inclusion in state-managed itineraries.<br><sup>118</sup>           | Standing; renamed.                     |
| Church at Hadrut                           | Inscriptions described by the President as fake; building described as Caucasian Albanian. | Denial of the authenticity of Armenian epigraphy.<br><sup>119</sup>           | Claim asserted at head-of-state level. |
| Kanach Zham (St. John the Baptist), Shushi | None; removed.                                                                             | Demolition. <sup>120</sup>                                                    | Destroyed.                             |
| Ghazanchetsots Cathedral, Shushi           | Presented within a non-Armenian framework following works.                                 | Shelling in 2020, followed by alteration and reclassification. <sup>121</sup> | Standing; altered.                     |
| Stepanakert                                | “Khankendi.”                                                                               | Renaming; site of Victory Park and Victory Arch. <sup>122</sup>               | Renamed; monument erected.             |

The Turkish precedent is the reason this table should alarm the reader rather than merely inform. The same sequence was applied to Armenian churches across Anatolia over the course of a century, and the international community adjusted to each stage. Azerbaijan is running the sequence on a compressed schedule, in the presence of ambassadors, with their cameras recording it.

## **Part VII. The Legal Record That Survives the Tour**

### **41. What a Diplomatic Visit Cannot Do**

A diplomatic visit cannot invalidate an order of the International Court of Justice. The orders of February 22, July 6 and November 17, 2023 remain binding on Azerbaijan regardless of who is photographed at Victory Park, and the obligations they impose, unimpeded movement, safe and expeditious return, and the preservation of identity and property records, are unaffected by reconstruction, renaming, or the praise of foreign officials.

What a visit can do is reduce the political price of disobedience. If a state can ignore a binding order, obtain by force the demographic result the order was intended to prevent, consolidate control, receive expanding commercial partnership, host the diplomatic corps at a victory monument and hear that corps call the result impressive, then the operative lesson for every government observing is that the sequence works. Ignore the court long enough. Create the new facts. Wait for the world to accommodate them.

That does not diminish the legal validity of the Court's orders. It diminishes their practical consequence, which is the only property of law that a population under threat can actually rely on.

### **42. The Armenian Instruments Still on the Books**

The international system did not recognize the Republic of Artsakh as an independent state, and it did not recognize Artsakh as sovereign territory of the Republic of Armenia. That belongs in any serious legal argument, and *Artsakh Is Armenia* sets out the domestic Armenian record in full.

In summary: on December 1, 1989 the Supreme Soviet of the Armenian SSR and the National Council of Nagorno-Karabakh adopted Decision No. 1650-11, proclaiming reunification, extending Armenian SSR citizenship rights to the population of Artsakh, and directing practical integration into a unified state-political system. Armenia's Declaration of Independence of August 23, 1990 expressly grounded independent statehood in that decision. Armenia's official legal database continues to classify Decision No. 1650-11 as an active main act, and Armenian state organs relied on it in practice in the presidential-eligibility proceedings of 1998 and 2003.<sup>123</sup>

Later instruments complicate its present territorial operation substantially. The 1995 Constitution established constitutional supremacy and preserved earlier acts only insofar as they were consistent with it; the Constitutional Court's decision DCC-1749 of September 26, 2024 held that objectives stated in the Declaration of Independence do not become constitutional norms through the preamble, and accepted the Alma-Ata framework as the basis for delimitation; and the initialed peace agreement, if it enters into force in the published form, would displace contrary territorial claims.<sup>124</sup>

The point for present purposes is narrow. A legal conflict is not a historical nonexistence, and no diplomatic tour repeals a decision that the competent authority has never repealed. Whatever a court would ultimately hold about Decision No. 1650-11, the question is a question of Armenian and international law, to be resolved by legal process. It is not resolved by a victory arch, a renamed city, or a photograph.

### **43. Artsakh Was Never Lawfully Azerbaijani**

There is a further element of the record that this paper has so far left implicit, and it governs everything said in Parts VI and X about where the events of 2023 took place.

Azerbaijan's claim to Artsakh does not descend from any sovereign act of its own. It descends from a decision of a party organ of a third state, and it is a decision that Azerbaijan has itself repudiated.

The republic proclaimed at Ganja in May 1918 did not possess Artsakh. Its claims to Artsakh, Zangezur and Nakhichevan were disputed throughout its brief existence, contested on the ground by the Armenian population of those districts, and never settled by any recognized international instrument. The entity had no settled title to transfer.<sup>125</sup>

What produced the modern claim was the decision of the Caucasian Bureau of the Central Committee of the Russian Communist Party on July 5, 1921, retaining mountainous Karabakh within Soviet Azerbaijan with autonomy, taken the day after the same body had decided the opposite. The Nagorno-Karabakh Autonomous Oblast followed by decree in 1923. That is the entire legal foundation of Azerbaijan's title: an administrative disposition by the party apparatus of a state that was not itself a party to the dispute, taken in the course of a settlement with Kemalist Turkey, and taken over the population concerned rather than with it.<sup>126</sup>

Then Azerbaijan disowned the source of its own claim. On August 30, 1991 its Supreme Soviet declared the restoration of state independence, and the Constitutional Act of October 18, 1991 declared the Republic of Azerbaijan the successor of the Azerbaijan Republic that had existed from 1918 to 1920.<sup>125</sup> That is not a formality. A state that founds itself as the successor of the 1918 republic, and that treats the Soviet period as an illegitimate interruption, is claiming the territory that republic held. The 1918 republic did not hold Artsakh. The instrument that placed Artsakh under Baku is a Soviet instrument, and Azerbaijan's own founding act repudiates the framework from which that instrument came. The claim asserted in 1991 therefore continues where the 1918 republic left off in 1920, at a point when Artsakh was not part of it.

The Armenian side proceeded under the framework Azerbaijan discarded. The Soviet law of April 3, 1990 governing secession provided that where a union republic leaves the Union, the autonomous formations within it and compactly settled national groups determine their own state-legal status by separate referendum. The population of the autonomous oblast did exactly that, declaring in September 1991 and voting in December 1991. Whatever weight is finally given to that procedure, it was the procedure prescribed by the law of the state then in existence, and it was followed.<sup>127</sup>

Two consequences follow for this paper.

The first is descriptive. The events of September 2023 did not occur in Azerbaijan in any sense this paper accepts. They occurred in Artsakh, on territory whose status was contested and which had never been lawfully transferred, and the failure of the international community to recognize the Republic of Artsakh is not the same thing as a determination that the territory belonged to Azerbaijan. Non-recognition of one claim is not adjudication in favor of the other. Where this paper observes that the events of 2023 fall outside the territorial jurisdiction of the International

Criminal Court, it is describing the practical reach of a court whose jurisdiction depends on the consent of states. It is not conceding title.

The second is forward-looking. Azerbaijan's succession doctrine, which reaches back past the Soviet period to 1918, is the same doctrine that produces the Western Azerbaijan claim examined in Part VIII. A state that argues from 1918 rather than from the Soviet settlement is a state arguing that the Soviet borders are not the final word, and it cannot treat those borders as conclusive where they favor it and as an illegitimate imposition where they do not. Pressed consistently, that argument defeats its own title to Artsakh at the same moment it purports to open a claim to the Republic of Armenia.

## Part VIII. Western Azerbaijan: The Claim That Comes Next

### 44. An Entity Created in 1918

Everything in Parts I through VII concerns territory Azerbaijan now controls. The reason the September 2026 tour is dangerous rather than merely shameful is the claim Azerbaijan has already announced over territory it does not control.

Azerbaijan as a political entity in the Caucasus dates from 1918. The name was borrowed from a province of northern Iran centered on Tabriz and applied, for the first time in recorded history, to lands north of the Arax River when the Musavat party and its allies proclaimed a republic at Ganja and subsequently at Baku in May 1918. Before that date the peoples of the eastern Caucasus were described in Russian administrative usage as Tatars or Caucasian Muslims; the toponym had no application north of the river.<sup>128</sup>

The new entity was assigned Armenian-populated districts, including Artsakh, Zangezur and Nakhichevan, at a moment when British forces under General W. M. Thomson had arrived in Baku with orders to secure the oil fields and required a compliant local administration more than they required Armenian allies.<sup>129</sup> Contemporary American observation recorded that the revolutionary events in Baku and the new republic were substantially directed by Ottoman officers operating under other banners after their empire's formal surrender. On August 23, 1920 the *Winston-Salem Journal* published an interview with James Alexander Ulio, then a colonel of the United States Army and later its Adjutant General, under the headline that Turks and not Reds controlled Baku oil. Ulio, speaking on his return from service in the Caucasus, stated that the so-called Bolshevik revolution in Baku and in the new Azerbaijan had been engineered not by Moscow but by Enver Pasha and Nuri Pasha, that local figures including Dr. Khosrov bey Sultanov and Khalil Bey were instruments of that design, and that its object was not the spread of communism but the continuation of Turkish control over the oil fields and the Armenian lands under a new banner.<sup>130</sup>

The British command is implicated in the same account, and the implication is not inferential. The officials through whom this arrangement operated held their positions by British appointment. It was the British command that installed Dr. Khosrov bey Sultanov, a figure of known anti-Armenian record and close ties to the Young Turk regime, as governor-general over Karabakh and Zangezur. Armenian communities in those districts, resisting the authority of Baku over historically Armenian territory, were met with blockade and repression under his administration, which culminated in the destruction of the Armenian quarter of Shushi and the massacre of its inhabitants in March 1920. A British force had arrived to secure petroleum, required a compliant local authority to hold the hinterland, and appointed to that authority a man whose disposition toward the Armenian population was a matter of record. The atrocities that followed were committed by the administration Britain had put in place.<sup>131</sup>

The consequence for the present claim is simple and decisive. No Azerbaijani territorial claim to Armenian land predates May 1918, because there was no Azerbaijan to make one. A state constituted in 1918 out of the collapse of two empires, and handed its Armenian-populated districts by a British command pursuing petroleum, is now asserting an ancestral right to the entirety of the neighboring republic.

## **45. What the Phrase Means**

The doctrine is called Western Azerbaijan. The phrase is constructed to sound geographic and therefore harmless, as though it described a western province of Azerbaijan in the way any state describes its own regions. In official Azerbaijani usage it does not refer to any territory inside Azerbaijan. It refers to the Republic of Armenia.

The content of the doctrine is consistent across speeches, state media and organized messaging. First, Armenians are not indigenous to the region; they arrived later, and their historical presence is exaggerated. Second, Azerbaijanis are the original population, displaced over time. Third, the land should therefore be returned, and that return is not merely possible but inevitable. Yerevan, Lake Sevan and Syunik are folded into this account under the designations Irevan, Goycha and Zangazur.<sup>132</sup>

The doctrine's principal tactical advantage is that it is expressed in the vocabulary of human rights. A naked territorial claim can be identified as aggression. The same claim, recast as the right of displaced persons to return to their homes, enters diplomatic and academic discussion as a grievance to be balanced rather than a demand to be refused. That is the instrument. It speaks the language of the refugee conventions while working toward the revision of a recognized border. White Paper No. 1 examines the construction of the narrative in detail.

## **46. From Rhetoric to Institutions**

A slogan can be dismissed. An institution cannot, and since December 2022 the doctrine has acquired the full apparatus of a state program.

On December 24, 2022, President Aliyev visited the headquarters of the newly formed Western Azerbaijan Community, a building in Baku formerly used to house persons displaced from the Karabakh conflict, and told the assembled members that Western Azerbaijan was their historical land and that Western Azerbaijanis would return to it. In the same address he directed that a Concept of Return be developed, to be pursued through international conventions and framed as peaceful.<sup>133</sup>

The Community adopted that Concept of Return on January 26, 2023. It describes itself as the legal successor to the earlier Azerbaijan Refugee Society, records a constituency of nearly 300,000 Azerbaijanis expelled from present-day Armenia between 1987 and 1991, operates from a four-story building with twenty-three offices, maintains local and foreign representations, and grounds its demand in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Refugee Convention. It states that it does not accept the injustice committed against Western Azerbaijanis over the past two centuries and rejects its consequences.<sup>134</sup>

The program extends into the machinery of the state. Identity cards for Western Azerbaijanis have been issued through ASAN Service, Azerbaijan's centralized public-service system for official documents, recording holders' birthplaces under the historical names the campaign promotes. The Azerbaijan National Academy of Sciences established a department for the toponymy of Western Azerbaijan, tasked with the restoration of what it calls indigenous toponyms. Exhibitions have

been organized abroad, and a diaspora youth summer camp was convened inside occupied Artsakh under the Community's auspices.<sup>135</sup>

The campaign has also become an annual state event. The third Return to Western Azerbaijan festival-conference was held at Ordubad, Nakhichevan, on June 18 and 19, 2026, organized with the involvement of Azerbaijan's Ministry of Science and Education, the presidential plenipotentiary office in Nakhichevan, Nakhichevan State University and the Community. The chairman of the Community, a member of Azerbaijan's parliament, told journalists that Armenia must create conditions for the safe, dignified and peaceful return of Western Azerbaijanis, that the demand was consistent with fundamental human rights and international law, and that the new realities in the region made such a return unavoidable. Azerbaijan's Minister of Science and Education described the subject as a strategic direction of state policy and part of the country's public diplomacy.<sup>136</sup>

Armenia's Ministry of Foreign Affairs has characterized the campaign as a clear manifestation of territorial claims against the Republic of Armenia and as preparation for further aggression. Azerbaijan's Foreign Ministry maintains that the references are not territorial claims but a human-rights question concerning return.<sup>137</sup>

Annex D sets out the apparatus in tabular form. The reader is invited to consider what institutional architecture of this kind is for. A state does not establish a toponymy department, issue identity documents recording birthplaces in a neighboring country under names of its own devising, and convene annual state-funded conferences on return, in order to leave a border unchallenged.

#### **47. The Timing Aliyev Himself Supplied**

The most important sentence in the entire record of this doctrine was spoken by the President of Azerbaijan on December 24, 2022. Addressing the Western Azerbaijan Community, he said that it had been premature to speak about return while the Karabakh conflict remained unresolved, that now the conflict had been resolved this was the issue on the agenda, and that no time should be wasted.<sup>138</sup>

That statement was made nine months before the final assault on Artsakh, at a point when the blockade had been in place for twelve days and 120,000 people were still living in Stepanakert. It establishes three things on the authority of the perpetrator himself.

It establishes sequencing. The claim against the Republic of Armenia was deliberately held in reserve until the Artsakh question had been closed by force, and was activated the moment it was closed. Artsakh was not the resolution of a dispute. It was the precondition for the next one.

It establishes method. The instrument chosen for the next claim, the organized demand for the return of a displaced population framed in the language of international human-rights law, is the mirror image of the instrument Azerbaijan has spent three years resisting in respect of the Armenians it displaced from Artsakh. Baku is simultaneously refusing to implement an ICJ order on the return of more than 100,000 Armenians and demanding an international process for the return of 300,000 Azerbaijanis.

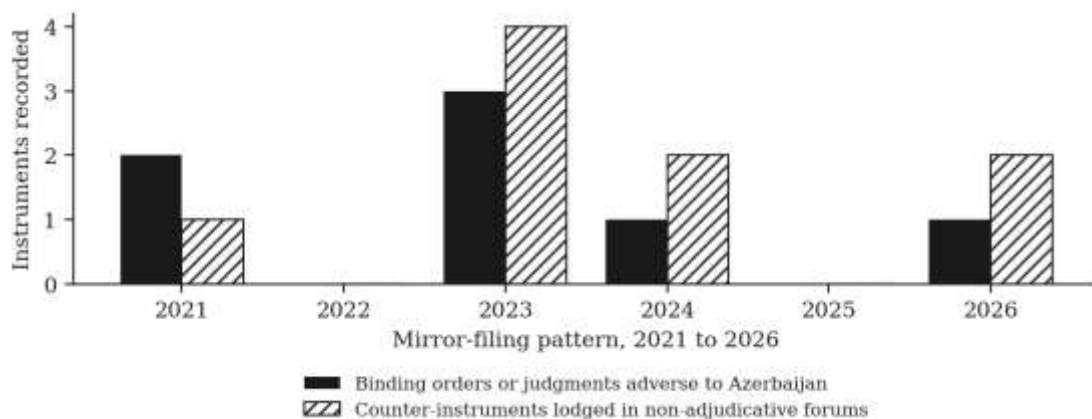
It establishes expectation. Aliyev did not speak in the conditional. He described return to Western Azerbaijan as the issue now on the agenda.

## 48. The Mirror-Filing Pattern

The doctrine does not operate in isolation from the legal proceedings. It operates as their counterweight.

White Paper No. 2 documents the pattern in detail. Armenia instituted proceedings against Azerbaijan at the International Court of Justice under the Racial Discrimination Convention on September 16, 2021; Azerbaijan filed its own application against Armenia one week later. From that point, Azerbaijani non-judicial filings shadow Armenian judicial gains. The clearest alignment is exact: the Concept of Return, adopted on January 26, 2023 and then held for four weeks, was transmitted to the Secretary-General under a letter dated February 22, 2023, the day the Court ordered Azerbaijan to open the Lachin corridor, and was issued into the General Assembly and Security Council record on March 14, 2023 as document A/77/801-S/2023/134.<sup>139</sup>

The pattern continued after the assault and into 2026. Six days after the European Court of Human Rights found Azerbaijan liable in respect of the torture and killing of an Armenian serviceman, the Baku Initiative Group convened a conference inside the United States Congress under the title *The Right of Return and Self-Determination: Double Standards and Selective Approaches*, closing with an appeal to Members of Congress. The venue had moved from the courtroom to the legislature. The function was unchanged.<sup>140</sup>



**Figure 4.** Binding orders and judgments adverse to Azerbaijan, and counter-instruments lodged by Azerbaijan or affiliated bodies in non-adjudicative forums, by year, 2021 to 2026. Counts are drawn from the chronology in White Paper No. 2 and are limited to instruments identified by official case number or document symbol, or by dated conference record. The figure displays the alignment of the two series; it does not by itself establish intent, which the text addresses separately.

The direction of travel is the finding that matters. As Azerbaijan accumulates adverse determinations in forums that issue binding rulings, it migrates the same counter-narrative toward forums that issue none. The General Assembly and the Security Council circulate documents without adjudicating them. The United States Congress confers visibility without jurisdiction. Each step exchanges legal exposure for record-building and political cover, and the record so built is then cited as evidence that there are two symmetrical grievances rather than one adjudicated violation and one lodged complaint.

## **49. The Forecast**

Azerbaijan's military expansion has already crossed the recognized border. Azerbaijani forces entered internationally recognized territory of the Republic of Armenia in 2021 and again during the September 2022 attack. Armenia's Ministry of Foreign Affairs has stated that approximately 150 square kilometers of sovereign Armenian territory came under Azerbaijani occupation as a result of those operations, and later independent mapping places a greater area of de jure Armenian territory under Azerbaijani control.<sup>141</sup>

No diplomatic tour has been organized to those districts. No ambassador has called for reconstruction there under Armenian sovereignty. If territorial integrity is dispositive when Azerbaijan invokes it in respect of Artsakh, it is dispositive when Azerbaijani forces cross the recognized frontier of Armenia. A principle that operates in one direction only is not a principle but an instrument.

On the basis of the two records established in this paper, the following projection is offered. It is not a prediction of Azerbaijani intent, which this paper does not claim to know. It is a projection of third-state behavior, derived from what those states have already done twice.

Suppose Azerbaijan acts on the Western Azerbaijan doctrine against the Republic of Armenia, whether by a further incursion, a forced corridor, or pressure to accept a return mechanism under threat. Suppose the international response resembles the response of 2020 and 2023: expressions of concern, calls for restraint, no sanctions, no arms restrictions, no enforcement of outstanding ICJ orders, no invocation of the duty to prevent. On the evidence of the first sequence, in which the interval from warning to restored relations was twelve years and to military alliance thirty-seven, and of the second, in which the interval from warning to the discussion of eight billion dollars in agreements on the site of the removal was three, the following may be expected within three to ten years of such an event.

The same governments that declined to prevent it will conclude commercial agreements over its results. They will participate in defense exhibitions of the state that carried it out. They will fund or contract for the reconstruction of the towns from which Armenians were removed. They will be conducted through those towns on organized visits, and their representatives will describe what they see as impressive. A monument will be built. Its name will contain the word peace or victory or both. The diplomatic corps will be photographed in front of it.

That is not speculation. Every element of that paragraph has already occurred once in this nation's history and is occurring again as this paper goes to press.

## **Part IX. TRIPP**

### **50. From Vision to Reality**

The Trump Route for International Peace and Prosperity is presented by the United States as a central component of the peace architecture created after the Washington summit of August 8, 2025 between President Donald Trump, Prime Minister Nikol Pashinyan and President Ilham Aliyev. The suspension of Section 907 was signed the same day, in the same city, in the presence of the Azerbaijani president.<sup>142</sup>

The project is no longer conceptual. On August 10, 2026 the United States, Armenia and Azerbaijan jointly announced that TRIPP was moving from vision to reality. Engineering surveys in Armenia were underway, Azerbaijan had nearly completed the highway and railroad infrastructure intended to connect with the route, and the governments were advancing the TRIPP Development Company.<sup>143</sup>

### **51. Seventy-Four Percent and Forty-Nine Years**

Under the framework concluded between Armenia and the United States, the contemplated development company gives the United States side a 74 percent controlling ownership interest and Armenia a 26 percent interest. The agreement contemplates exclusive land-use and development rights for an initial forty-nine-year term over agreed implementation areas inside sovereign Armenian territory, while expressly recognizing Armenia's sovereignty and jurisdiction.<sup>144</sup>

Those terms place the United States in a position materially different from that of a mediator. A state holding a controlling interest in a forty-nine-year exclusive development right inside the territory of one party to a conflict is an interested party in the durability of the settlement that produced it. That is not a criticism of infrastructure. It is an observation about incentives, and the incentives are the subject of the next section.

### **52. The Chester Problem, Restated**

The historical objection to this structure is not hypothetical, because the Armenian nation has already been subjected to it.

American concessions across Armenian land in the 1920s, negotiated with the state that had emptied it, produced not only profit but a durable American interest in the proposition that nothing criminal had occurred. The concession holder became the most prominent American denier of the Armenian Genocide, and he did so in the pages of respectable magazines, because the value of the concession depended on the legitimacy of the party that had granted it. Denial was not incidental to the commercial position. It was a condition of it.

A forty-nine-year exclusive development right across southern Armenia, held through a company in which the United States side has the controlling interest, reconstructs that incentive precisely. It creates an American institutional stake in the stability of the post-2023 settlement, in the good standing of the government in Baku, and therefore in the proposition that the destruction of Artsakh is a closed subject rather than an open legal question. It creates that stake at the exact moment

when Azerbaijan has announced a territorial doctrine covering the country through which the corridor runs.

Global Peace International therefore calls for the Trump Route for International Peace and Prosperity to be placed on indefinite hold. Implementation, financing, concessions, construction commitments and further institutional development should stop until the United States takes the concrete legal steps set out in Part XI to address the unresolved violations that preceded the settlement the route is intended to serve.

A route bearing the name of an American president should not become the economic reward that follows ethnic cleansing, unresolved genocide allegations, unenforced orders of the International Court of Justice, unrestituted Armenian property and continuing cultural erasure. This is not opposition to peace. It is opposition to the practice of calling an unresolved injustice peace, and to the construction of a monument over it.

## **Part X. The Mechanisms Congress Has Already Created**

### **53. 18 U.S.C. §1091**

The United States does not need to invent jurisdiction. Congress created it, and it sits unused.

Under 18 U.S.C. §1091, genocide is a federal crime. The Department of Justice's own materials explain that federal jurisdiction exists where the offender is a national or lawful permanent resident of the United States, where a stateless offender habitually resides in the United States, or where the alleged offender is physically present in the United States, irrespective of where the offense occurred. The ordinary statute of limitations for the offense was eliminated in 2009.<sup>145</sup>

### **54. Presence-Based Jurisdiction**

Presence-based jurisdiction is a form of what is commonly described as universal jurisdiction. Certain offenses are of such gravity that a state may prosecute an alleged perpetrator found within its territory even though the conduct occurred elsewhere and neither the perpetrator nor the victims were originally its nationals.

Congress stated the purpose expressly when it adopted the Genocide Accountability Act of 2007. Its sponsors said that the United States should not become a safe haven for persons who commit genocide abroad and later enter the country.<sup>146</sup> That is the precise circumstance the Armenian case now presents: a set of allegations arising from conduct abroad, against officials of a state with extensive commercial and official traffic to the United States.

### **55. The Enforcement Structure**

Congress also created the institutional capacity. Title 28, section 509B of the United States Code directs the Department of Justice's human-rights enforcement section to take appropriate legal action concerning serious human-rights offenses, expressly including the federal offenses of genocide, torture and war crimes.<sup>147</sup>

Global Peace International therefore calls upon the Attorney General and the Department of Justice to open an appropriate legal and evidentiary review of the allegations arising from the blockade and destruction of the Armenian community of Artsakh, including conduct potentially falling within 18 U.S.C. §1091. Where the statutory jurisdictional requirements are satisfied, including the presence of an alleged offender in the United States, those allegations should be capable of being placed before a federal court and adjudicated through due process.

The evidentiary steps are ordinary and urgent. Evidence should be preserved now. Witnesses, of whom more than one hundred thousand are living in Armenia and in the diaspora, should be interviewed now. Property, registration and identity records should be identified and secured now, consistent with the November 2023 order. Military and political command records should be identified now. Financial relationships should be examined now. Every year of delay degrades the record, and the displaced population from which the testimony must come is dispersing.

## 56. What §1091 Does Not Provide

Precision again. Section 1091 does not give a private citizen an automatic civil cause of action against the Republic of Azerbaijan, and this paper does not suggest otherwise. Civil litigation against foreign states and foreign actors raises separate questions of sovereign immunity, extraterritoriality, standing and statutory cause of action, and the Supreme Court has substantially restricted the extraterritorial application of the Alien Tort Statute in *Kiobel*, *Jesner* and *Nestlé USA, Inc. v. Doe*, the last of which also emphasized that the statute is jurisdictional and does not itself create a cause of action.<sup>148</sup>

Those limitations do not erase federal criminal jurisdiction, and they do not excuse the Department of Justice from examining evidence where Congress has expressly supplied a criminal statute designed to prevent the United States from sheltering alleged perpetrators of genocide. Applicable diplomatic and sovereign immunities would have to be addressed in any individual case. Those are questions for a court, not reasons to decline an investigation.

## 57. The Excuse of 1921 No Longer Exists

When Britain released the Malta detainees, the legal architecture for prosecuting them was genuinely absent. There was no Genocide Convention. There was no domestic statute in any state making genocide a prosecutable offense. There was no permanent tribunal with jurisdiction over the conduct, and no established doctrine of presence-based jurisdiction over atrocity crimes. The decision to release them was a political decision taken in a legal vacuum that the political actors had themselves declined to fill.

That excuse is gone. The Convention exists and imposes duties to prevent and to punish. The Court has stated the standard governing prevention. The United States has a criminal genocide statute with no limitation period, presence-based extraterritorial jurisdiction, and a congressionally mandated enforcement section. The only element absent in 2026 is the element that was also absent in 1921, and it is the only one that no statute can supply.

## 58. The Consequence of a Finding: Relations Must Follow the Record

An investigation that changes nothing is not accountability. It is a procedure for postponing it. The purpose of the review sought in this paper is not to produce a document. It is to determine facts that then govern how the United States and other states conduct their relations with Azerbaijan.

That linkage is not a novelty invented for the Armenian case. It is the ordinary architecture of the law of state responsibility. Where a serious breach of a peremptory norm has occurred, states are under a duty not to recognize as lawful the situation created by it and not to render aid or assistance in maintaining it.<sup>149</sup> The prohibition of genocide is the paradigm of such a norm. If an official inquiry concludes that the conduct in Artsakh included acts within Article II of the Genocide Convention, or crimes against humanity, or the war crime of forcible transfer, the states that reach that conclusion cannot then continue business as before without placing themselves in breach of an obligation they owe to the international community as a whole.

The adjustments that would follow are not exotic. Every one of them is an instrument the United States already possesses and has used against other states on lesser findings.

Military relations would have to be reconstructed first. Section 907 restrictions would be reinstated and enforced rather than waived. Licensing under the Arms Export Control Act and the International Traffic in Arms Regulations for exports to Azerbaijani security forces would be suspended. American participation in Azerbaijan's defense exhibition, discussed by the United States chargé d'affaires in occupied Stepanakert on September 11, 2026, would end. Assistance to units implicated in the conduct would be prohibited under the human-rights vetting provisions applicable to security assistance. Joint exercises, intelligence-sharing arrangements and security cooperation programs would be suspended pending a determination that the officials responsible have been removed from command and are being prosecuted.<sup>150</sup>

Commercial and financial relations would follow the same logic. Individual officials identified by the review would be designated under the sanctions authorities already available for serious human-rights abuse, with the asset freezes and visa denials those authorities carry.<sup>151</sup> Federal financing, insurance and guarantee instruments would be withheld from projects in the occupied territories. Import measures would be considered for goods originating in those territories, as they have been for goods produced in other occupied territories. Energy and transport partnerships, including American participation in TRIPP, would be conditioned on compliance with the outstanding orders of the International Court of Justice and on the restitution or compensation of Armenian property.

The rule this paper asks the United States to adopt is simple and is stated here so that it can be tested against practice. The scale of a military and commercial relationship should move in the direction indicated by the findings of the state's own legal process. A government that opens an inquiry into a genocide allegation and simultaneously expands arms-market participation and eight-billion-dollar commercial agreements with the state under inquiry has not conducted an inquiry. It has conducted a public-relations exercise, and Baku will read it correctly as such.

The precedent for what follows an inquiry that changes nothing is again 1922. Britain investigated, detained, prepared trials, released the detainees, and then built a relationship with the successor state that culminated in a military alliance. The inquiry occurred. It had no consequence. Its only lasting effect was to demonstrate that the process could be survived.

## **59. Arrest, Immunity, and the Precedent of January 2026**

If the conduct examined in this paper produces charges against named individuals, the question of enforcement arises immediately, and it is the question on which the entire architecture of international criminal law has historically failed the Armenian people.

The ordinary mechanism is arrest on travel. Under the presence-based jurisdiction Congress created in 18 U.S.C. §1091, a person charged with genocide who enters the United States is subject to arrest and prosecution regardless of where the conduct occurred. The same principle operates in every state that has enacted universal or presence-based jurisdiction over atrocity crimes, which includes most of Europe. An indictment plus international notice converts every foreign trip into a legal hazard, and the practical effect on an official's conduct and travel is substantial even before any arrest occurs.

Two obstacles must be stated honestly, because a paper that concealed them would be useless to the legislators it is written for.

The first is immunity. The International Court of Justice held in 2002 that a serving head of state, head of government or foreign minister enjoys immunity from the criminal jurisdiction of foreign national courts, including for international crimes, for the duration of office. That immunity is personal and temporary: it attaches to the office, not to the conduct, and it ends when the office does. It does not bar prosecution before an international tribunal, and it does not bar prosecution in the official's own state.<sup>152</sup> On the current state of that doctrine, a national prosecution of a sitting president in a foreign court faces a serious legal objection; a prosecution of the same person after leaving office does not, and neither does a prosecution of subordinate officials, commanders and ministers, to whom personal immunity does not extend.

The second is the forum, and it must be stated carefully, because the ordinary formulation concedes something this paper does not concede.

Azerbaijan is not a party to the Rome Statute. The territorial limb of the Court's jurisdiction therefore does not reach the events of 2023, because Artsakh is not the territory of a State Party and no state entitled to lodge a declaration has done so in respect of it. That is a statement about the consent-based architecture of the Court. It is not a statement that Artsakh is Azerbaijani territory, and section 43 sets out why it is not: the 1918 republic to which Azerbaijan declared itself successor in 1991 did not hold Artsakh, and the instrument that placed Artsakh under Baku was a decision of a Soviet party organ that Azerbaijan's own founding act repudiates. The Court's reach is short here because of who has joined it, not because of who owns the ground.

The position going forward is different in a way that matters urgently. Armenia acceded to the Rome Statute and the Statute entered into force for Armenia on February 1, 2024. Crimes within the Court's jurisdiction committed on the territory of the Republic of Armenia after that date fall within it, whatever the nationality of the perpetrator and whether or not the perpetrator's state is a party. Genocide, crimes against humanity and war crimes committed on Armenian soil are now prosecutable at The Hague. Azerbaijani forces have already crossed that frontier twice, in 2021 and in 2022, and the doctrine examined in Part VIII asserts a claim to the whole of it.<sup>153</sup> That is a matter of direct practical importance to the danger described in Part VIII. An attack on the territory of the Republic of Armenia in furtherance of the Western Azerbaijan doctrine would not occupy the same legal position as the assault on Artsakh. It would occur on the territory of a State Party.

There is now a third possibility, and it exists because the United States created it.

On January 3, 2026, United States forces conducted a military operation in Caracas, seized the sitting President of Venezuela and his wife, and removed them from the country. He was flown to New York, taken into custody, arraigned in the Southern District of New York on January 5, and held at the Metropolitan Detention Center in Brooklyn pending trial on narco-terrorism and drug-trafficking charges. The operation was condemned as a violation of the United Nations Charter by a number of states, and the objection that the normalization of the seizure of a head of state endangers every state was made immediately and publicly.<sup>154</sup>

The domestic legal doctrine that permits the resulting prosecution to proceed is long established in American law. Under the rule descending from *Ker v. Illinois* and *Frisbie v. Collins*, the manner in which a defendant is brought before a United States court does not defeat the court's jurisdiction over him. The Supreme Court applied that rule to a forcible abduction from the territory of a treaty partner in *United States v. Alvarez-Machain* in 1992, and the courts applied it to General Manuel

Noriega, seized in the course of the invasion of Panama and tried and convicted in a federal court in Florida.<sup>155</sup>

Global Peace International does not ask the United States to invent a power. It asks the United States to apply consistently the power it has already asserted.

The position is this. If the United States maintains, as its conduct in January 2026 establishes, that the sitting head of a foreign state may be seized abroad and brought before a federal court to answer an indictment, then the standard governing when that power is used cannot be narcotics and oil. A state that will mount a military operation to arrest a foreign president on drug-trafficking charges, and will not issue so much as an indictment where a former Prosecutor of the International Criminal Court has concluded that a population of 120,000 was subjected to conditions calculated to destroy it, has not made a legal judgment. It has made a commercial one, and it has told every government watching precisely which crimes carry a cost in Washington and which do not.

The remedy GPI seeks is the ordinary one and should be stated plainly. Open the evidentiary review. Charge those against whom the evidence supports charges. Issue international notices. Arrest on arrival in any jurisdiction where charges are outstanding and immunity does not bar it. Pursue former officials without limitation of time, since the federal genocide statute carries none.<sup>156</sup> And if the United States intends to retain the further power it exercised in Caracas, it must accept that the power now exists for everyone to see, that its selective use is itself an argument, and that the Armenian case is the test of whether the power was ever about law at all.

Nothing in this section should be read as an argument for force in place of law. It is an argument against the proposition that the law's reach is determined by what the accused state sells and to whom.

## **Part XI. Findings and Recommendations**

### **60. Findings**

**F1.** Azerbaijan conducted a state-organized tour of occupied Artsakh on September 11 and 12, 2026 for approximately 150 representatives of 58 countries and nine international organizations, the twenty-second such visit since 2020, and used it to present a state narrative of the territory's history, to assemble the diplomatic corps at a victory monument in a depopulated city, and to reassign the origin of Armenian Christian monuments.

**F2.** Representatives of the United States, France, the United Kingdom and the European Union participated, and their recorded statements praised the reconstruction, discussed expanding commercial and strategic relations, and referred approvingly to the continued suspension of the one provision of United States law enacted to restrain Azerbaijan's use of force against Armenians.

**F3.** No displaced Armenian, no representative of the displaced population, and no Armenian scholar participated in the tour, and no element of the recorded itinerary addressed the outstanding order of the International Court of Justice concerning return or the preservation of property records.

**F4.** Those governments were placed on specific notice of a serious risk of genocide against the Armenians of Artsakh before September 19, 2023, by a binding order of the International Court of Justice, by the expert opinion of a former Prosecutor of the International Criminal Court, and by the proceedings of a commission of the United States Congress.

**F5.** Those governments possessed substantial economic, diplomatic, statutory and security leverage over Azerbaijan and did not employ it. Under the standard stated by the International Court of Justice in 2007, the duty to prevent is measured by the employment of reasonably available means in proportion to capacity to influence, and the measures publicly taken were statements.

**F6.** No prosecution of any individual has been commenced in any forum in respect of the blockade, the assault, or the displacement. The orders of the International Court of Justice of February 22, July 6 and November 17, 2023 remain outstanding.

**F7.** The conduct described in F1 through F6 reproduces the conduct of the same two Western powers after 1915: contemporaneous knowledge, a formal declaration of criminal responsibility, failure to prevent, failure to punish through the release of the Malta detainees without a conviction, abandonment of the Wilson arbitral award, conclusion of a settlement without Armenian participation, and subsequent commercial and military partnership with the successor state.

**F8.** In both sequences, American commercial actors holding rights over the territory in question participated in arming the party that removed its Armenian population: in 1915 through a private arrangement recorded in the Colt archive for the transfer of 200,000 rifles and 400 million rounds via a neutral state, the disposition of which the surviving file does not establish; and in 1992 through the reported provision of military training by principals operating under the cover of MEGA Oil, for which no public record of authorization under the Arms Export Control Act has been identified.

**F9.** Section 907 of the Freedom Support Act has been waived by every United States president without interruption since January 25, 2002, including throughout the 2022-2023 blockade and the displacement of the Armenian population of Artsakh, and the most recent suspension was signed on August 8, 2025 during the Washington visit of President Aliyev.

**F10.** Azerbaijan has advanced a systematic program of cultural reclassification and destruction in the occupied territories, including the demolition of Kanach Zham in Shushi, the alteration and reclassification of Ghazanchetsots, the presidential assertion that Armenian inscriptions at Hadrut are fabricated, and the presentation of Gandzasar to foreign diplomats as Caucasian Albanian heritage.

**F11.** Azerbaijan has announced and institutionalized a territorial doctrine designating the Republic of Armenia as Western Azerbaijan, supported by a state-linked organization in Baku with a claimed constituency of nearly 300,000, a Concept of Return lodged on the United Nations record, identity documents issued through a state service system, a toponymy department within the national Academy of Sciences, and an annual state-supported conference.

**F12.** President Aliyev stated on December 24, 2022 that it had been premature to raise the question of return to Western Azerbaijan while the Karabakh conflict remained unresolved and that it was now on the agenda. On the authority of that statement, the destruction of Artsakh functioned as the precondition for the claim now asserted against the Republic of Armenia.

**F13.** Azerbaijan lodges counter-instruments in non-adjudicative forums in alignment with Armenian gains in adjudicative ones, including the transmission of the Concept of Return to the Secretary-General on the day the International Court of Justice ordered the Lachin corridor opened.

**F14.** Approximately 150 square kilometers of internationally recognized territory of the Republic of Armenia has been under Azerbaijani control since the operations of 2021 and 2022, and no diplomatic tour, reconstruction program or commercial initiative has been organized in respect of it.

**F15.** The Trump Route for International Peace and Prosperity, as framed in the published instruments, would vest a 74 percent controlling interest in a development company holding exclusive land-use and development rights for an initial forty-nine-year term over areas inside sovereign Armenian territory, creating an American commercial interest in the durability of the post-2023 settlement analogous to the interest that made the holder of American concessions over Armenian land the most prominent American denier of the Armenian Genocide.

**F16.** A finding of responsibility carries consequences in law. Where a serious breach of a peremptory norm is established, third states are under obligations of non-recognition and non-assistance, and the instruments by which the United States would ordinarily give effect to such a finding, including Section 907 reinstatement, export licensing, security-assistance vetting, individual sanctions designations and the withholding of federal financing, are already available and in use against other states on lesser findings.

**F17.** Personal immunity shields a sitting head of state from prosecution in foreign national courts for the duration of office, but not after it, and not subordinate officials and commanders. Azerbaijan is not a party to the Rome Statute and the events of 2023 fall outside the ordinary jurisdiction of

the International Criminal Court; crimes committed on the territory of the Republic of Armenia after February 1, 2024 do not.

**F18.** On January 3, 2026 the United States seized the sitting President of Venezuela in Caracas and brought him before a federal court, and the rule descending from *Ker, Frisbie, Alvarez-Machain* and the Noriega prosecution permits that court to exercise jurisdiction notwithstanding the manner of his arrival. The United States has therefore established, by its own conduct, that it regards the forcible seizure abroad of a serving head of state as an available instrument. It has not issued an indictment arising from the destruction of the Armenian community of Artsakh.

**F19.** The United States possesses, and has not used, a federal criminal genocide statute with no limitation period, presence-based extraterritorial jurisdiction enacted in 2007 for the express purpose of denying safe haven, and a congressionally mandated human-rights enforcement section. The legal vacuum that explained the Malta releases in 1921 does not exist.

## **61. Recommendations**

### **To the Government of the United States**

**R1.** Publicly condemn Azerbaijan's obstruction of the Lachin corridor, the use of force of September 19 and 20, 2023, the displacement of virtually the entire Armenian population of Artsakh, and the violations of Armenian cultural and property rights that have followed.

**R2.** Announce an independent legal review of the genocide allegations and other atrocity-crime allegations arising from the blockade and the September 2023 operation, with published terms of reference and a reporting date.

**R3.** Direct the Department of Justice to preserve evidence, interview witnesses among the displaced population, and examine jurisdiction under 18 U.S.C. §1091 and other applicable federal human-rights statutes, with prosecution where the evidence and the jurisdictional requirements support it.

**R4.** Reinstate and enforce Section 907 of the Freedom Support Act. Cease the practice of annual waiver in the absence of a published determination that Azerbaijan has taken demonstrable steps to cease blockades and offensive uses of force, which is the statutory condition.

**R5.** Place the Trump Route for International Peace and Prosperity on indefinite hold, including implementation, financing, concessions, construction commitments and further development of the TRIPP Development Company, pending concrete progress on return, restitution, detainees, cultural heritage and accountability.

**R6.** State publicly that the United States does not recognize the Western Azerbaijan doctrine or any territorial claim derived from it, and that any mechanism for the return of displaced Azerbaijanis to the Republic of Armenia is a matter for the sovereign determination of Armenia and cannot be advanced under threat of force.

**R7.** Demand measurable compliance with the outstanding provisional measures of the International Court of Justice, in particular the right of safe, unimpeded and expeditious return and

the preservation of registration, identity and private-property records, and make further commercial normalization conditional on it.

**R8.** Open a public examination of the reported provision of military services to Azerbaijan by United States persons during the 1992 arms embargo, including the licensing question under the Arms Export Control Act, and of any successor arrangements.

**R9.** Commit in advance, and in writing, that the findings of the review will govern the military and commercial relationship. If the review establishes conduct within the Genocide Convention, the Rome Statute definitions of crimes against humanity, or the war crime of forcible transfer, then arms-export licensing to Azerbaijani security forces, participation in Azerbaijan's defense exhibition, joint exercises, intelligence-sharing and security cooperation are to be suspended, and federal financing, insurance and guarantee instruments withheld from projects in the occupied territories.

**R10.** Designate individuals identified by the review under the sanctions authorities available for serious human-rights abuse, with the asset freezes and visa restrictions those authorities carry, and maintain the designations until the conduct is remedied.

**R11.** Where charges are supported, seek indictments, issue international notices, and arrest on arrival in United States jurisdiction. Pursue former officials without regard to the passage of time, the federal genocide statute carrying no limitation period, and pursue subordinate officials and commanders to whom personal immunity does not extend.

**R12.** State publicly whether the standard applied in the operation of January 3, 2026 in Caracas is a standard of general application or one reserved to particular categories of offense, and explain, if it is the latter, why an allegation of genocide ranks below an allegation of drug trafficking in the enforcement priorities of the United States.

### **To the Congress of the United States**

**R13.** Repeal the waiver authority for Section 907, or condition it on a certification submitted to the relevant committees and made public.

**R14.** Hold hearings on the duty to prevent as applied to the Artsakh record, taking testimony from the displaced population, from the author of the August 2023 expert opinion, and from the executive-branch officials responsible for policy in 2023.

**R15.** Condition any appropriation, guarantee, insurance or financing instrument supporting reconstruction or development in the occupied territories on a determination that no legally protected Armenian private, ecclesiastical, communal or institutional property is being appropriated without ownership determination, lawful consent, restitution or compensation.

### **To the European Union, France and the United Kingdom**

**R16.** Implement the measures the European Parliament called for on October 5, 2023, namely targeted sanctions, investigations of potential war crimes, and a comprehensive review of relations with Azerbaijan, or state publicly why they have not been implemented.

**R17.** Suspend participation in state-organized tours of the occupied territories that exclude the displaced population, and condition participation in demining, master planning and reconstruction

on ownership determination and on compliance with the orders of the International Court of Justice.

**To the Government of the Republic of Armenia**

**R18.** Formally and publicly reject the Western Azerbaijan doctrine in every forum in which it is advanced, and place on the United Nations record a response to each instrument lodged by the Western Azerbaijan Community or transmitted on its behalf.

**R19.** Establish and fund a national property and heritage registry for Artsakh, gathering deeds, registration records, photographic and testimonial evidence from the displaced population while that population is still reachable, and lodge it with an international depositary.

**R20.** Do not permit the initialing or ratification of any instrument to be treated as extinguishing the individual property, heritage or return rights of displaced persons, which are not the government's to waive.

**To corporations, financial institutions and contractors**

**R21.** Conduct and publish ownership due diligence before participating in any reconstruction, extraction, agricultural, tourism or infrastructure activity in the occupied territories, and treat the outstanding order of the International Court of Justice on the preservation of property records as notice of a competing claim.

**To the Armenian community and diaspora institutions**

**R22.** Record testimony from the displaced now, systematically and to evidentiary standard, including property documentation, and support the preservation of the record on which any future proceeding will depend.

## **Conclusion: They Were Warned Twice**

In May 1915 three governments declared in writing that they would hold the Ottoman leadership personally responsible for crimes against humanity and civilization committed against the Armenian people. Within seven years the men they had detained for trial were released without a conviction. Within eight the settlement that replaced the Armenian provisions had been concluded without an Armenian signature. Within twelve, diplomatic relations with the successor state were restored; within thirteen, American oil interests held a quarter of the concession over the provinces the Armenians had been deported from; within thirty-seven, that state was a military ally of both powers that had issued the declaration. Throughout, the American holder of concessions over Armenian land explained in respectable magazines that the massacres had been exaggerated and the deportees had come home fat and prosperous.

In August and September 2023 a former Prosecutor of the International Criminal Court, a commission of the United States Congress, and the International Court of Justice placed the governments of the United States, France, the United Kingdom and the European Union on notice that 120,000 Armenians were being subjected to conditions calculated to destroy them. Within five days of the last congressional hearing, Azerbaijan attacked. Within eight days of the attack, the population was gone. Within three years, an American diplomat was standing in the emptied capital discussing eight billion dollars in commercial agreements, participation in Azerbaijan's arms exhibition, and the continued suspension of the statute written to prevent exactly this, while the state's principal foreign-policy official explained to 150 foreign representatives that the monastery behind them had been built by an Albanian.

The Genocide Convention was drafted because of the first sequence. The second sequence occurred with the Convention in force, its prevention standard authoritatively stated by the Court, a criminal statute on the books in the United States with no limitation period and presence-based jurisdiction, and a specialized enforcement section in the Department of Justice. Every instrument that was missing in 1921 now exists. The outcome was the same.

That is the finding this paper asks its readers to hold. The failure is not a failure of law. The law was built, deliberately, out of the Armenian case, and it is adequate. The failure is a failure to use it, repeated against the same nation, by the same states, for the same reasons, with the same commercial interests standing behind the reasoning and the same reassuring account of the facts supplied by parties with title to the land.

Azerbaijan has now announced, in its own official language and in its own president's words, that the Republic of Armenia is the next claim, and that the claim went on the agenda the moment Artsakh was finished. The governments whose representatives posed in front of the Victory Arch on September 11, 2026 are the governments whose response will determine whether that claim is ever acted upon. They have taught Baku, and every government watching, that the sequence carries no cost: ignore the court, remove the people, rename the places, reassign the churches, build over what remains, and then invite the world to admire the reconstruction.

The International Court of Justice did not authorize that outcome. The Genocide Convention was not written to excuse it. American law provides the means to investigate and prosecute genocide where its jurisdictional requirements are met, and those means were created, by an act of Congress, precisely so that the decision taken at Malta in 1921 could not be taken again.

Global Peace International will not accept economic normalization as a substitute for justice, and will not accept a second century of it.

## Annex A: Master Chronology, 1915 to 2026

**Table 7. Master chronology**

| Date         | Event                                                                                                                                                                                                                | Significance                                                                                                                                                             |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20 Jul. 1915 | Ambassador Morgenthau cables Washington that the events are a campaign of race extermination.                                                                                                                        | Contemporaneous United States official characterization while neutral. <sup>157</sup>                                                                                    |
| 24 Jul. 1915 | Meeting at 3 Whitehall Court, London: Colt and Grand Duke Michael Alexandrovich; 200,000 Spanish Mauser rifles and 400 million rounds to be sold to a neutral government and delivered to the Turks at a given time. | American principals holding Ottoman oil concessions on Armenian land arrange arms transfer four days after the Morgenthau cable. <sup>158</sup>                          |
| May 1915     | Joint declaration of Great Britain, France and Russia on personal responsibility for crimes against humanity and civilization.                                                                                       | First use of the formula, in the Armenian case.                                                                                                                          |
| 1916         | Publication of <i>The Treatment of Armenians in the Ottoman Empire</i> (Bryce).                                                                                                                                      | Compiled consular and missionary testimony presented to Parliament.                                                                                                      |
| 1919-1920    | Constantinople courts-martial; convictions in absentia.                                                                                                                                                              | Proceedings cut short by political change and Allied compromise.                                                                                                         |
| 1919-1921    | Ottoman officials detained at Malta by Britain.                                                                                                                                                                      | All released; no conviction.                                                                                                                                             |
| 11 Jun. 1912 | Armen Garo writes to James W. Colt on the Anatolian railway and mining project.                                                                                                                                      | Colt sent to the empire by Kuhn, Loeb and Company; proposition carried to J. P. Morgan.                                                                                  |
| 10 Oct. 1919 | Armen Garo testifies before a United States Senate subcommittee.                                                                                                                                                     | Records that the Armenians had received not a single rifle nor any ammunition from the Allies.                                                                           |
| 4 Feb. 1921  | “Interview With Talaat Pasha,” forwarded to London in dispatch No. 218 of February 8.                                                                                                                                | Talaat explains how the Nationalists can grant England its oil concessions and answer the United States Note of November 24; expects an amnesty for the Malta prisoners. |
| 10 Aug. 1920 | Treaty of Sèvres signed.                                                                                                                                                                                             | Eastern Armenian frontier referred to the arbitration of the President of the United States.                                                                             |
| Nov. 1920    | Wilson arbitral award issued.                                                                                                                                                                                        | Never implemented.                                                                                                                                                       |
| 1923         | Treaty of Lausanne.                                                                                                                                                                                                  | Replaces Sèvres; no Armenian party.                                                                                                                                      |

| Date                      | Event                                                                                                  | Significance                                                                                                                                                 |
|---------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sep. 1922                 | Chester publishes denial in <i>Current History</i> .                                                   | Denial produced by the holder of American concessions over Armenian land.                                                                                    |
| Jan. 1927                 | United States Senate rejects the Lausanne amity and commerce treaty; relations restored the same year. | Normalization twelve years after the warning.                                                                                                                |
| 1928                      | Turkish Petroleum group agreement; American share of the former Ottoman oil provinces.                 | Commercial partnership over the cleared provinces.                                                                                                           |
| 1947 / 1952               | Truman Doctrine assistance; Turkish accession to NATO.                                                 | Military alliance thirty-seven years after the warning.                                                                                                      |
| May 1918                  | “Azerbaijan” proclaimed at Ganja and then Baku, north of the Arax.                                     | Name of an Iranian province applied for the first time to the eastern Caucasus.                                                                              |
| Late 1918                 | British forces under Thomson secure Baku; compliant administration installed.                          | Armenian-populated districts assigned to the new entity.                                                                                                     |
| 8 Oct. 1918 - 1 Nov. 1918 | Enver Pasha arrested, held on Malta, secretly released to Berlin.                                      | One of the three principal architects of the deportations leaves British custody without trial.                                                              |
| Jul. 1920 - May 1922      | Soviet gold and arms to the Ankara government.                                                         | Approximately six tons of gold, tens of thousands of rifles and tens of millions of rounds; Enver in Moscow as a representative of the nationalist movement. |
| 23 Aug. 1920              | <i>Winston-Salem Journal</i> publishes the Ulio interview.                                             | A United States officer states that the Baku “Bolshevik” regime was engineered by Enver and Nuri Pasha to hold the oil fields and the Armenian lands.        |
| 5 Jul. 1921               | Caucasian Bureau of the Russian Communist Party retains mountainous Karabakh within Soviet Azerbaijan. | Reverses the decision of the previous day; the sole foundation of the modern Azerbaijani claim.                                                              |
| 1 Dec. 1989               | Decision No. 1650-11 adopted.                                                                          | Reunification proclaimed; still listed as an active act. <sup>159</sup>                                                                                      |
| 3 Apr. 1990               | USSR law on secession: autonomous formations determine their own status by separate referendum.        | The procedure under which Artsakh proceeded in 1991.                                                                                                         |
| 30 Aug. / 18 Oct. 1991    | Azerbaijan declares restoration of independence and succession to the 1918-1920 republic.              | Repudiates the Soviet framework that produced its claim to Artsakh.                                                                                          |

| Date                  | Event                                                                                    | Significance                                                                                                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 Sep. / 10 Dec. 1991 | Declaration and referendum of the Nagorno-Karabakh Republic.                             | Conducted under the April 1990 law.                                                                                                                                                         |
| 1992                  | Section 907 of the Freedom Support Act adopted; OSCE embargo requested.                  | Statutory restriction on assistance to Azerbaijan.                                                                                                                                          |
| 1992                  | MEGA Oil principals in Baku; reported training of Azerbaijani forces.                    | Covert-linked American personnel under commercial cover.                                                                                                                                    |
| 25 Jan. 2002          | Presidential Determination No. 2002-15 suspends Section 907.                             | First waiver; renewed annually thereafter without interruption.                                                                                                                             |
| 2 Dec. 2014           | Airbus Defence and Space transfers SPOT 7 to Azercosmos as Azersky.                      | A co-chair of the OSCE Minsk Group supplies one belligerent a national reconnaissance satellite.                                                                                            |
| 2 Jul. 2014           | United Kingdom extends its implementation of the embargo to the whole Military List.     | Strictest formal implementation of the 1992 request identified in this record.                                                                                                              |
| Apr. 2016             | Four-day escalation.                                                                     | No reinstatement of Section 907.                                                                                                                                                            |
| 5 Aug. 2019           | “Artsakh is Armenia, period,” Stepanakert.                                               | Examined in <i>Artsakh Is Armenia</i> .                                                                                                                                                     |
| 23 Mar. 2020          | Secretary-General appeals for a global ceasefire for the pandemic.                       | Applies worldwide and without qualification.                                                                                                                                                |
| 1 Jul. 2020           | Security Council Resolution 2532.                                                        | Demands a general and immediate cessation of hostilities and a ninety-day humanitarian pause.                                                                                               |
| 12-16 Jul. 2020       | Azerbaijani attack in the direction of Tavush.                                           | Force used on the recognized interstate border of Armenia, eleven days after Resolution 2532.                                                                                               |
| 27 Sep. 2020          | General assault on Artsakh begins; forty-four days.                                      | Opened on the eighty-eighth day of the pause demanded by the Council. Conducted with Turkish armed unmanned aircraft and crews and with Israeli loitering munitions and ballistic missiles. |
| 5 Oct. 2020           | Canada suspends export permits for targeting sensors destined for Turkey.                | First Western export restriction taken during the assault.                                                                                                                                  |
| 12 Apr. 2021          | Canada cancels the permits on a finding of credible evidence of use in Nagorno-Karabakh. | Only identified Western revocation; reversed in January 2024.                                                                                                                               |
| Oct. 2020             | Genocide Watch Genocide Emergency Alert on Azerbaijan in Artsakh.                        | Genocide warning issued three years before the Ocampo opinion.                                                                                                                              |
| 9-10 Nov. 2020        | Trilateral statement ending the assault.                                                 | Territory retained and further districts transferred.                                                                                                                                       |

| <b>Date</b>            | <b>Event</b>                                                                                                                                              | <b>Significance</b>                                                              |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 11<br>Nov. 2020        | UN Working Group on the use of mercenaries issues its finding.                                                                                            | Reliance on Syrian fighters found consistent with the definition of a mercenary. |
| Sep.-<br>Nov. 2020     | Azerbaijani assault on Artsakh.                                                                                                                           | No reinstatement of Section 907; no arms restrictions.                           |
| 2021 and<br>Sep. 2022  | Azerbaijani incursions into the Republic of Armenia.                                                                                                      | Approximately 150 sq km of sovereign Armenian territory occupied.                |
| 16<br>Sep. 2021        | Armenia institutes ICJ proceedings under CERD.                                                                                                            | Azerbaijani countersuit filed one week later.                                    |
| 12<br>Dec. 2022        | Obstruction of the Lachin corridor begins.                                                                                                                | Ten-month siege of approximately 120,000 people.                                 |
| 24<br>Dec. 2022        | Aliyev at the Western Azerbaijan Community headquarters: premature before, now on the agenda.                                                             | Sequencing stated by the perpetrator.                                            |
| 26<br>Jan. 2023        | Concept of Return adopted.                                                                                                                                | Held four weeks before transmission.                                             |
| 22<br>Feb. 2023        | ICJ orders the corridor opened, 13 votes to 2; Azerbaijani counter-request rejected. Concept of Return transmitted to the Secretary-General the same day. | Binding order and same-day mirror filing.                                        |
| 6 Jul. 2023            | Further ICJ order following installation of the checkpoint.                                                                                               | Non-compliance on the judicial record.                                           |
| 7<br>Aug. 2023         | Ocampo expert opinion.                                                                                                                                    | Genocide under Article II(c); immediate action required.                         |
| 6 Sep. 2023            | Tom Lantos Human Rights Commission hearing; Ocampo presents in person.                                                                                    | Duty to prevent placed before Congress.                                          |
| 14<br>Sep. 2023        | Senate Foreign Relations Committee hearing.                                                                                                               | Five days before the assault.                                                    |
| 19-20<br>Sep. 2023     | Azerbaijani military operation.                                                                                                                           | Capitulation within roughly 24 hours.                                            |
| 24 Sep.-1<br>Oct. 2023 | More than 100,000 Armenians leave Artsakh.                                                                                                                | Virtually the entire remaining population.                                       |
| 5 Oct. 2023            | European Parliament resolution: pre-planned, unjustified, ethnic cleansing.                                                                               | Sanctions, investigations and review called for; not implemented.                |
| 17<br>Nov. 2023        | ICJ order on return and preservation of records.                                                                                                          | Outstanding as of the research cutoff.                                           |
| 26<br>Sep. 2024        | Constitutional Court decision DCC-1749.                                                                                                                   | Limits the Declaration-to-Constitution bridge.                                   |

| <b>Date</b>     | <b>Event</b>                                                                                      | <b>Significance</b>                                                                            |
|-----------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1 Jul. 2025     | United Kingdom narrows its embargo to entries ML1-ML4 and deletes the Nagorno-Karabakh condition. | Targeting equipment and the remainder of the Military List fall outside the embargo.           |
| 8 Aug. 2025     | Washington summit; TRIPP framework; Section 907 suspension signed.                                | Same day, same city, in the presence of President Aliyev.                                      |
| 18-19 Jun. 2026 | Third Return to Western Azerbaijan conference, Ordubad.                                           | State ministries and a state university participate.                                           |
| 24 Jun. 2026    | Baku Initiative Group conference in the United States Congress.                                   | Six days after an adverse ECHR judgment.                                                       |
| 10 Aug. 2026    | Joint statement: TRIPP moving from vision to reality.                                             | Surveys underway; development company advancing.                                               |
| 11-12 Sep. 2026 | Twenty-second diplomatic tour of the occupied territories.                                        | Victory Park photograph; Gandzasar presented as Albanian; \$8 billion in agreements discussed. |
| 12 Sep. 2026    | Research cutoff for this paper.                                                                   | Section 907 remains suspended; ICJ orders remain outstanding.                                  |

## **Annex B: The Two Sequences Compared**

**Table 8. Stage-by-stage comparison**

| <b>Element</b>                   | <b>1915 sequence</b>                                                           | <b>2023 sequence</b>                                                                                     | <b>Difference</b>                                                |
|----------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Source of the warning            | American consular service; missionary networks; Allied governments themselves. | International Court of Justice; former ICC Prosecutor; commission of the United States Congress.         | The second warning was more formal and more legally precise.     |
| Instrument declaring criminality | Joint declaration of May 1915.                                                 | Order of 22 Feb. 2023; Ocampo opinion of 7 Aug. 2023; European Parliament resolution of 5 Oct. 2023.     | The second rests on a treaty and a standing court.               |
| Legal duty in force at the time  | None codified.                                                                 | Genocide Convention, Article I, with the prevention standard authoritatively stated in 2007.             | The duty existed the second time and was still not discharged.   |
| Means available and unused       | Neutral commercial and diplomatic leverage; belligerent pressure.              | Section 907 reinstatement; arms restrictions; sanctions; energy leverage; enforcement of ICJ orders.     | The second set of means was statutory and immediately available. |
| Accountability outcome           | Courts-martial cut short; Malta detainees released; no conviction.             | No prosecution commenced in any forum.                                                                   | In 1921 no statute existed. In 2026 one does.                    |
| Remedial instrument abandoned    | Wilson arbitral award under Sèvres.                                            | ICJ orders of 22 Feb., 6 Jul. and 17 Nov. 2023.                                                          | Both binding; both unenforced by third states.                   |
| Denial supplied by               | Holder of American concessions over Armenian land, in American magazines.      | The perpetrator state itself, to foreign diplomats on site.                                              | The function is identical; the source is now official.           |
| Normalization                    | Relations 1927; oil share 1928; alliance 1952.                                 | \$8 billion in agreements and defense-exhibition participation discussed on site, 2026; TRIPP advancing. | Twelve to thirty-seven years, against three.                     |

## Annex C: The Section 907 Record

**Table 9. Section 907 of the Freedom Support Act, 1992 to 2026**

| Period          | Status                                                                                                                          | Contemporaneous conduct by Azerbaijan                                                                                            |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1992-2001       | Restrictions in force as enacted.                                                                                               | Active hostilities to 1994; ceasefire violations thereafter.                                                                     |
| 25<br>Jan. 2002 | First suspension, Presidential Determination No. 2002-15.                                                                       | Waiver authority added by Congress after September 2001.                                                                         |
| 2003-2015       | Suspension renewed annually.                                                                                                    | Documented official anti-Armenian rhetoric; ceasefire violations; military buildup funded by hydrocarbon revenue. <sup>160</sup> |
| 2016            | Suspension renewed.                                                                                                             | April 2016 escalation.                                                                                                           |
| 2017-2019       | Suspension renewed.                                                                                                             | Continued buildup; procurement from Israel and Turkey.                                                                           |
| 2020            | Suspension renewed.                                                                                                             | September assault on Artsakh; documented use of cluster munitions.                                                               |
| 2021-2022       | Suspension renewed.                                                                                                             | Incursions into the Republic of Armenia; commencement of the Lachin obstruction.                                                 |
| 2023            | Suspension renewed.                                                                                                             | Ten-month blockade; September assault; displacement of more than 100,000 Armenians.                                              |
| 8<br>Aug. 2025  | Suspension signed during the Washington visit of President Aliyev.                                                              | Same day as the summit producing the TRIPP framework.                                                                            |
| Sep. 2026       | Suspension in force; continued suspension discussed approvingly by the United States chargé d'affaires in occupied Stepanakert. | Twenty-second diplomatic tour of the occupied territories.                                                                       |

The statutory condition is the cessation of blockades and other offensive uses of force against Armenia and Artsakh. No public determination that this condition was satisfied at any point between 2002 and 2026 has been identified in the sources reviewed.

## Annex D: The Western Azerbaijan Apparatus

**Table 6. Institutional components of the doctrine**

| Component                          | Date established or recorded                                                                                            | Function                                                                                                        |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Presidential articulation          | Recurring from approximately 2010; nomination speech 2018; inauguration December 2022.                                  | Establishes the claim at head-of-state level and defines it as a political and strategic goal. <sup>161</sup>   |
| Western Azerbaijan Community, Baku | Headquarters handed over 24 Dec. 2022; describes itself as legal successor to the Azerbaijan Refugee Society.           | Institutional voice of the claim; four-story building, twenty-three offices, local and foreign representations. |
| Claimed constituency               | Recorded on the Community's site as nearly 300,000 persons expelled from present-day Armenia, 1987-1991.                | Supplies the population in whose name return is demanded.                                                       |
| Concept of Return                  | Adopted 26 Jan. 2023; transmitted to the UN Secretary-General 22 Feb. 2023; issued 14 Mar. 2023 as A/77/801-S/2023/134. | Converts the claim into a document on the United Nations record framed in human-rights law.                     |
| Identity documents                 | Reported issuance through ASAN Service.                                                                                 | Records birthplaces in the Republic of Armenia under Azerbaijani historical names.                              |
| Toponymy department                | Azerbaijan National Academy of Sciences.                                                                                | Produces the renaming apparatus for Armenian places.                                                            |
| Annual conference                  | Third edition at Ordubad, Nakhichevan, 18-19 Jun. 2026.                                                                 | State ministries, presidential plenipotentiary office and a state university participate.                       |
| Diaspora and foreign programming   | Exhibitions abroad; youth summer camp convened in occupied Artsakh.                                                     | Externalizes the narrative to foreign audiences.                                                                |
| Legislative endorsement            | Milli Majlis statement of 23 Nov. 2024 criticizing Armenia for disregarding the Community's appeals.                    | Parliamentary adoption of the demand.                                                                           |

## **Annex E: Participants and Statements, September 11-12, 2026**

**Table 10. Recorded participation and statements**

| <b>Participant</b>                                               | <b>Capacity</b>                                                                                                            | <b>Recorded statement or activity</b>                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Hikmet Hajiyev                                                   | Assistant to the President of Azerbaijan; head of the Foreign Policy Affairs Department of the Presidential Administration | Accompanied the delegation; described Hasan-Jalal Dawla, founder of the cathedral at Gandzasar, as an Albanian ruler. <sup>162</sup>                                                                                                                                                               |
| Amy Carlon                                                       | United States Chargé d’Affaires in Azerbaijan                                                                              | Discussed more than \$8 billion in agreements between American and Azerbaijani companies and their implementation; referred to continuing strategic cooperation, upcoming American participation in the Azerbaijan defense exhibition, and the continued suspension of Section 907. <sup>163</sup> |
| Sophie Lagoutte                                                  | Ambassador of France                                                                                                       | Described the scale of reconstruction as very impressive. <sup>164</sup>                                                                                                                                                                                                                           |
| Duncan Norman                                                    | Ambassador of the United Kingdom                                                                                           | Praised the reconstruction; discussed British participation in demining and in the Shushi master plan. <sup>165</sup>                                                                                                                                                                              |
| Magdalena Grono                                                  | European Union Special Representative for the South Caucasus and the crisis in Georgia                                     | Spoke of support for Azerbaijan and for the peace process, and of demining. <sup>166</sup>                                                                                                                                                                                                         |
| Delegations of 58 countries and nine international organizations | Approximately 150 representatives                                                                                          | Taken to Stepanakert and Shushi on 11 September and to Martakert, Karvachar, Gandzasar and Dadivank on 12 September; assembled at Victory Park and photographed before the Victory Arch. <sup>167</sup>                                                                                            |
| Displaced Armenians of Artsakh                                   | More than 100,000 persons                                                                                                  | Not represented.                                                                                                                                                                                                                                                                                   |

## **Annex F: Glossary of Terms, Instruments, and Place Names**

**Alma-Ata Declaration (21 December 1991).** Instrument by which the founding members of the Commonwealth of Independent States recognized each other's territorial integrity and the inviolability of existing borders. Relied upon by Armenia's Constitutional Court as a basis for delimitation, and by Azerbaijan as the basis for its claim that the former Soviet republican boundary is dispositive.

**Arax (Araks, Aras) River.** River forming much of the frontier between the South Caucasus and Iran. Before 1918 the toponym "Azerbaijan" applied only to territory south of it.

**ARLIS.** The Armenian Legal Information System, the official legal database of the Republic of Armenia. Continues to classify Decision No. 1650-11 as an active main act.

**Arms Export Control Act (AECA), 22 U.S.C. §2751 et seq.** United States statute governing the export of defense articles and defense services, including military training for foreign forces. Administered in part through the International Traffic in Arms Regulations.

**Artsakh.** The Armenian name of the region designated Nagorno-Karabakh in Soviet and international usage, and the name of the republic established there in 1991 and dissolved following the September 2023 assault. Used throughout this paper except within quotations, formal entity names and legally binding texts.

**ASAN Service.** Azerbaijan's centralized state agency for public services and the issuance of official identity documents. Reported to have issued identity cards to "Western Azerbaijanis" recording birthplaces in the Republic of Armenia under Azerbaijani historical names.

**Alvarez-Machain, United States v. (1992).** Decision of the United States Supreme Court holding that the forcible abduction of a defendant from the territory of a treaty partner does not deprive a United States court of jurisdiction to try him, applying the rule of *Ker v. Illinois* and *Frisbie v. Collins*.

**Azercosmos.** The national satellite operator of the Republic of Azerbaijan, which took title to the French-built SPOT 7 satellite in December 2014 under an agreement with Airbus Defence and Space.

**Azersky.** The name given by Azerbaijan to SPOT 7, a French-built optical Earth observation satellite of 1.5-metre resolution launched in June 2014 and transferred to Azercosmos in December 2014. It remained in operation through the September 2020 assault on Artsakh and ceased operations in April 2023.

**Baku Initiative Group.** Azerbaijani state-linked body active in international advocacy, including the June 2026 conference convened in the United States Congress on the right of return.

**Arrest Warrant case (DRC v. Belgium, 2002).** Judgment of the International Court of Justice holding that a serving head of state, head of government or minister for foreign affairs enjoys immunity from the criminal jurisdiction of foreign national courts, including in respect of international crimes, for the duration of office; the immunity is personal, ends with the office, and does not bar prosecution before an international tribunal or in the official's own state.

**Caucasian Bureau (Kavbiuro).** Regional organ of the Central Committee of the Russian Communist Party which on 5 July 1921 retained mountainous Karabakh within Soviet Azerbaijan with autonomy, reversing its decision of the previous day. The Nagorno-Karabakh Autonomous Oblast was established by decree in 1923.

**Constitutional Act of 18 October 1991.** Instrument by which the Republic of Azerbaijan declared itself the successor of the Azerbaijan Republic of 1918-1920, a republic that did not hold Artsakh.

**Caucasian Albania.** Ancient polity of the eastern Caucasus, unrelated to the modern Balkan state of Albania. Invoked in Azerbaijani state historiography to reassign Armenian churches, monasteries and inscriptions to a non-Armenian tradition.

**CERD.** International Convention on the Elimination of All Forms of Racial Discrimination, the treaty basis for the proceedings between Armenia and Azerbaijan before the International Court of Justice.

**Chester Concession.** The Ottoman railway and mineral concession associated with Rear Admiral Colby M. Chester of the United States Navy, covering territory including Armenian-populated provinces and their mineral and petroleum resources.

**Concept of Return.** Document adopted by the Western Azerbaijan Community on 26 January 2023 setting out its programme for the return of Azerbaijanis to the territory of the Republic of Armenia, transmitted to the United Nations Secretary-General on 22 February 2023 and circulated as A/77/801-S/2023/134.

**Contract of the Century.** The 1994 production-sharing agreement governing the Azeri-Chirag-Gunashli fields, the foundational instrument of post-Soviet Azerbaijani hydrocarbon development.

**DCC-1749.** Decision of the Constitutional Court of the Republic of Armenia of 26 September 2024, holding that objectives stated in the Declaration of Independence do not acquire constitutional force through the preamble, and accepting the Alma-Ata framework as a basis for delimitation.

**Decision No. 1650-11 (1 December 1989).** Joint act of the Supreme Soviet of the Armenian SSR and the National Council of Nagorno-Karabakh proclaiming reunification, extending Armenian SSR citizenship rights to the population of Artsakh, and directing integration into a unified state-political system. Examined in detail in *Artsakh Is Armenia*.

**Duty to prevent.** The obligation in Article I of the Genocide Convention, distinct from the duty to punish. Under the International Court of Justice's 2007 judgment it arises when a state learns of, or should normally have learned of, a serious risk of genocide, and requires the employment of reasonably available means in proportion to the state's capacity to influence the potential perpetrator.

**Export Control Order 2008.** The instrument through which the United Kingdom gives domestic legal effect to arms embargoes, including the 1992 request concerning Nagorno-Karabakh. Armenia and Azerbaijan are listed among the embargoed destinations, and the ordinary transit and transshipment exception is disapplied to goods destined for either state.

**Freedom Support Act, Section 907.** Provision of Public Law 102-511 (1992) prohibiting direct United States assistance to the government of Azerbaijan until it takes demonstrable steps to cease blockades and other offensive uses of force against Armenia and Nagorno-Karabakh. Subject to presidential waiver since 2002.

**Gandzasar.** Thirteenth-century Armenian monastery in the Martakert region, whose cathedral was founded by Hasan-Jalal Dawla, prince of Khachen. Presented to the September 2026 delegation as the work of an “Albanian ruler.”

**Genocide Accountability Act of 2007.** United States statute extending federal jurisdiction over genocide committed abroad to cases in which the alleged offender is present in the United States, adopted for the stated purpose of denying safe haven.

**Genocide Convention.** Convention on the Prevention and Punishment of the Crime of Genocide (1948). Article I imposes the obligations to prevent and to punish; Article II(c) covers the deliberate infliction of conditions of life calculated to bring about a group’s physical destruction.

**Genocide Watch.** Non-governmental genocide-prevention organization founded by Gregory H. Stanton, author of the staging model of genocide developed while he served in the United States Department of State. It issued a Genocide Emergency Alert on Azerbaijan’s conduct in Artsakh in October 2020 and further alerts during the 2022-2023 blockade and the 2023 assault.

**Ghazanchetsots.** The Cathedral of the Holy Saviour in Shushi, shelled twice during the September 2020 assault and subsequently altered and reclassified.

**Hasan-Jalal Dawla.** Armenian prince of Khachen, founder of the cathedral at Gandzasar, recorded as such in the monastery’s Armenian inscriptions.

**International Traffic in Arms Regulations (ITAR), 22 C.F.R. pts. 120-130.** Regulations implementing the Arms Export Control Act, requiring authorization for the provision of defense services, including military training, to foreign forces.

**Kanach Zham.** The Church of St. John the Baptist in Shushi, a nineteenth-century Armenian church demolished after the city came under Azerbaijani control.

**Ker-Frisbie doctrine.** The rule in United States law, descending from *Ker v. Illinois* (1886) and *Frisbie v. Collins* (1952), that the manner in which a defendant is brought before a court does not defeat the court’s jurisdiction over him.

**Khosrov bey Sultanov.** Appointed by the British command as governor-general over Karabakh and Zangezur in 1919, a figure of known anti-Armenian record with ties to the Young Turk regime; his administration culminated in the destruction of the Armenian quarter of Shushi and the massacre of its inhabitants in March 1920.

**Khachen.** Medieval Armenian principality in Artsakh, the seat of the Hasan-Jalalyan dynasty.

**Khankendi.** Azerbaijani designation for Stepanakert.

**Khudavang.** Azerbaijani designation for Dadivank.

**Lachin corridor.** The road connecting Artsakh to the Republic of Armenia, obstructed by Azerbaijan from 12 December 2022 and the subject of the International Court of Justice order of 22 February 2023.

**ML5.** The entry of the United Kingdom Military List covering radars, sensors, target acquisition systems, fire control and targeting equipment. Items in this entry fell within the United Kingdom's embargo as interpreted from 2014 and fall outside it as narrowed on 1 July 2025.

**Kuhn, Loeb and Company.** New York investment banking firm headed by Jacob H. Schiff, which sent James W. Colt to the Ottoman Empire to search for mineral deposits. Colt also worked for J. P. Morgan of New York and with Admiral Chester on the Constantinople-Baghdad railway project.

**Malta detainees.** Ottoman officials removed by Britain to Malta between 1919 and 1921 for trial in connection with the massacres of Armenians. All were released without a conviction.

**MEGA Oil.** American-linked company that appeared in Baku in 1992, associated with figures central to the Iran-Contra operations and reported never to have found oil. Reported to have provided or facilitated military training for Azerbaijani forces.

**Mirror-filing pattern.** The practice, documented in White Paper No. 2, of lodging an Azerbaijani counter-instrument on an institutional record in alignment with each Armenian gain in an adjudicative forum, thereby manufacturing the appearance of symmetrical grievances.

**Loitering munition.** An unmanned aerial weapon that circles a target area before striking, also described as a suicide or kamikaze drone. The Israeli-manufactured HAROP, Orbiter-1K and SkyStriker systems used by Azerbaijan in 2020 are of this type.

**Mauser, Spanish pattern.** The rifle type specified in the transaction recorded in the Colt file of July 1915: 200,000 Spanish Mauser rifles with bayonets, together with 400 million rounds of ammunition, to be sold to a neutral government and delivered to the Turks at a given time.

**Mercenary.** Defined in the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, to which Azerbaijan is a party. In November 2020 the United Nations Working Group on the use of mercenaries found that the recruitment, transport and use of Syrian fighters in the Nagorno-Karabakh conflict zone appeared consistent with that definition.

**MAM-L.** Guided munition carried by the Bayraktar TB2 unmanned aircraft supplied by Turkey to Azerbaijan shortly before the September 2020 assault.

**Musavat.** Azerbaijani political party that proclaimed the Azerbaijan Democratic Republic at Ganja and subsequently Baku in May 1918.

**Nakhichevan.** Historically Armenian-populated region assigned to Azerbaijan and now an exclave, the venue of the third Return to Western Azerbaijan conference in June 2026.

**Note of November 24.** The communication of the United States government of November 24, 1920 objecting to the British position on Mesopotamian oil, referred to by Talaat Pasha in the memorandum of February 4, 1921 as the demand that Britain would answer by taking its concessions from the Turkish Nationalists rather than by virtue of its mandate.

**Near East Relief.** American relief organization formed in response to the Armenian Genocide and operating with congressional authorization.

**Noriega prosecution.** The trial and conviction in a United States federal court of General Manuel Noriega of Panama, seized in the course of the United States invasion of Panama in December 1989.

**Non-recognition.** The customary obligation of states not to recognize as lawful a situation created by a serious breach of a peremptory norm, including the acquisition of territory by force, and not to render aid or assistance in maintaining it.

**Operation Nemesis.** The Armenian operation of the early 1920s that located and killed principal organizers of the genocide after the collapse of the judicial process, including Tala'at Pasha in Berlin in 1921.

**Bayraktar TB2.** Turkish-manufactured armed unmanned aircraft, at least five of which were delivered to Azerbaijan shortly before the September 2020 assault, fitted with electro-optical targeting sensors manufactured in Canada by a subsidiary of a United States corporation.

**Non-assistance.** The correlative obligation, stated in the Articles on State Responsibility, not to render aid or assistance in maintaining a situation created by a serious breach of a peremptory norm.

**OSCE arms embargo (1992).** Request by the Committee of Senior Officials of the then Conference on Security and Cooperation in Europe that participating states embargo deliveries of weapons and munitions to forces engaged in combat in the Nagorno-Karabakh area. Co-authored by the United States and never formally repealed.

**Pléiades.** French very-high-resolution optical Earth observation satellites, imagery from which was made accessible to Azerbaijan at 0.5-metre resolution through the ground segment built under the 2014 Airbus-Azercosmos agreement.

**Personal immunity (immunity *ratione personae*).** Immunity attaching to the office rather than to the conduct, enjoyed by a small class of serving senior officials, and ending when the office ends. Distinguished from functional immunity, which attaches to official acts and is generally held not to cover international crimes.

**Provisional measures.** Binding interim orders of the International Court of Justice under Article 41 of its Statute, issued to preserve the rights of the parties pending judgment.

**Resolution 2532 (2020).** Resolution of the United Nations Security Council adopted on 1 July 2020, demanding a general and immediate cessation of hostilities in all situations on the Council's agenda and calling for a durable humanitarian pause of at least ninety consecutive days to enable the delivery of humanitarian assistance during the COVID-19 pandemic. The Azerbaijani assault on Artsakh began on 27 September 2020, the eighty-eighth day of that period.

**Rome Statute.** The treaty establishing the International Criminal Court. Azerbaijan is not a party. The Statute entered into force for the Republic of Armenia on 1 February 2024, bringing crimes within the Court's jurisdiction committed on Armenian territory after that date within its reach.

**Secession law of 3 April 1990.** Law of the USSR on the procedure for resolving questions connected with the secession of a union republic, providing that autonomous formations and compactly settled national groups determine their own state-legal status by separate referendum. The basis on which the Nagorno-Karabakh Republic proceeded in 1991.

**Sèvres, Treaty of (10 August 1920).** Post-war settlement with the Ottoman Empire recognizing an Armenian state and referring the eastern frontier to the arbitration of the President of the United States.

**Shushi.** Historic Armenian fortress city of Artsakh, designated Shusha by Azerbaijan, taken in November 2020 and now the subject of an Azerbaijani master plan in which the United Kingdom has discussed participation.

**Stepanakert.** Capital of Artsakh, designated Khankendi by Azerbaijan, emptied of its Armenian population in September 2023 and the site of the Victory Park and Victory Arch at which the diplomatic corps was photographed on 11 September 2026.

**Tavush.** Province of the Republic of Armenia on the recognized interstate border with Azerbaijan, the scene of the fighting of 12-16 July 2020.

**TRIPP.** The Trump Route for International Peace and Prosperity, the transport corridor project arising from the Washington summit of 8 August 2025, to be developed by a company in which the United States side holds a 74 percent interest under an initial forty-nine-year term of exclusive land-use and development rights over areas inside sovereign Armenian territory.

**Turkish Petroleum Company.** Concession-holding company for the former Ottoman oil provinces; the 1928 group agreement allocated a quarter share to an American corporation formed for the purpose.

**Universal jurisdiction.** The principle that certain offenses are of such gravity that any state may prosecute an alleged perpetrator found within its territory, irrespective of where the conduct occurred or the nationality of the parties. In United States law, the presence-based jurisdiction in 18 U.S.C. §1091 is an application of this principle.

**Victory Park, Stepanakert.** Azerbaijani park constructed in the capital of Artsakh following the depopulation of the city, containing the Victory Arch before which the diplomatic corps posed on 11 September 2026.

**Western Azerbaijan.** Azerbaijani state designation for the territory of the Republic of Armenia, and the name of the doctrine asserting an Azerbaijani right of return to it. Examined in White Paper No. 1 and in *Western Azerbaijan: The Next Stage After Artsakh*.

**Wilsonian Armenia.** The frontier awarded to the Republic of Armenia by President Woodrow Wilson in November 1920 under the arbitration provided for by the Treaty of Sèvres, including territory in Van, Bitlis, Erzurum and Trebizond with access to the Black Sea. Never implemented.

**18 U.S.C. §1091.** The federal criminal genocide statute of the United States. No ordinary limitation period applies, and jurisdiction extends to conduct abroad where the alleged offender is present in the United States.

**Place names used in this paper, with Azerbaijani designations**

| <b>Used in this paper</b> | <b>Azerbaijani designation</b>                               |
|---------------------------|--------------------------------------------------------------|
| Artsakh                   | Karabakh; “Garabagh”                                         |
| Stepanakert               | Khankendi                                                    |
| Shushi                    | Shusha                                                       |
| Martakert                 | Aghdara                                                      |
| Karvachar                 | Kalbajar                                                     |
| Berdzor                   | Lachin                                                       |
| Dadivank                  | Khudavang                                                    |
| Hadrut                    | Khojavend                                                    |
| Republic of Armenia       | “Western Azerbaijan” (in the doctrine examined in Part VIII) |

## Annex G: Related Documents and Where to Obtain Them

The following register lists the principal documents on which this paper relies and states where each may be obtained. Readers are urged to consult the instruments directly. Where a document symbol or exact date could not be fixed from the primary index at the time of writing, the entry is marked and should be confirmed before republication.

### International judicial record

1. *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Order on provisional measures, 22 February 2023. International Court of Justice, [icj-cij.org](https://www.icj-cij.org), Case No. 180.
2. The same case, Order of 6 July 2023 concerning the checkpoint installed on the corridor. Same source.
3. The same case, Order of 17 November 2023 on return and the preservation of registration, identity and property records. Same source.
4. *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment of 26 February 2007, paras. 430-431. Same source.
5. *Chiragov and Others v. Armenia*, European Court of Human Rights, Grand Chamber, 16 June 2015. HUDOC database, [hudoc.echr.coe.int](https://hudoc.echr.coe.int).
6. *V.T. and Others v. Azerbaijan*, Application No. 20075/16, judgment of June 2026. HUDOC. [Exact date to be confirmed via HUDOC.]

### United Nations record

7. Letter dated 22 February 2023 from the Permanent Representative of Azerbaijan to the Secretary-General, transmitting the Concept of Return, issued 14 March 2023 as UN Doc. A/77/801-S/2023/134. United Nations Official Document System, [documents.un.org](https://documents.un.org).
8. Letter transmitting the Chair's conclusions of the second "Right to Return" conference, Baku, 5-6 December 2024, UN Doc. A/79/708-S/2024/982. Same source.

### United States legislative and executive record

9. Freedom Support Act, Public Law 102-511, §907, 106 Stat. 3320 (1992). [govinfo.gov](https://www.govinfo.gov).
10. Presidential Determination No. 2002-15, "Suspension of Section 907 of the FREEDOM Support Act," 25 January 2002, and subsequent annual determinations. Federal Register, [federalregister.gov](https://www.federalregister.gov).
11. Genocide Accountability Act of 2007, Public Law 110-151, and its legislative history. [govinfo.gov](https://www.govinfo.gov).
12. 18 U.S.C. §1091 and 28 U.S.C. §509B. [uscode.house.gov](https://www.uscode.house.gov).
13. Tom Lantos Human Rights Commission, "Nagorno-Karabakh: Update," hearing of 6 September 2023, with witness statements. [humanrightscommission.house.gov](https://www.humanrightscommission.house.gov).
14. Senate Committee on Foreign Relations, "Assessing the Crisis in Nagorno-Karabakh," hearing of 14 September 2023. [foreign.senate.gov](https://www.foreign.senate.gov).
15. United States Department of State, *2023 Country Reports on Human Rights Practices: Azerbaijan*. [state.gov](https://www.state.gov).

16. Framework agreement between Armenia and the United States concerning TRIPP, and the joint statement of 10 August 2026. Embassy of Armenia in the United States; Ministry of Foreign Affairs of the Republic of Armenia.

### **European record**

17. European Parliament resolution of 5 October 2023 on the situation in Nagorno-Karabakh following the attack by Azerbaijan. [europarl.europa.eu](https://eur-parl.europa.eu).

### **United Nations record of 2020**

18. United Nations Secretary-General, appeal for an immediate global ceasefire, 23 March 2020. [un.org](https://un.org).
19. Security Council Resolution 2532 (2020), 1 July 2020. [documents.un.org](https://documents.un.org).
20. Office of the High Commissioner for Human Rights, “Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn - UN experts,” 11 November 2020. [ohchr.org](https://ohchr.org).
21. Genocide Watch, “Genocide Emergency: Azerbaijan in Artsakh,” October 2020. [genocidewatch.com](https://genocidewatch.com).

### **Arms transfer record**

22. Stockholm International Peace Research Institute, “Arms Transfers to Conflict Zones: The Case of Nagorno-Karabakh,” April 2021, and the SIPRI Arms Transfers Database. [sipri.org](https://sipri.org).
23. Government of Canada, ministerial statements of 5 October 2020 and 12 April 2021 on the suspension and cancellation of export permits for military goods and technology destined for Turkey. [international.gc.ca](https://international.gc.ca).
24. Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, and the annual reports of the European Union on arms exports. [eur-lex.europa.eu](https://eur-lex.europa.eu).

### **Expert and archival record**

25. Luis Moreno Ocampo, “Expert Opinion: Genocide against Armenians in 2023,” 7 August 2023. Published by the author.
26. James Wood Colt papers, folder 3, “Spanish Rifles, 1915,” including the signed report of the interview between J. W. Colt and Grand Duke Michael Alexandrovich, 24 July 1915. University of Rochester, River Campus Libraries, Department of Rare Books, Special Collections and Preservation.
27. Henry Morgenthau Sr., telegram of 20 July 1915, and the associated consular reporting. United States National Archives, Record Group 59; reproduced in part in *Ambassador Morgenthau’s Story*.
28. Colby M. Chester, “The Young Turks,” *National Geographic Magazine* XXIII (January 1912); Chester in *Current History*, September 1922, as reprinted and discussed in the *Santa Cruz Evening News*, 18 September 1922, p. 3; “Chester Says He Had a Chance to Avert World War,” *The Evening Times* (Sayre, PA), 4 May 1923, p. 1.

29. James Alexander Ulio, “Says Turks, Not Reds, Control Baku Oil,” *Winston-Salem Journal*, 23 August 1920, 1-2. Newspaper archives; quoted in *Stalin Unmasked*, 37-45.
30. Joint declaration of the governments of Great Britain, France and Russia, May 1915. [Text and transmission record to be cited from the respective foreign-ministry archives in any republication.]
31. Records of the British detention of Ottoman officials at Malta, 1919-1921, and of their release. United Kingdom National Archives, Foreign Office series. [Series and file references to be confirmed before republication.]

### Photographic record

32. Toghrul Guluzade, photographs of the diplomatic corps at Victory Park, Khankendi, in APA, “Foreign diplomats visit Victory Park in Khankendi - PHOTO,” 11 September 2026, 12:13. en.apa.az. Reproduced at Figure 1 under the agency’s stated terms requiring attribution and a link to the source.

### Azerbaijani state and state-linked record

33. Ilham Aliyev, speech at the meeting with a group of intellectuals from Western Azerbaijan, 24 December 2022. president.az.
34. Western Azerbaijan Community, “Concept of Return,” 26 January 2023, and the Community’s institutional self-description. qerbiazerbaycan.com.
35. Azerbaijani state media reporting on the diplomatic tour of 11-12 September 2026, including the Victory Park photograph and the statements of the participating ambassadors. Report.az, Trend, Apa.az, Primeinfo.az.

### Judicial authorities on immunity and jurisdiction

36. *Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, Judgment of 14 February 2002. International Court of Justice, icj-cij.org.
37. *Ker v. Illinois*, 119 U.S. 436 (1886); *Frisbie v. Collins*, 342 U.S. 519 (1952); *United States v. Alvarez-Machain*, 504 U.S. 655 (1992); *United States v. Noriega*, 117 F.3d 1206 (11th Cir. 1997). supremecourt.gov and the federal reporters.
38. Rome Statute of the International Criminal Court, and the record of Armenian accession with entry into force on 1 February 2024. icc-cpi.int and treaties.un.org.
39. United States Department of State, “Nicolás Maduro Moros (Captured),” and the Southern District of New York superseding indictment unsealed 3 January 2026. state.gov; justice.gov.

### Global Peace International companion publications

40. White Paper No. 1, *Western Azerbaijan: A Conspiracy Against the Armenian People*.
41. White Paper No. 2, *A Vote Without Consequences*.
42. White Paper No. 3, *Artsakh Is Not Lost*.
43. *Artsakh Is Armenia: A Legal Examination of Armenia’s Reunification Record*.
44. *Betrayal: The Promise Never Kept: Genocide and the West’s Secret War for Oil*.
45. *Betrayal Unfinished: Oil, Law, and the Duty to Resolve the Armenian Genocide* (ISBN 978-1-950801-09-1).

46. *Western Azerbaijan: The Next Stage After Artsakh* (ISBN 978-1-950801-08-4).

All Global Peace International publications are available through [globalpeaceinternational.com](http://globalpeaceinternational.com).

## **Annex H: Methodology and Editorial Policy**

This paper separates four categories of evidence: primary legal texts and archival documents; official government records and statements; judicial and quasi-judicial decisions; and secondary reporting or scholarship. Primary materials are given priority wherever available. Secondary sources are used for historical context, for chronology, and for characterizations that are attributed as characterizations rather than adopted as findings.

The paper distinguishes what each source establishes from what it does not. The order of 22 February 2023 establishes a binding obligation and its breach on the judicial record; it does not by itself establish genocidal intent. The Ocampo opinion establishes that a former Prosecutor of the International Criminal Court reached a stated legal conclusion and communicated it to governments and to the United States Congress; it is not a judicial determination. The *Bosnia* judgment establishes the standard governing the duty to prevent; it does not adjudicate the conduct of any state in respect of Artsakh, and no such adjudication has been sought.

Three limitations are recorded expressly.

First, the Colt archive establishes the design, the participants and the terms of the July 1915 arrangement. It does not establish the final disposition of the consignment, and this paper does not assert delivery. Any further archival evidence on that point should be incorporated in a later edition.

Second, several elements of the first sequence are drawn from the general documentary record of the period rather than from a single primary instrument in the author's possession: the transmission record of the May 1915 joint declaration, the file references for the Malta detentions and releases, the Senate's rejection of the Lausanne amity treaty in January 1927 and the restoration of relations that year, and the 1928 allocation of American shares in the Turkish Petroleum Company. Each is marked in Annex G for confirmation against the archival citation before republication in book form.

Third, where the record concerning reported American activity in Baku in 1992 rests on secondary accounts, those accounts are named in the notes and their nature is stated. The absence of a public licensing record under the Arms Export Control Act is reported as an absence identified in the sources reviewed, not as proof that no authorization was ever issued.

Where a negative finding is reported, its wording is deliberately limited. This paper states that no prosecution in respect of the blockade, assault or displacement has been identified in any forum in the sources reviewed; that no public determination satisfying the Section 907 statutory condition has been identified; and that no Armenian participant in the September 2026 tour has been identified in the available reporting. None of these is a claim about the contents of unindexed archives.

The research cutoff is 12 September 2026. The status of the Armenia-Azerbaijan settlement, of the TRIPP instruments, and of the Section 907 suspension may change after that date, and any later edition should verify each before relying on Parts VIII, IX and X.

Terminology follows the editorial policy of the series. The region is Artsakh, except within quotations, formal entity names and legally binding texts, where the term used in the instrument is

retained. The events of 2020 and 2023 are described as Azerbaijani attacks and assaults, with the Armenian side defending Artsakh, rather than as symmetrical wars, except in direct quotations and source titles.

## About the Author

Ara Khachig Manoogian is the founder and Chief Executive Officer of Global Peace International. He is an author, investigative researcher, and human rights advocate whose work concerns Armenian history, the geopolitics of the South Caucasus, international law, and the documentation of atrocity and its aftermath.

He is the grandson of Shahan Natalie, architect of Operation Nemesis, whose final student he was, and of Vahan Ivan Manoogian, an officer of the Tsar's army who organized the evacuation of Armenian civilians from Erzurum and Van to Iran during the Armenian Genocide and who spent the remainder of his life in exile after refusing Stalin's invitation to return to Soviet Armenia. Through his maternal grandmother his lineage traces to the Bagratuni royal house.

His connection to the subject of this paper is not academic. He first worked in Artsakh in 1993 and lived there full time from 1998 to 2006, where he acted as an advocate for the population against abuses committed against them. His house, his factory and his land in Artsakh remain behind the line of occupation. His investigative work has addressed human trafficking, illegal adoption networks, and institutional corruption in Armenia, Artsakh, and the United States, and has been carried by Radio Free Europe, Hetq, Keghart, and other outlets.

His books include *Betrayal: The Promise Never Kept*, *Betrayal Unfinished: Oil, Law, and the Duty to Resolve the Armenian Genocide*, *Western Azerbaijan: The Next Stage After Artsakh*, *Artsakh Is Armenia: A Legal Examination of Armenia's Reunification Record*, *The Armenian Civil Contract*, and *The Great Lie*. He is the author of Global Peace International White Paper No. 1, *Western Azerbaijan: A Conspiracy Against the Armenian People*; White Paper No. 2, *A Vote Without Consequences*; and White Paper No. 3, *Artsakh Is Not Lost*.

## **About Global Peace International**

Global Peace International is an independent research and advocacy organization based in Burbank, California. GPI produces investigative and legal research on the South Caucasus, documents violations of international law affecting the Armenian people, and places that research directly before legislators, institutions, and the public.

GPI is deliberately not structured as a nonprofit. The organization accepts the tax consequences of that choice in exchange for the freedom to lobby without restriction and to name specific companies, officials, and legislative measures without limitation on the scale or direction of that advocacy. Research that cannot name its subjects is not research that changes outcomes.

Its principal programs include the White Paper series; the 1,000 Books Initiative, which places GPI research directly into the hands of Members of Congress; the Armenian National Assembly Monitor, which tracks the conduct of all 105 deputies against the Constitution; and the Global Armenian Registry, an open enrollment under a single ancestry standard.

GPI does not accept funding from any government, political party, or state-linked entity. Its work is supported by readers and by the Three Sips Campaign, its recurring supporter program. Contact: [info@globalpeaceinternational.com](mailto:info@globalpeaceinternational.com). Web: [globalpeaceinternational.com](http://globalpeaceinternational.com).

## Corrections and Right of Reply

This paper names governments, institutions, officials, and individuals, and makes legal claims that can be tested against primary sources. Every material factual assertion is sourced. Where the available record supports only a limited conclusion, the limitation is stated rather than concealed, and the three principal limitations are set out in Annex H.

Any person or institution named in this paper who believes a factual statement is inaccurate is invited to write to Global Peace International with the correction and the supporting document. Substantiated corrections will be dated and incorporated into subsequent editions. Legal disagreement alone will not be described as a factual correction, but reasoned responses supported by primary authority will be preserved with the research file.

The embassies and missions whose representatives participated in the tour of 11 and 12 September 2026 are specifically invited to state, for the record, what they asked their hosts about the right of return, the preservation of Armenian property records, the detainees, and the reclassification of Armenian religious monuments. Any such statement received will be published in full in a subsequent edition.

### Notes

1. Report.az, report on the two-day diplomatic visit to the occupied territories, September 11, 2026, recording approximately 150 representatives of 58 countries and nine international organizations accompanied by Hikmet Hajiyev, and describing the visit as the twenty-second organized to the territories since 2020; Report.az, “Diplomatic Corps Visits Victory Park in Khankandi,” September 11, 2026; Trend, report on the September 12, 2026 itinerary including the Gandzasar Monastery Complex and Khudavang.
2. Apa.az, reporting the statements of Amy Carlon, Sophie Lagoutte, Duncan Norman and Magdalena Grono during the diplomatic visit of September 11, 2026; Primeinfo.az, reporting Hikmet Hajiyev’s description of Hasan-Jalal Dawla as an “Albanian ruler,” September 12, 2026.
3. For the tour and its documentary basis see notes 1 and 2 and Part I; for the comparative frame applied to it see Parts IV and V and Annex B.
4. International Court of Justice, *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Order on provisional measures, February 22, 2023, [icj-cij.org](https://www.icj-cij.org); Luis Moreno Ocampo, “Expert Opinion: Genocide against Armenians in 2023,” August 7, 2023; Tom Lantos Human Rights Commission, “Nagorno-Karabakh: Update,” hearing of September 6, 2023, [humanrightscommission.house.gov](https://humanrightscommission.house.gov); U.S. Senate Committee on Foreign Relations, “Assessing the Crisis in Nagorno-Karabakh,” hearing of September 14, 2023, [foreign.senate.gov](https://foreign.senate.gov); U.S. Department of State, *2023 Country Reports on Human Rights Practices: Azerbaijan*, [state.gov](https://state.gov).
5. International Court of Justice, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment of February 26, 2007, paras. 430-431, [icj-cij.org](https://www.icj-cij.org).

6. See notes 57 through 70 for the documentary basis of Part IV.
7. See notes 71 through 84 for the documentary basis of Part V.
8. See notes 100 through 115 for the documentary basis of Parts VIII and IX.
9. 18 U.S.C. §1091; Genocide Accountability Act of 2007, Pub. L. No. 110-151; 28 U.S.C. §509B; [uscode.house.gov](http://uscode.house.gov) and [govinfo.gov](http://govinfo.gov).
10. [Report.az](http://Report.az), September 11, 2026, as cited in note 1.
11. [Report.az](http://Report.az), “Diplomatic Corps Visits Victory Park in Khankandi,” September 11, 2026; [Trend](http://Trend), September 12, 2026 itinerary; [Primeinfo.az](http://Primeinfo.az), September 12, 2026.
12. [Apa.az](http://Apa.az), September 11, 2026, as cited in note 2.
13. ICJ Order of February 22, 2023; Ocampo, “Expert Opinion,” August 7, 2023; Tom Lantos Human Rights Commission hearing of September 6, 2023, as cited in note 4.
14. Tavush-Tovuz clashes, July 12-16, 2020; Azerbaijani assault on Artsakh commencing September 27, 2020 and the trilateral statement of November 9-10, 2020; Office of the United Nations High Commissioner for Human Rights, “Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn,” statement of the Working Group on the use of mercenaries, November 11, 2020; Genocide Watch, “Genocide Emergency: Azerbaijan in Artsakh,” October 2020; United Nations Secretary-General, appeal for a global ceasefire, March 23, 2020; United Nations Security Council Resolution 2532 (2020), adopted July 1, 2020. On the supply relationships and the 1992 embargo request, see notes 46, 47, 92, 93 and 94.
15. *Bosnia and Herzegovina v. Serbia and Montenegro*, Judgment of February 26, 2007, paras. 430-431. On the leverage available to the states concerned, see Part III, section 16.
16. Henry Morgenthau Sr., telegram to the Secretary of State, July 20, 1915, United States National Archives, Record Group 59, and *Ambassador Morgenthau’s Story*, 266-67; joint declaration of the governments of Great Britain, France and Russia, May 1915.
17. Ottoman courts-martial, Constantinople, 1919-1920; records of the British detention of Ottoman officials at Malta, 1919-1921, United Kingdom National Archives, Foreign Office series [series and file references to be confirmed]; Treaty of Sèvres, August 10, 1920, arts. 88-93; arbitral award of President Woodrow Wilson, November 1920; Treaty of Lausanne, 1923.
18. Treaty of amity and commerce signed at Lausanne, rejected by the United States Senate in January 1927; restoration of United States-Turkish diplomatic relations, 1927; group agreement of July 31, 1928 concerning the Turkish Petroleum Company; United States military assistance to Turkey under the Truman Doctrine from 1947; Turkish accession to the North Atlantic Treaty Organization, 1952. [Archival citations to be confirmed for republication in book form; see Annex H.]

19. James Wood Colt, “Interview Between J. W. Colt & the Grande Duke Michael,” July 24, 1915, University of Rochester, River Campus Libraries, Colt papers, folder 3, “Spanish Rifles, 1915.”
20. Peter Dale Scott, *Drugs, Oil, and War: The United States in Afghanistan, Colombia, and Indochina* (Lanham, MD: Rowman & Littlefield, 2003); Human Rights Watch reporting on American military advisers linked to Richard Secord and MEGA Oil; Svante E. Cornell on former American officers in Baku in 1992; Armen Khanbabayan on the negotiation of the “Contract of the Century.”
21. Freedom Support Act, Pub. L. No. 102-511, §907, 106 Stat. 3320 (1992); Presidential Determination No. 2002-15, “Suspension of Section 907 of the FREEDOM Support Act,” January 25, 2002, and subsequent annual determinations, [federalregister.gov](https://www.federalregister.gov); suspension signed August 8, 2025 during the Washington visit of President Ilham Aliyev.
22. International Court of Justice, Order of November 17, 2023, [icj-cij.org](https://www.icj-cij.org).
23. Ilham Aliyev, speech at the meeting with a group of intellectuals from Western Azerbaijan, December 24, 2022, [president.az](https://www.president.az); Western Azerbaijan Community, “The Concept of Ensuring the Peaceful, Safe and Dignified Return of Azerbaijanis Expelled from Nowadays Armenia,” January 26, 2023, [qerbiazerbaycan.com](https://qerbiazerbaycan.com); third “Return to Western Azerbaijan” festival-conference, Ordubad, June 18-19, 2026.
24. Proclamation of the Azerbaijan Democratic Republic, May 1918, at Ganja and subsequently Baku.
25. Framework agreement between Armenia and the United States concerning TRIPP; joint statement of the United States, Armenia and Azerbaijan, August 10, 2026.
26. 18 U.S.C. §1091; Genocide Accountability Act of 2007; 28 U.S.C. §509B.
27. See notes 15 and 57 through 61.
28. See notes 4 and 41 through 47.
29. U.S. Department of State, *2023 Country Reports on Human Rights Practices: Azerbaijan*.
30. See notes 62 through 65.
31. See notes 20, 21 and 47.
32. See note 17.
33. See notes 2, 37 and 114.
34. [Report.az](https://report.az), September 11, 2026, as cited in note 1.
35. [Report.az](https://report.az), “Diplomatic Corps Visits Victory Park in Khankandi,” September 11, 2026.
36. AZERTAC and Azerbaijani state reporting on Victory Park at Khankendi, recording a site of nine hectares approached by forty-four steps from the entrance to the Victory

Arch, the number corresponding to the forty-four days of the 2020 assault, with plaques along the central section of the steps giving the course of the fighting and the names of the settlements taken; the Victory Arch standing at a height of forty-four metres; and a terrace installation representing the figure 8, for Victory Day on 8 November.

37. Trend, report on the September 12, 2026 itinerary.
38. Primeinfo.az, September 12, 2026.
39. Apa.az, September 11, 2026, reporting the statements of the United States Chargé d’Affaires.
40. Apa.az, September 11, 2026, reporting the statements of the ambassadors of France and the United Kingdom and of the European Union Special Representative.
41. On the obstruction of the corridor and the condition of the population, see the ICJ Order of February 22, 2023; and Ara Khachig Manoogian, *Artsakh Is Armenia: A Legal Examination of Armenia’s Reunification Record* (Burbank: Global Peace International, 2026), documenting the rationing of staples and the cessation of humanitarian delivery by the summer of 2023.
42. U.S. Department of State, *2023 Country Reports on Human Rights Practices: Azerbaijan*, recording the Lachin restrictions, the September 19-20 military operation, and the flight of more than 100,000 residents.
43. Fighting on the Armenia-Azerbaijan interstate border in the direction of Tavush province, July 12-16, 2020, in which servicemen of both states were killed, including a senior Azerbaijani general officer. The engagement occurred on the recognized interstate frontier and not on the Artsakh line of contact.
44. Mass demonstrations in Baku following the July 2020 clashes calling for war and mobilization; joint Azerbaijani-Turkish military exercises conducted in late July and August 2020 in several regions of Azerbaijan, including Nakhichevan.
45. Commencement of the Azerbaijani assault on Artsakh, September 27, 2020; trilateral statement of the President of the Russian Federation, the President of the Republic of Azerbaijan and the Prime Minister of the Republic of Armenia, November 9-10, 2020.
46. Human Rights Watch and Amnesty International documentation of the use of cluster munitions in populated areas during the 2020 assault; the two strikes on the Cathedral of Ghazanchetsots at Shushi on October 8, 2020, the second occurring after journalists had reached the site; and the displacement of the population of the districts transferred under the November 2020 statement. See also *Western Azerbaijan: The Next Stage After Artsakh*, ch. 26.
47. Stockholm International Peace Research Institute, “Arms Transfers to Conflict Zones: The Case of Nagorno-Karabakh,” April 2021, and the SIPRI Arms Transfers Database, recording that Turkey accounted for 2.9 per cent of Azerbaijan’s imports of major arms over 2011-2020, that deliveries included at least five Bayraktar TB2 armed unmanned

aerial vehicles with MAM-L guided bombs delivered shortly before the 2020 assault, and that Turkish-supplied TRG-300 rocket launchers were reported in positions of strategic importance to the offensive; reporting of Turkish military exports to Azerbaijan rising approximately sixfold in 2020, with sales of drones and other equipment reaching some \$77 million in September 2020 alone and most deliveries occurring after July. On the reported operation of the aircraft by Turkish crews, see the analyses collected in *Western Azerbaijan: The Next Stage After Artsakh*, ch. 14.

48. Stockholm International Peace Research Institute, “Arms Transfers to Conflict Zones,” recording that Israel accounted for 69 per cent of Azerbaijan’s imports of major arms in 2016-2020 and 26.6 per cent over the decade 2011-2020, and that Israeli loitering munitions, reconnaissance unmanned aerial vehicles, guided missiles and ballistic missiles were used in the 2020 assault; deliveries of HAROP loitering munitions from approximately 2015, together with Orbiter-1K and SkyStriker loitering munitions, Hermes-450 and Orbiter reconnaissance aircraft, Spike missiles and LORA ballistic missiles; the AZAD Systems joint production facility established in Azerbaijan in 2011 for the licensed manufacture of Israeli-designed unmanned aircraft; and Israeli press reporting of October 2020 that deliveries continued during the fighting.
49. Office of the United Nations High Commissioner for Human Rights, “Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn - UN experts,” statement of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Geneva, November 11, 2020, ohchr.org, recording widespread reports that the Government of Azerbaijan, with Turkey’s assistance, relied on Syrian fighters including on the front line; that the recruitment, transport and use of those individuals appeared consistent with the definition of a mercenary under the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, to which Azerbaijan is a party; that Turkey engaged in large-scale recruitment and transfer of Syrian men through armed factions; and that relatives of those killed were reportedly promised financial compensation and Turkish nationality. The Working Group acted in part on four applications submitted from October 3, 2020 by the Human Rights Defender of the Republic of Armenia. See also Parliamentary Assembly of the Council of Europe, Resolution 2391 (2021), condemning the use by Azerbaijan, with Turkey’s assistance, of Syrian mercenaries.
50. Genocide Watch, “Genocide Emergency: Azerbaijan in Artsakh,” October 2020, genocidewatch.com, placing Azerbaijan at Stage 9, extermination, and Stage 10, denial, on the ten-stage model; describing Azerbaijani offensives against civilians as war crimes under the Geneva Conventions; and recommending Security Council action, the positioning of a peacekeeping force, and the condemnation of hate speech and genocide denial. For completeness of the record: Genocide Watch issued a second alert on October 31, 2020 directed at the Armenian side, and that second alert and the ten-stage model itself were publicly criticized by genocide scholars including Henry Theriault and Armen T. Marsoobian. This paper relies on the October alert concerning Azerbaijan for the fact of the warning and its date, not as an adjudication.
51. United Nations Secretary-General, appeal for an immediate global ceasefire, March 23, 2020; United Nations Security Council Resolution 2532 (2020), adopted July 1, 2020,

demanding a general and immediate cessation of hostilities in all situations on the Council's agenda and calling for a durable humanitarian pause of at least ninety consecutive days. On the Council's prior engagement with this conflict see Security Council Resolutions 822, 853, 874 and 884 (1993).

52. ICJ Order of February 22, 2023, paras. 52 and following; the Court also unanimously rejected Azerbaijan's counter-request concerning landmines on the same day.
53. ICJ Order of July 6, 2023 on Armenia's further request following the installation of the checkpoint.
54. Ocampo, "Expert Opinion: Genocide against Armenians in 2023," August 7, 2023.
55. Tom Lantos Human Rights Commission, "Nagorno-Karabakh: Update," September 6, 2023, and accompanying witness statements.
56. U.S. Senate Committee on Foreign Relations, "Assessing the Crisis in Nagorno-Karabakh," September 14, 2023, identifying Acting Assistant Secretary Yuri Kim as the State Department witness.
57. U.S. Department of State, *2023 Country Reports*; see also Genocide Watch, alerts of September 2023 placing the situation at the advanced stages of its ten-stage model.
58. European Parliament resolution of October 5, 2023 on the situation in Nagorno-Karabakh following the attack by Azerbaijan, [europarl.europa.eu](http://europarl.europa.eu).
59. ICJ Order of February 22, 2023; Manoogian, *Artsakh Is Armenia*.
60. ICJ Order of February 22, 2023.
61. ICJ Order of July 6, 2023.
62. Ocampo, "Expert Opinion," August 7, 2023.
63. Tom Lantos Human Rights Commission, September 6, 2023.
64. Senate Committee on Foreign Relations, September 14, 2023.
65. U.S. Department of State, *2023 Country Reports*.
66. Ibid.
67. *Bosnia and Herzegovina v. Serbia and Montenegro*, Judgment of February 26, 2007, paras. 430-431.
68. Morgenthau telegram of July 20, 1915, and the consular reporting from Aleppo, Trebizond, Harput and Smyrna transmitted through the Constantinople embassy; *Ambassador Morgenthau's Story*, 266-67.

69. James Bryce, Viscount Bryce, *The Treatment of Armenians in the Ottoman Empire, 1915-1916*, compiled from consular, missionary and refugee testimony and presented to Parliament in 1916.
70. On German and Austrian contemporaneous reporting and the documentation compiled by Johannes Lepsius, see Ara Khachig Manoogian, *Betrayal Unfinished: Oil, Law, and the Duty to Resolve the Armenian Genocide* (Los Angeles: Global Peace International, 2026), ch. 2, and the sources there cited.
71. “Thousands Protest Armenian Murders,” *New York Times*, October 18, 1915, 3; “Saturnalia of Slaughter and Rape Reported,” *The Honolulu Advertiser*, October 31, 1915, 1; on Near East Relief and its congressional authorization, see *Betrayal Unfinished*, ch. 2.
72. Joint declaration of the governments of Great Britain, France and Russia, May 1915, warning that members of the Ottoman government and their agents would be held personally responsible for crimes against humanity and civilization committed against the Armenian population. [Transmission record to be cited from the respective foreign-ministry archives in any republication.]
73. Ottoman courts-martial, Constantinople, 1919-1920, convicting Young Turk leaders in absentia for the organization of massacres and deportations; see also the record of the 1921 Berlin trial of Soghomon Tehlirian, in which the proceedings became a de facto trial of Tala’at Pasha and the Young Turk regime.
74. British detention of Ottoman officials at Malta, 1919-1921, and their release without a single conviction in connection with the prisoner exchange negotiated with the Kemalist movement. United Kingdom National Archives, Foreign Office series. [Series and file references to be confirmed before republication; see Annex H.]
75. British diplomatic dispatch No. 218, Berlin, February 8, 1921, forwarding a memorandum received from a reliable source summarizing a conversation with Talaat Pasha, with the enclosure headed “Interview With Talaat Pasha” and dated February 4, 1921; see also War Office telegram of February 7, 1921 to General Harington on the movements of Talaat Pasha, referring to Rome telegram No. 28 of January 26 and to a Geneva report of January 31. Reproduced in *Betrayal: The Promise Never Kept*, ch. 22, from the British archival record.
76. Ibid. The memorandum records Talaat’s assessment that the London Conference gave England an opportunity to surrender Mesopotamia to the Turkish Nationalists, who would in return grant the necessary oil concessions to England and furnish a final answer to the Note of the United States Government of November 24; the formulation attributed to England that it was not obtaining the oil by virtue of a mandate but because the owners of the land had granted concessions to exploit the local oil and the right of way to the Russian fields; Enver’s mission to Moscow and the concern of the Soviet government regarding Georgia, Azerbaijan and the other Muslim boundary states; Talaat’s statement that the gold wealth of Turkey when he was Finance Minister amounted to 120 million Turkish pounds, of which some 12 million had been paid out during the war, the

remainder being easy to bury in the sand; and the expectation of his compatriots in Rome of an amnesty for the political prisoners held at Malta.

77. Treaty of Sèvres, August 10, 1920, providing for determination of the eastern Armenian frontier by arbitration of the President of the United States; arbitral award of President Woodrow Wilson, November 1920, granting the Armenian Republic territory in Van, Bitlis, Erzurum and Trebizond with access to the Black Sea.
78. Treaty of Lausanne, 1923, concluded between Turkey and the Allied Powers without Armenian participation or signature; on the legal consequence of concluding a settlement without the party whose claims it purports to extinguish, see *Betrayal Unfinished*, ch. 14.
79. Colby M. Chester, “The Young Turks,” *National Geographic Magazine* XXIII (January 1912).
80. Chester in *Current History*, September 1922, as reprinted and discussed in “It Is Certainly Confusing,” *Santa Cruz Evening News*, September 18, 1922, 3; and the reply published as “An Interesting Letter On Near East Atrocities,” *Santa Cruz Evening News*, September 22, 1922, 8.
81. Treaty of amity and commerce signed with Turkey at Lausanne, rejected by the United States Senate in January 1927; diplomatic relations restored the same year. [Archival citation to be confirmed; see Annex H.]
82. Group agreement of July 31, 1928 governing the Turkish Petroleum Company, allocating a quarter share of the former Ottoman oil provinces to an American corporation formed for the purpose. [Archival citation to be confirmed; see Annex H.]
83. United States military assistance to Turkey under the Truman Doctrine from 1947; Turkish accession to the North Atlantic Treaty Organization, 1952. [Archival citation to be confirmed; see Annex H.]
84. Colt, “Interview Between J. W. Colt & the Grande Duke Michael,” July 24, 1915, University of Rochester, River Campus Libraries, Colt papers, folder 3, “Spanish Rifles, 1915,” recording the meeting at 3 Whitehall Court at noon and the Grand Duke’s agreement to assist with the transportation of the weapons.
85. Ibid., describing 200,000 Spanish Mauser rifles with bayonets and 400 million rounds of ammunition to be sold to a neutral government and delivered to the Turks at a given time; identifying officers of the Russian Commission at India House as parties to the discussion; and identifying the American principals as holders of Ottoman mineral concessions including crude oil on Armenian-inhabited land. For the concessionary background and the estimate that the territories were believed to hold approximately one sixth of the world’s known oil reserves, see Ara Khachig Manoogian, *Betrayal: The Promise Never Kept: Genocide and the West’s Secret War for Oil*, ch. 12.
86. Colt papers, folder 3, correspondence between James W. Colt and G. Ward Price of the *Daily Mail*, including Price’s letter to Colt of August 21, 1915 recording that Colt was understood to have ceased to be interested in the affair; on Price’s role in locating the

financial means in London and on the transaction appearing to conclude in December 1915, and on Colt's association with Jacob H. Schiff of Kuhn, Loeb and Company and with the Chester concessions, see *Betrayal: The Promise Never Kept*, chs. 12 and 16.

87. Garegin Pasdermajian (Armen Garo) to James W. Colt, Constantinople, June 11, 1912, on the letterhead of the writer, in French, translated by Sylva Natalie Manoogian, PhD, reporting the interviews conducted with Djavid Bey by the writer and by J. P. Carter concerning a proposed railway system of 1,500 kilometres, the terms offered by the Ottoman government, and Carter's departure for London to place the proposition before J. P. Morgan; reproduced in *Betrayal: The Promise Never Kept*, ch. 23. The same chapter records that Colt had been sent to the Ottoman Empire to search for mineral deposits by the investment banking firm Kuhn, Loeb and Company, then headed by Jacob H. Schiff, and that he also worked for J. P. Morgan of New York; and that Armen Garo's report "Project of Railway System in Anatolia with Mining Concessions" became the formula for the project that drew investors to mineral deposits of the Ottoman Empire found mostly in Armenia, deposits that Chester, who held concessions there, described as an apple of discord.
88. Statement of Dr. G. Pasdermajian, Vice President of the Armenian National Delegation to the Peace Conference, hearing on Senate Joint Resolution 106 for the maintenance of peace in Armenia, United States Senate Subcommittee on Foreign Relations, October 10, 1919; transcript reproduced in *Betrayal: The Promise Never Kept*, ch. 23 and appendix V.
89. On Enver Pasha's arrest on October 8, 1918, his detention on Malta and his secret release on November 1, 1918 with the eventual destination of Berlin, and his subsequent journey to Moscow as a representative of the Turkish Nationalist Movement acting for Mustafa Kemal, see *Betrayal: The Promise Never Kept*, ch. 33. On the role of Halil Pasha, Enver's uncle, as an intermediary in the earliest contacts with Soviet commissars, see the standard accounts of Soviet-Turkish relations in the period.
90. On Soviet material assistance to the Ankara government: initial aid dispatched in July 1920 through Black Sea ports, reported at approximately 200,000 gold rubles and 25,000 rifles with ammunition; the agreement of August 1920 for ten million gold rubles, transferred in installments; the consignment of October 4, 1920 comprising approximately 200.6 kilograms of gold ingots, six thousand rifles and more than five million rounds; and, following the Treaty of Moscow of March 16, 1921, a further ten million gold rubles together with 33,275 rifles, approximately 58 million rounds, 327 machine guns, 54 artillery pieces, 129,479 shells, 1,500 sabers and 20,000 gas masks, with total gold transfers commonly reported at approximately six tons. Figures vary between published accounts and are given here as reported. [Archival citations to be supplied from the Soviet and Turkish diplomatic records before republication.]
91. On the pattern and calibre of the rifles: the Mauser Model 1893, commonly described as the Spanish Mauser, was produced for Spain in 7×57mm, while the Ottoman variant of the same model was chambered in 7.65×53mm, the calibre of the Ottoman Model 1890 and Model 1903 rifles that were the empire's standard arms. See Robert W. D. Ball, *Mauser Military Rifles of the World*, on the Spanish and Ottoman variants of the Model 1893 and on Ottoman Mauser calibres.

92. On the documented foreign rifle acquisitions of Imperial Russia in 1915 and 1916: approximately 600,000 rifles from Japan, together with 34,400 Japanese rifles in 7×57mm from a defaulted Mexican contract and a further 128,000 purchased through Great Britain; approximately 293,000 Winchester Model 1895 muskets in 7.62×54mmR under contracts of November 1914 and August 1915; and Mosin-Nagant contracts with Remington and Westinghouse totalling more than three million rifles, of which approximately 1.67 million were delivered. No purchase of Spanish-pattern Mauser rifles on the scale described in the Colt file has been identified in the published record of those acquisitions. [The records of the Russian purchasing commissions are the point at which this should be tested directly.]
93. On the disposition of Russian arms in Transcaucasia after 1917: the disintegration of the Russian Caucasus Army left substantial stocks in the region, which passed in part to the national forces that formed in 1918 and in part to the Ottoman Army of Islam commanded by Nuri Pasha, which took Baku in September 1918; Baku fell to the Eleventh Red Army in April 1920, and the Soviet consignments of gold and arms to the Ankara government thereafter moved through Black Sea ports and overland, with Halil Pasha among those personally carrying gold to Turkey. See *Betrayal Unfinished*, ch. 6, and the sources cited at note 89. [Archival citations to be supplied from the Soviet and Turkish military records before republication.]
94. “Chester Says He Had a Chance to Avert World War,” *The Evening Times* (Sayre, PA), May 4, 1923, 1.
95. Peter Dale Scott, *Drugs, Oil, and War*, on the appearance of Richard Secord, Harry Aderholt and Ed Dearborn in Baku under the cover of MEGA Oil; Lawrence E. Walsh, *Final Report of the Independent Counsel for Iran/Contra Matters*, on Secord’s role in private arms procurement, covert logistical support and offshore financial structures; Warren A. Trest and Jacob Neufeld on Aderholt’s clandestine aviation career.
96. Human Rights Watch reporting on American military advisers linked to Richard Secord and MEGA Oil training Azerbaijani forces; Svante E. Cornell on former American officers turned mercenaries arriving in Baku in 1992 to provide training and fighters for the Azerbaijani army.
97. Armen Khanbabayan, study of the negotiation of the “Contract of the Century,” stating that MEGA Oil offered oil contracts in exchange for assistance in improving the Azerbaijani regime’s security services.
98. Colt papers, folder 3, as cited in notes 71 and 72.
99. *The Evening Times*, May 4, 1923, as cited in note 73.
100. Scott, *Drugs, Oil, and War*; Human Rights Watch; Cornell; Khanbabayan, as cited in notes 74 through 76.
101. Presidential Determination No. 2002-15 and subsequent annual determinations, as cited in note 20.

102. Arms Export Control Act, 22 U.S.C. §2751 et seq.; International Traffic in Arms Regulations, 22 C.F.R. pts. 120-130. No public record of authorization to MEGA Oil or its principals for the provision of defense services to Azerbaijan has been identified in the sources reviewed.
103. “Nagorno-Karabakh,” Committee of Senior Officials, Conference on Security and Cooperation in Europe, Vienna, 1992, requesting participating states to impose an embargo on all deliveries of weapons and munitions to forces engaged in combat in the area; Stockholm International Peace Research Institute, “OSCE Arms Embargo on Nagorno-Karabakh (Azerbaijan),” Arms Embargoes Database. On the adjacent statutes, see the Neutrality Act, 18 U.S.C. §960, and the Foreign Agents Registration Act, 22 U.S.C. §611 et seq.
104. Stockholm International Peace Research Institute, Arms Transfers Database, recording the principal suppliers of major arms to Azerbaijan over 2011-2020 as Russia at approximately 60 per cent, Israel at 26.6 per cent, Belarus at 7.1 per cent and Turkey at 2.9 per cent. Russia, Belarus and Turkey are participating states of the Organization for Security and Co-operation in Europe and were addressees of the 1992 request; Israel is not a participating state but a Mediterranean Partner for Cooperation.
105. Government of Canada, statements of the Minister of Foreign Affairs of October 5, 2020 suspending export permits for military goods and technology destined for Turkey following allegations concerning use in Nagorno-Karabakh, and of April 12, 2021 cancelling those permits after a review found credible evidence that Canadian technology exported to Turkey had been used in Nagorno-Karabakh inconsistently with Canadian policy and with the end-use assurances given by Turkey; the systems concerned were the electro-optical imaging and targeting sensors manufactured by L3Harris Wescam in Ontario, a subsidiary of the United States corporation L3Harris, and fitted to the Bayraktar TB2. Reporting also identified engines produced by the Austrian subsidiary of a Canadian manufacturer as fitted to the same aircraft. Canada resumed exports of the sensors to Turkey in January 2024. On European Union practice, no Union arms embargo on Azerbaijan was adopted, and member-state licensing continued under Council Common Position 2008/944/CFSP, whose criteria require refusal where there is a clear risk that the equipment would be used in aggression or in the violation of international humanitarian law. [Member-state licence values to be cited from the Union’s annual reports on arms exports before republication.]
106. Azercosmos OJSC and Airbus Defence and Space, strategic cooperation agreement signed at the Bakutel 2014 exhibition in Baku on December 2, 2014 in the presence of President Ilham Aliyev, transferring title to the SPOT 7 optical Earth observation satellite, launched June 30, 2014, to the Azerbaijani national operator and renaming it Azersky; company and agency announcements of the same date recording 1.5-metre imagery, joint constellation operation with SPOT 6, a ground segment giving access to imagery from the Pléiades 1A and 1B satellites at 0.5-metre resolution, the construction of a satellite control centre in Azerbaijan, and the training of more than twenty-five Azerbaijani specialists in France over the following eighteen months. Azercosmos listed defence, security and maritime surveillance among the applications of the satellite. Azerbaijani reporting placed the value of the Azersky programme at 157 million euros. The combined

daily acquisition capacity of Azersky and SPOT 6 was stated by the parties as six million square kilometres. French press reporting of October 15, 2020, during the assault on Artsakh, addressed the satellite's defence and security role notwithstanding its presentation as an instrument for monitoring hydrocarbon infrastructure. The satellite ceased operations on April 20, 2023. France was throughout this period a co-chair of the OSCE Minsk Group.

107. Export Control Order 2008 (S.I. 2008/3231), through which the United Kingdom implements the 1992 embargo request, with the embargoed destinations listed in Schedule 4 and the transit and transshipment exception in article 17 expressly disapplied to goods destined for Armenia or Azerbaijan; ministerial statement of July 2, 2014 refining the United Kingdom's interpretation of the embargo to cover the export, supply or delivery of all goods and items on the United Kingdom Military List where the equipment could be used in the Nagorno-Karabakh region or on the land border between Armenia and Azerbaijan; Government of the United Kingdom guidance, "UK arms embargo on Armenia and Azerbaijan," gov.uk. On licensing in the same period, see Action on Armed Violence, "UK approved arms exports to Armenia and Azerbaijan," October 2020, reporting from United Kingdom government data that since 2010 approximately £85.9 million of security exports to Azerbaijan had been approved, including targeting equipment, aerial target equipment, assault rifles, machine guns, pistols and small-arms ammunition, together with approximately £4.2 million to Armenia. Targeting equipment, target acquisition systems, radars, sensors and fire control equipment fall within entry ML5 of the United Kingdom Military List. On the subsequent narrowing, see the written ministerial statement of July 1, 2025, Hansard, HCWS760, confining the embargo to weapons, ammunition and munitions within entries ML1 to ML4 and to equipment that might be used on the land border, and removing the reference to the Nagorno-Karabakh region; Export Control Joint Unit, Notice to Exporters 2025/28, recording that Schedule 4 of the Export Control Order 2008 would be amended accordingly.
108. Freedom Support Act, Pub. L. No. 102-511, §907, 106 Stat. 3320 (1992).
109. Presidential Determination No. 2002-15, January 25, 2002, and subsequent annual determinations, federalregister.gov; on the amendment of the waiver authority after September 2001 and its practical effect, see Ara Khachig Manoogian, *Western Azerbaijan: The Next Stage After Artsakh* (Burbank: Global Peace International, 2026), ch. 14; the suspension signed on August 8, 2025 during the Washington visit of President Aliyev is recorded in *Betrayal Unfinished*, ch. 10.
110. ICJ Order of November 17, 2023, requiring safe, unimpeded and expeditious return for persons wishing to return, protection and preservation of registration, identity and private-property documents and records, and reporting on compliance.
111. Global Peace International, White Paper No. 3, *Artsakh Is Not Lost*, on the August 1997 production-sharing agreement granting mineral rights over areas Azerbaijan did not control and on the concession holder's announcement in 2021 of the restoration of contract areas it had never physically held.

112. On the Ottoman abandoned-property legislation, the redistribution commissions, and the subsequent negotiation by foreign capital with the new custodians of Armenian wealth, see *Betrayal Unfinished*, ch. 4.
113. Comprehensive scholarly catalogue of the tangible cultural monuments of Artsakh, recording 5,658 monuments across 308 settlements. [Full bibliographic citation to be supplied in republication.]
114. Statements of President Ilham Aliyev in 2021 concerning a church at Hadrut, asserting that its Armenian inscriptions were fabricated and that the building was Caucasian Albanian.
115. Primeinfo.az, September 12, 2026, as cited in note 36.
116. On the demolition of Kanach Zham, the Church of St. John the Baptist, and the alteration and reclassification of Ghazanchetsots Cathedral following the 2020 shelling, see *Western Azerbaijan: The Next Stage After Artsakh*, ch. 26, and the sources there cited, including Patrick Donabédian and Claude Mutaftian, *Artsakh: Histoire du Karabagh* (Paris: Éditions Autrement, 1993), 312.
117. Primeinfo.az, September 12, 2026.
118. Trend, September 12, 2026 itinerary.
119. Aliyev statements of 2021, as cited in note 89.
120. *Western Azerbaijan: The Next Stage After Artsakh*, ch. 26.
121. Ibid.
122. Report.az, “Diplomatic Corps Visits Victory Park in Khankandi,” September 11, 2026.
123. Decision No. 1650-11, “On the Reunification of the Armenian SSR and Nagorno-Karabakh,” December 1, 1989, Armenian Legal Information System (ARLIS), arlis.am/hy/acts/3153; Declaration on the Independence of Armenia, August 23, 1990, concourt.am; and Global Peace International, *Artsakh Is Armenia: A Legal Examination of Armenia’s Reunification Record*, Parts II through V, on the 1998 and 2003 eligibility proceedings in which Armenian state organs relied on the 1989 decision.
124. Constitution of the Republic of Armenia, 1995, arts. 6 and 116; Constitutional Court of the Republic of Armenia, decision DCC-1749, September 26, 2024; Alma-Ata Declaration, December 21, 1991; and *Artsakh Is Armenia*, Parts IX and X, on the initialed agreement and its effect if it enters into force.
125. Declaration of the Supreme Soviet of the Republic of Azerbaijan on the restoration of the state independence of the Republic of Azerbaijan, August 30, 1991; Constitutional Act on the State Independence of the Republic of Azerbaijan, October 18, 1991, declaring the Republic of Azerbaijan the successor of the Azerbaijan Republic that existed from 1918 to 1920. On the territorial extent of that republic and the contested status of Artsakh,

Zangezur and Nakhichevan during its existence, see *Betrayal Unfinished*, ch. 6, and *Artsakh Is Armenia: A Legal Examination of Armenia's Reunification Record*.

126. Decision of the Caucasian Bureau of the Central Committee of the Russian Communist Party of July 5, 1921, by which mountainous Karabakh was retained within the Azerbaijan SSR with autonomy, reversing the decision taken the previous day; and the establishment of the Nagorno-Karabakh Autonomous Oblast by decree of July 7, 1923. On the character of that act as a decision of a party organ of a third state rather than of any competent territorial authority, see *Artsakh Is Armenia*.
127. Law of the Union of Soviet Socialist Republics of April 3, 1990, "On the Procedure of Resolving Questions Connected with the Secession of a Union Republic from the USSR," providing that where a union republic secedes, the autonomous formations within it and compactly settled national groups determine their own state-legal status by separate referendum; declaration of the Nagorno-Karabakh Republic of September 2, 1991 and the referendum of December 10, 1991. See *Artsakh Is Armenia*, and White Paper No. 3, *Artsakh Is Not Lost*.
128. Proclamation of the Azerbaijan Democratic Republic, May 1918, at Ganja and subsequently Baku, applying north of the Arax River a name previously designating a province of northern Iran centered on Tabriz; *Betrayal Unfinished*, ch. 6.
129. Records of the British command in the Caucasus under General W. M. Thomson, arriving at Baku in late 1918 with orders to secure the oil fields and installing a local administration aligned with British objectives; *Betrayal Unfinished*, ch. 6.
130. James Alexander Ulio, "Says Turks, Not Reds, Control Baku Oil," *Winston-Salem Journal*, August 23, 1920, 1-2, quoted and discussed in Ara Khachig Manoogian, *Stalin Unmasked* (Los Angeles: Global Peace International Press, 2025), 37-45, and in *Betrayal Unfinished*, ch. 6. Ulio, then a colonel and later a brigadier general and Adjutant General of the United States Army, gave the interview on returning from service in the Caucasus. [The passages of the interview bearing on British conduct toward the Armenian population are to be quoted directly from the newspaper text in republication.]
131. Richard G. Hovannisian, *The Republic of Armenia*, vol. 2, *From Versailles to London, 1919-1920* (Berkeley: University of California Press, 1982), 230-48, on the appointment by the British command of Dr. Khosrov bey Sultanov as governor-general over Karabakh and Zangezur and on his administration; *Betrayal Unfinished*, ch. 6.
132. Global Peace International, White Paper No. 1, *Western Azerbaijan: A Conspiracy Against the Armenian People; Western Azerbaijan: The Next Stage After Artsakh*, chs. 1 through 3, on the content of the doctrine and the designations Irevan, Goycha and Zangazur.
133. Ilham Aliyev, speech at the meeting with a group of intellectuals from Western Azerbaijan, December 24, 2022, [president.az](https://president.az), delivered at the headquarters of the Western Azerbaijan Community and directing the development of a Concept of Return.

134. Western Azerbaijan Community, “The Concept of Ensuring the Peaceful, Safe and Dignified Return of Azerbaijanis Expelled from Nowadays Armenia,” January 26, 2023; Western Azerbaijan Community, institutional self-description, qerbiazerbaijan.com, recording succession to the Azerbaijan Refugee Society, a constituency of nearly 300,000 persons expelled between 1987 and 1991, and the premises and governing structure of the organization.
135. Azerbaijani reporting on the issuance of “Western Azerbaijan” identity cards through ASAN Service recording birthplaces under promoted historical names; establishment by the Azerbaijan National Academy of Sciences of a department for the toponymy of Western Azerbaijan; *Western Azerbaijan: The Next Stage After Artsakh*, ch. 3.
136. Third “Return to Western Azerbaijan” festival-conference, Ordubad, Nakhichevan, June 18-19, 2026, organized with the involvement of the Ministry of Science and Education, the presidential plenipotentiary office in Nakhichevan, Nakhichevan State University and the Western Azerbaijan Community, and the statements there of the chairman of the Community and of the Minister of Science and Education.
137. Statements of the Ministry of Foreign Affairs of the Republic of Armenia characterizing the campaign as a manifestation of territorial claims against Armenia and as preparation for further aggression; and the contrary position of the Ministry of Foreign Affairs of Azerbaijan, May 26, 2025, that references to Western Azerbaijan are a human-rights question and not territorial claims.
138. Aliyev, December 24, 2022, as cited in note 104.
139. Global Peace International, White Paper No. 2, *A Vote Without Consequences*, section on the mirror-filing pattern; Application instituting proceedings, *Armenia v. Azerbaijan*, September 16, 2021 (ICJ Case No. 180) and *Azerbaijan v. Armenia*, September 23, 2021 (ICJ Case No. 181); Letter dated February 22, 2023 from the Permanent Representative of Azerbaijan to the Secretary-General, UN Doc. A/77/801-S/2023/134 (March 14, 2023).
140. *V.T. and Others v. Azerbaijan*, App. No. 20075/16, European Court of Human Rights, judgment of June 2026 [exact date to be confirmed via HUDOC]; Baku Initiative Group, “The Right of Return and Self-Determination: Double Standards and Selective Approaches,” conference at the United States Congress, Washington, D.C., June 24, 2026.
141. Ministry of Foreign Affairs of the Republic of Armenia, statements concerning approximately 150 square kilometers of sovereign Armenian territory under Azerbaijani occupation following the 2021 and 2022 operations; and later independent mapping placing a greater area of de jure Armenian territory under Azerbaijani control, discussed in *Artsakh Is Armenia*.
142. Washington summit of August 8, 2025 between President Donald Trump, Prime Minister Nikol Pashinyan and President Ilham Aliyev; suspension of Section 907 signed the same day.

143. Joint statement of the United States, Armenia and Azerbaijan, August 10, 2026, stating that TRIPP was moving from vision to reality, that engineering surveys were underway, and that Azerbaijan had nearly completed connecting highway and railroad infrastructure.
144. Framework agreement between Armenia and the United States concerning TRIPP, contemplating a United States-controlled entity holding a 74 percent interest in the development company and an initial forty-nine-year term of exclusive land-use and development rights over designated project areas, while expressly recognizing Armenia's sovereignty and jurisdiction.
145. United States Department of Justice materials explaining 18 U.S.C. §1091, including the circumstances in which federal jurisdiction over genocide committed abroad exists and the elimination of the statute of limitations in 2009.
146. Genocide Accountability Act of 2007, Pub. L. No. 110-151, and its legislative history, govinfo.gov, describing the purpose of preventing the United States from becoming a safe haven for persons who commit genocide abroad.
147. 28 U.S.C. §509B, directing the Department of Justice's human-rights enforcement section to take appropriate legal action concerning serious human-rights offenses, expressly including federal genocide, torture and war-crimes offenses.
148. *Kiobel v. Royal Dutch Petroleum Co.*, 569 U.S. 108 (2013); *Jesner v. Arab Bank, PLC*, 584 U.S. 241 (2018); *Nestlé USA, Inc. v. Doe*, 593 U.S. 628 (2021).
149. Articles on the Responsibility of States for Internationally Wrongful Acts (2001), arts. 40-41, on the obligations of non-recognition and non-assistance arising from a serious breach of a peremptory norm.
150. Arms Export Control Act, 22 U.S.C. §2751 et seq., and the International Traffic in Arms Regulations, 22 C.F.R. pts. 120-130, on export licensing; 22 U.S.C. §2378d, prohibiting assistance to units of foreign security forces where credible information of gross violations of human rights exists; Apa.az, September 11, 2026, on American participation in the Azerbaijan defense exhibition.
151. Global Magnitsky Human Rights Accountability Act, Pub. L. No. 114-328, tit. XII, subtit. F; Executive Order 13818 (December 20, 2017), blocking the property of persons involved in serious human-rights abuse or corruption.
152. International Court of Justice, *Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, Judgment of February 14, 2002, paras. 51-61, on the personal immunity of serving senior officials from foreign criminal jurisdiction and on the four circumstances in which it does not bar prosecution.
153. Rome Statute of the International Criminal Court, arts. 12-13; Armenia's instrument of accession and the entry into force of the Statute for Armenia on February 1, 2024; International Criminal Court, Appeals Chamber, judgment of May 6, 2019 in the Jordan referral in the *Al-Bashir* case, on immunity before international courts.

154. United States Department of State, “Nicolás Maduro Moros (Captured),” recording that on January 3, 2026 Maduro was placed in United States custody following a military operation in Caracas, was transported to the Metropolitan Detention Center in Brooklyn, and awaits trial on federal charges including narco-terrorism and drug trafficking under a superseding indictment unsealed the same day; contemporaneous reporting of the operation, the transfer to New York and the arraignment of January 5, 2026; and the statements of condemnation issued by other governments, including the characterization of the operation as an act of armed aggression and the objection that normalizing the seizure of a head of state endangers every state. See also United Nations Charter, art. 2(4).
155. *Ker v. Illinois*, 119 U.S. 436 (1886); *Frisbie v. Collins*, 342 U.S. 519 (1952); *United States v. Alvarez-Machain*, 504 U.S. 655 (1992); *United States v. Noriega*, 117 F.3d 1206 (11th Cir. 1997).
156. On the elimination of the limitation period for federal genocide offenses and the scope of presence-based jurisdiction, see note 116 and the Department of Justice materials there cited.
157. Morgenthau telegram of July 20, 1915, as cited in note 57.
158. Colt papers, folder 3, as cited in notes 71 and 72.
159. Decision No. 1650-11, December 1, 1989, ARLIS, [arlis.am/hy/acts/3153](http://arlis.am/hy/acts/3153); and *Artsakh Is Armenia*.
160. On documented official anti-Armenian rhetoric, ceasefire violations, and the military buildup funded by hydrocarbon revenue during the waiver period, see *Western Azerbaijan: The Next Stage After Artsakh*, ch. 14, and the human-rights reporting there cited.
161. On the presidential articulation of the claim from approximately 2010, the 2018 nomination address, and the December 2022 inauguration statement, see White Paper No. 1 and *Western Azerbaijan: The Next Stage After Artsakh*, ch. 2.
162. Primeinfo.az, September 12, 2026.
163. Apa.az, September 11, 2026.
164. Ibid.
165. Ibid.
166. Ibid.
167. Report.az, September 11, 2026; Report.az, “Diplomatic Corps Visits Victory Park in Khankandi,” September 11, 2026; Trend, September 12, 2026.