

Minsk Group proposal ('step-by-step deal')

December 1997

[unofficial translation]

Agreement on the end of the Nagorny Karabakh armed conflict

Preamble

[not reproduced here – see the near-identical preamble to the 'package proposal']

I. The Sides reject the use of force or the threat of the use of force as a means of settling disputes between them. They will resolve disputes, including such disputes as may arise in connection with the implementation of the present Agreement, by peaceful means, in the first instance by means of negotiations, including negotiations within the framework of the Minsk Process of the OSCE.

II. The Sides withdraw their armed forces in accordance with the following provisions and the detailed discussion in Appendix 1:

A. In the first phase armed forces currently situated along the line of contact to the east and south of Nagorny Karabakh will be withdrawn to the line shown in Appendix 1 and in accordance with the timetable indicated in it, taking into due consideration the recommendations of the High Level Planning Group (HLPG), with the aim of making possible an initial deployment of multinational OSCE divisions in a militarily secure buffer zone, the separation of the Sides along this line and to guarantee security conditions for the second phase of withdrawal.

B. In the second phase forces will be withdrawn simultaneously in accordance with the timetable laid out in Appendix 1, in the following way:

(1) All Armenian forces located outside of the borders of the Republic of Armenia will be withdrawn to locations within those borders.

(2) Nagorny Karabakh forces will be withdrawn to locations within the 1988 boundaries of the Nagorno-Karabakh Autonomous Oblast (NKAO), with the exception of the Lachin corridor.

(3) Azerbaijani armed forces will be withdrawn to the line indicated in Appendix 1 on the basis of the HLPG's recommendations, and will be withdrawn from all territories of Armenia.

(4) Heavy weaponry will be withdrawn to positions indicated in Appendix I on the basis of the High Level Planning Group's recommendations, to be observed by the OSCE peacekeeping mission and subject to conditions of transparency and accountability laid out in this Appendix.

III. Territory released as a result of this withdrawal of forces forms a buffer zone and a dividing zone, as laid out in detail in Appendix 2.

A. Upon the completion of withdrawal of armed forces the buffer zone will be located along the 1988 boundaries of the NKAO and the north and south boundaries of the Lachin corridor. The buffer zone will remain without human population and is completely demilitarized, with the exception of elements forming part of the OSCE peacekeeping mission.

B. The dividing zone is demilitarized with the exception of forces assigned to assist the work of the Permanent Joint Commission, as indicated in detail in Appendix 2, including:

(1) Units forming part of the peacekeeping mission;

(2) Units assigned for border patrol and demining purposes;

(3) Civil police forces, the number and permitted weaponry of which are determined in Appendix

2.

C. In the buffer and dividing zones a no-fly zone, into which the Sides will not conduct military flights, is established under the control of the OSCE peacekeeping mission, as detailed in Appendix 2.

D. Security conditions in all districts controlled by the Nagorny Karabakh authorities after the withdrawal of forces in accordance with Article II will be guaranteed by the existing military and security structures of Nagorny Karabakh.

IV. In accordance with the decisions of the OSCE Budapest summit of 1994 the Sides invite and will assist with the deployment of multinational OSCE peacekeeping forces (PKF), which will work together with the Permanent Joint Commission (PJC) and the Armenian-Azerbaijani intergovernmental commission (AAIC) stipulated in Article 7. The PKF observes the withdrawal of armed forces and heavy weaponry, the prohibition of military flights, support of the demilitarization regime and the situation on the Armenian-Azerbaijani border, as laid out in Appendix 2. The Sides call upon the UN Security Council to adopt a resolution appropriate to these objectives for an initial period of not more than one year and to renew the status of this resolution according to necessity as determined by the recommendations of the OSCE Chairman-in-Office. The Sides agree that the overall duration of the peacekeeping mission will be the minimum necessary relative to the situation in the region and the pace of the wider resolution of the conflict. The Sides fully cooperate with the PKF, in order to guarantee the implementation of the present Agreement and to avoid any disruption or interruption of peacekeeping operations.

V. The Sides assist the safe and voluntary return of displaced persons to their places of former permanent residence in the division zone, as laid out in Appendix 2. The PKF in conjunction with the Permanent Joint Commission observes the security conditions for the returning population, in order to provide assurances to all sides of the monitoring of the demilitarization regime in this zone. The Sides conduct negotiations on the implementation of the immediate, safe and voluntary return of all other persons, other than those covered by the present Agreement or general settlement agreement, who were displaced as a result of the conflict and tensions between Armenia and Azerbaijan since 1987.

VI. Simultaneous to the withdrawal of armed forces the Sides implement without delay measures to open roads, railways, electrical transmission and communications lines, trade and other relations, including all actions necessary to achieve this in the shortest possible time in accordance with the timetable and concrete provisions laid out in Appendix 3. The Sides guarantee the use of these connections by all, including ethnic minorities, guaranteeing the latter access to co-ethnic groups in other districts of the region. Each Side pledges to remove all blockades and to guarantee the delivery of goods and people to all Sides without obstruction. The Sides guarantee free and safe railway communications between them.

VII. The Sides cooperate fully with the International Committee of the Red Cross, the United Nations High Commissioner on Refugees and other international organizations in order to ensure the swift and secure return of all persons detained as a result of the conflict, investigation of the fate of those disappeared without trace, the repatriation of all remains and the delivery without discrimination of humanitarian and reconstruction aid across territory under their control to regions afflicted by the conflict. The Sides cooperate with the OSCE PKF through the good offices of the Permanent Joint Commission to implement confidence-building measures.

IX. The Sides without delay establish a Permanent Joint Commission (PJC) to observe the implementation of the provisions envisaged in the present Agreement relating to the problems affecting Azerbaijan and Nagorny Karabakh. The chair of the PJC is a representative of the Chairman-in-Office of the OSCE, working with one vice-president from Azerbaijan and one vice-president from Nagorny Karabakh. The principal obligation of the PJC is to observe the implementation of the Agreement; the obligations of the OSCE Chair likewise include mediation in cases of disagreement and the sanctioning of measures taken to deal with emergency situations, such as natural disasters. The PJC has sub-commissions for military, economic, humanitarian, cultural and communications affairs. The structure, functions and other details concerning the PJC are laid out in Appendix 4.

The Sides establish without delay an Armenian-Azerbaijani Intergovernmental Commission (AAIC) in order to avoid border incidents between Armenia and Azerbaijan, the conduct of communications between border forces and other security forces of both countries and the monitoring and assistance of measures to open roads, railways, communications, pipelines, trade and other relations. The AAIC has two co-chairs, one from Armenia and one from Azerbaijan. A representative appointed by the Chairman-in-Office of the OSCE forms part of the Commission. The structure, functions and other details concerning the AAIC are laid out in Appendix 5. The Azerbaijan Republic and the Republic of Armenia establish communications offices in each other's capital cities.

X. The Azerbaijan Republic and the Republic of Armenia enter into bilateral and multilateral negotiations at the appropriate international and regional forums with the aim of securing improved security in the region, including military transparency and complete conformity with the OSCE agreement.

XI. The three Sides in the present Agreement, having thus put an end to the military aspects of the conflict, agree to continue the conduct of negotiations in good faith and with the assistance of the Minsk Conference co-Chairs and other Sides invited as appropriate by the Chairman-in-Office of the OSCE, aimed at the urgent achievement of a comprehensive settlement for other aspects of the conflict, including political aspects such as the determination of the status of Nagorny Karabakh and the resolution of the problems posed in Lachin, Shusha and Shaumian; following the attainment of an agreement at these negotiations and its signing by the three above-mentioned Sides, it would be subject to recognition by the international community at the Minsk Conference, to be convened as soon as possible.

XII. Each Side fully respects the security of other Sides and their populations. The Sides pledge to develop neighbourly relations between their peoples, assisting trade and normal interrelations between them, and to refrain from statements or acts capable of undermining the present Agreement or good relations.

XIII. In addition to the concrete provisions concerning peacekeeping and the monitoring of military withdrawal laid out above, and recalling the corresponding principles and obligations of the OSCE, including those expressed in the Helsinki document of 1992 and the Budapest document of 1994, using the appropriate mechanisms the OSCE observes the complete implementation of all aspects of the current Agreement and takes appropriate steps in accordance with these principles and decisions to avoid the violation of the conditions laid down in the present Agreement and opposition to it. Witnesses of the present Agreement, acting through the offices of the Permanent Council of the OSCE and the United Nations Security Council, assist in its complete implementation. In case of serious violation of the present Agreement they consult among themselves regarding necessary measures to be taken, inform without delay the Chairman-in-Office of the OSCE, the Chair of the United Nations Security Council and the Secretary-General of the United Nations, and request that the OSCE Permanent Council or the UN Security Council consider appropriate measures in this regard.

XIV. The Sides take upon themselves mutual obligations to ensure the observance of the provisions of the present Agreement, including guarantees of the security of Nagorny Karabakh, its population and returning displaced persons, and to take any necessary steps for the fulfilment of all obligations flowing from the present Agreement.

XV. The present Agreement comes into force from the moment of its signing and ratification and remains in effect with those exceptions flowing from a comprehensive settlement mentioned in Article XI. The present Agreement can be changed, added to and abrogated by agreement of all Sides.

[appendices listed]

Note: this proposal was not accepted and signed by the parties to the conflict.