



# **NAGORNO KARABAKH REPUBLIC ARTSAKH**

**STATE BUILDING:  
PROGRESS TOWARD FREEDOM, DEMOCRACY AND ECONOMIC  
DEVELOPMENT**



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## **THE NAGORNO KARABAKH REPUBLIC: GENERAL OVERVIEW**

1. The Nagorno Karabakh Republic (NKR) was proclaimed on September 2, 1991, on the territory of the former Nagorno-Karabakh Autonomous Oblast (region) and Shahoumian Region. The decision reflected population's will and was caused by the fact that (as it is noted in the proclamation) "the policy of national discrimination, led in Azerbaijan, the atmosphere of intolerance and hatred towards Armenians in the republic brought to armed clashes, human losses and forced mass deportation of the peaceful inhabitants of Armenian settlements".

1.1. Violence carried out by Azerbaijan in 1989-91 against Nagorno-Karabakh indigenous Armenian population, was fixed by independent observers. The US Senate made a number of statements condemning these actions. The Russian Federation Supreme Soviet (parliament) organized special hearings, during which the questions of the Deputies were answered by a number of high-ranking officers of the USSR Ministries of Interior and Defense that had participated in the military actions, carried out against Getashen and Armenian villages of Shahoumian region. They did not deny the facts of participation of the Armed Forces and special detachments of Azerbaijani police.

1.2. The basis for proclamation of the NKR was in accordance with the April 3 1990 law "On issues related to secession procedures of the Union Republics from the USSR". According to it, along with the union republics and autonomous entities, national groups, which densely populate particular areas, also had the right to define independently their future political and legal status.

1.3. The Nagorno Karabakh Republic was proclaimed when Azerbaijani Supreme Soviet issued a declaration on restoring its state independence on August 30, 1991, according to which, the Azerbaijani Republic proclaimed itself the successor of the Azerbaijani Democratic Republic of 1918-1920. By doing so Azerbaijan refused the legal Soviet heritage thus loosing the right of controlling the Nagorno Karabakh territory.

2. The independence of the Nagorno Karabakh Republic was proclaimed on January 6, 1992. The results of the referendum held on December 10, 1992, became the basis of this act. 108.736 residents of the NKR with the right to vote, independent from nationality and religion, participated in the referendum. Ballot-papers were printed in three languages - Armenian, Azerbaijanian and Russian .

2.1. The referendum question was the following: "Do you agree with the Nagorno Karabakh Republic be an independent state, independently determining the forms of cooperation with other states and communities?": /find attached the copies /:

108.615 voters (99,9 % of the participants) answered "Yes".

24 voters (0,002 % of the participants) answered "No".

2.2. The referendum was organized and held according to the "Temporary Regulations on Holding a Referendum" in the presence of foreign observers. Their opinions were duly formulated and are kept in the NKR central electoral commission /find attached the copy /.

3. After the proclamation the Nagorno-Karabakh Republic started to form government structures. The problems of state building were being solved in the conditions of continuing military actions. Elections to the NKR Supreme Soviet of the first convocation were held on December 28, 1991, in

accordance with the temporary regulations “On Election of the Nagorno-Karabakh Republic People’s Deputies”. 81 electoral districts were formed encompassing also all Azerbaijani settlements.

The elections were held on the basis of universal, equal suffrage and a secret ballot.

As a result the Nagorno-Karabakh Republic Supreme Council of first convocation was formed, the first session of which was opened on January 6, 1992.

The session chose the Chairman of the Supreme Soviet (Mr.Arthur Mkrtchian), Vice-Chairman (Mr. Georgi Petrossian) and formed presidency.

The session also formed first government /the Cabinet of Ministers with Oleg Yessayan as a premier/ of the Nagorno-Karabakh Republic.

3.1. Since the very beginning of its existence the NKR legislative body has been following the way of joining different international conventions and proclamations, aiming to the creation of free, legal and democratic state. The NKR Supreme Soviet Chairmanship (on November 26, 1992) and the NKR Supreme Soviet (on November 23, 1994) adopted resolutions on joining the NKR to the Declaration “On Granting Independence to Colonial Countries and Peoples”, “Universal Declaration on Human Rights”, “International Covenant on Civil and Political Rights” and their facultative protocols.

3.2.The NKR Supreme Soviet Chairmanship (on January 26, 1993) and the NKR Supreme Soviet (on November 23, 1994) adopted a resolution “On Adopting The Accomplishment of the Geneva Conventions of 1949 and “The Additional Protocols to the Conventions of 1977”. According to them, in March of 1993 the NKR State Committee of Prisoners of War, Hostages and Missing People was created, which showed great activity in solving the basic human problems in all the periods of the conflict’s resolution. Today there are no prisoners of war and hostages in the NKR. As a proof of its good will the Karabakh party handed over all such people to Azerbaijan. The members of the Regional Working Group on Missing People and Prisoners of War led by Bernhard Clazen confirmed the absence of prisoners of war and hostages in Nagorno Karabakh. Nowadays the NKR National Assembly holds discussions on signing and ratifying the Council of Europe conventions, particularly, the European Convention of Human Rights and its changed N2 and N11 reports as well as N1, 4, 6 and 7 ones.

3.3. On April 30, 1995, elections to the National Assembly were held. The Nagorno Karabakh Republic Supreme Soviet prematurely ceased its authorities (they were to be over in December of 1996), formed 33 voting districts (instead of the former 81).

3.4. The elections to the National Assembly (the third convocation supreme legislative body) of the Nagorno-Karabakh Republic were held on June 18, 2000. As a result the current parliament was formed. There are two factions in the National Assembly: Democratic Artsakh Union (pro-governmental majority) and the Armenian Revolutionary Federation /Dashnaktsutyun/ (opposition faction, which stands for the candidature of the acting president during the last presidential elections on August 11, 2002). The Artsakh Armenakan and Social-Democratic parties are also represented in the Parliament (each of them has one mandate). There are also independent deputies. Two of 33 deputies are women.

3.5. The system of elections in the republic is being improved aiming to make the electoral system of the republic closer to European standards. The laws “On Elections of the National Assembly”, “On Presidential Elections”, “On Elections of the local self-government bodies” have been in force. Though the elections of the National Assembly were held (on June 18, 2000) on the basis of the universal ballot, in accordance with the law the social-political organizations have the right to propose and stand up for Deputy-candidates without any restriction. The same way they can nominate president of the republic as well as governor of a district and members of the Council of Elders.

On December 8, 2004, the NKR Electoral Code which regulates the whole electoral system was adopted.

4. For centralizing the republic’s potential and resisting Azerbaijan’s large scale military aggression /in 1992 about 50% of the whole territory of the Nagorno-Karabakh Republic was occupied: the whole Shahoumian region, 90% of the Martakert region, some areas of the Askeran, Hadrut and Martuni regions/ on the basis of the August 1992 Nagorno Karabakh Supreme Soviet’s resolution, a martial law was introduced. A State Defense Committee /SDC/ was formed. Authority of legislative and executive powers has been reduced significantly: the executive branch passed to the SDC, and the Supreme Council remained to be the supreme legislative body.

4.1. Creation of SDC was reasonable and dictated by critical situation the Nagorno Karabakh faced. The war dictated efficient defense of state and military discipline, without which it would be impossible ensure the security of NKR population.

1. After May 1994 cease-fire agreement, the republic began to return to democratic ways of government. Supreme Council of the Nagorno Karabakh Republic suspended the SDC functioning and adopted a law “On President of the Nagorno Karabakh Republic.” Thus the thus the institute of President was introduced in the NKR.

5.1. In December 1994 the Supreme Soviet elected the first president of the Nagorno Karabakh Republic.

5.2. The first direct national elections of the NKR president were conducted on November 24, 1996.

5.3. In March 1997, Arkady Ghoukasian was elected president of the republic. Mr. Ghoukasian has also won the August 2002 presidential elections in the republic, which were conducted with attendance of some 116 international independent observers and journalists.

5.4. Nagorno Karabakh is a presidential republic. The NKR president is elected by people through direct vote and for the term of 5 years. According to the acting legislation, president is the head of executive power, ensures proper functioning of legislative, executive and judicial powers. Head of the Nagorno Karabakh Republic is also commander-in-chief of the armed forces.

5.5. Commission on Amnesty, Commission on State Awards and Constitutional Commission function under the NKR president. The Constitutional Commission headed by president was formed in September 1998. Constitutional Laws “On President”, “On National Assembly”, “On Government”, “On NKR Judicial Power”, “ On the Local Self-

government Bodies”, “On Administrative Divisions” that form the legal basis of the state’s constitutional order.

6. In January 1992, the NKR Supreme Council session also established an executive body – the first government of the NKR – Council of Ministers.
  - 6.1. The first government (Council of Ministers) formed by National Assembly of first convocation functioned from January to August 1992, after its resignation the State Defense Committee was formed. It functioned from 1992 till January 1995. On February 20, 1995, a law “On the NKR Government” was adopted and put into force.
  - 6.2. According to the law president forms the executive power (government) of the Nagorno Karabakh Republic. From 1995 till 2003 four cabinets have been formed.
  - 6.3. Government represents the NKR executive power. It is headed by the prime minister. Cabinet consists of vice-premier, ministers, heads of state departments and head of the cabinet’s staff. Government authority is regulated by law “On the NKR Government”. Prime minister is appointed by the president. The president also ratifies the government structure and membership. The cabinet is accountable to the NKR president and the National Assembly.
7. Since the very beginning of military operations, the republic’s authorities performed an active foreign activity protecting the NKR rights and interests in the international area. In July 1993, the NKR Foreign Ministry. Currently there are permanent representation missions in the Republic of Armenia, Russian Federation, the United States of America, France, Australia and Middle East countries.
8. On January 12, 1992, in accordance with the law on “ State Sovereignty” the process of formation of armed forces started in the NKR. In the April of the same year along with the Council of Ministers the committee on self-defense was formed. In November 1993 the NKR SDC adopted a decision on transforming the NKR self-defense forces into the NKR Defense Army, aimed at reorganizing all the self-defense units into army structures making them correspondent to armies, which acted in accordance with international legal norms. The NKR armed forces has won the war with Azerbaijan and today is considered to be one of the most effective and disciplined armies in the region, which is able to solve most difficult military tasks. Today the NKR Defense Army remains the only true guarantor of security for the republic and its people.

The NKR Ministry of Defense was formed in 1995.

8.1 From November 1991 to May 12, 1994 Nagorno Karabakh Republic was at war with Azerbaijan. In that period, particularly in August-September 1993, on the initiative of Azerbaijan official contacts at corresponding levels were established between two states. The NKR state bodies keep the supporting documents.

8.2 On May 5, 1994 in the capital of Kyrgyzstan parliamentarians of Azerbaijan, Armenia and Nagorno Karabakh signed “Bishkek Protocol” which became the basis for cease-fire agreement in the Karabakh conflict. On May 12 the official agreement establishing cease-fire was also reached with participation of the NKR official representatives and confirmed

(endorsed) by them on an equal footing with Azerbaijani officials. In spite of the agreement Azerbaijan several times violated the cease-fire regime.

8.3 On June 6, 1992 the NKR Supreme Soviet passed the Law “On the Liability for Military Service” that underwent some changes and was passed in the new edition in December 2001. According to the Law there are fixed period and reserve forms of military service in the NKR. The alternative service was discussed but because at that time the state was still in the war and had very limited possibilities to organise employment for alternative personnel on proper level, the question was delayed for an indefinite period of time.

**9.** According to the NKR Law “On the administrative and territorial division of the NKR”, Nagorno-Karabakh Republic is administratively divided into regions and communities. Regional administrations, heads of which are appointed and relieve by the decrees of the government, are governing bodies of administrative-territorial units.

Community council of elders, community head is self-governing bodies of communities. They are elected for a term of three years by members of communities through universal, equal and direct suffrage, by secret vote.

9.1 On September 27, 1998 Nagorno Karabakh Republic held the first elections of the local self-government bodies (including mayor of Stepanakert and community council of elders).

The second elections to the local self-government bodies were held on September 5, 2001.

The third elections to the local self-government bodies were held in two rounds on August 6 and August 22, 2004.

**10.** The judicial authorities of the Nagorno Karabakh Republic are independent and function in compliance with the NKR Laws on “Judicial system”, “On the status of judges” and “Council of judicial magistracy”. The Nagorno Karabakh Republic has two-level judicial system – court of first instance and Supreme Court. The last one has supervising, cassation and constitutional instances. The National Assembly according to the recommendation of the President of the Nagorno Karabakh Republic appointed judges of the court of first instance and Supreme Court and chairmen of the courts in 2002. According to the law all judges are appointed without limitation of their authorities by any term. According to the law issues of their professional suitability and further career advancement are regulated by a decree of the President of the Nagorno Karabakh Republic upon recommendation of the council of magistracy.

Judicial system reforms are in process aiming to make it correspond with the international standards.

**11.** The NKR Office of Public Prosecutor is the body carrying protection of the state interests. The frameworks of its activity and competence are established by the Nagorno Karabakh Republic law “On Office of Public Prosecutor”. The Republic Chief Prosecutor, his deputies, subdivisions, main and regional prosecutors are appointed and dismissed by the president Nagorno Karabakh Republic.



According to the law since January 1, 2004, the right of sanctions has been transferred from the Office of Public Prosecutor to the Courts of First Instance.

The transitional period was established taking into consideration the necessity of technical re-arming of the courts, the qualification of the judges. The Nagorno Karabakh Republic Government envisages the assistance of interested European structures in carrying out this process.

**12.** Law enforcement bodies realize the preservation of the social order and the fight with crime in the Nagorno Karabakh Republic. The Nagorno-Karabakh Republic law “On Police” establishes the frameworks of their authorities. The Nagorno Karabakh Republic law enforcement system is led by the Interior Ministry. The ministry has departments in all the regions of the republic and in capital Stepanakert.

**13.** Since declaring its independence the Nagorno Karabakh Republic has been consecutively establishing free, democratic society with the priority of civil values. In the NKR there are no limitations of realization of democratic rights and freedoms. Although the law “On legal regime of martial law” to an extent limits these rights, nevertheless, no censorship has been imposed in the Nagorno Karabakh Republic since 1997.

13.1. Basic rights and freedoms of citizens of the NKR are guaranteed by the laws “On Freedom of Conscience and Religious Organizations”, “On Mass Media”, “On Language”, “On Education”, “On Medical Care”, “On Social Security”, “On Public Organizations”, “On Social and Political Organizations”, and by some others.

13.2. Citizens of the Nagorno Karabakh Republic, regardless of national belonging are free to confess or not to confess any religion. National minorities of the Nagorno Karabakh Republic have the right to receive education in their native language. Greek and Russian communities are registered in the republic. About 20 mass media are registered in the Nagorno Karabakh Republic, including «Pace» independent broadcasting channel, «A Plus» and «Voice of Justice» (in Azerbaijani) independent broadcasting stations, «The 10<sup>th</sup> province» (the publication of which has been suspended by the decision of its trustee), «Chto delat», «Demo» and «Gegharm» independent publications, «Aparazh» (Armenian Revolutionary Federation of Artsakh), party bi-weekly and «Hayrenik» social and political bi-weekly newspaper of the Democratic Union of Artsakh), as well as official «Azat Artsakh» republican daily. In 2003 in accordance with the NKR law on «Television and radio», a public broadcasting company was established. It is functioning today and is governed by the Council of public television and radio broadcasting company.

**14.** The Republic's educational system includes preschool, secondary, professional, graduate and postgraduate state-run and non-state-run (licensed) institutions, where education is carried out both in Armenian (state language) and in Russian languages; English, French and German are taught as well. In the NKR there are one state-run and about ten non-state-run institutes of higher education, including branches of foreign institutions (Moscow Modern Humanitarian University, Yerevan University of Management).

**15.** 68 public and 16 social and political organizations are registered in the Nagorno Karabakh Republic. (The law on parties was adopted in November 2003 and entered into force on January 1, 2004). On the results of elections and sociological surveys the Democratic Union of Artsakh, the Armenian Revolutionary Federation of Artsakh, the Armenakan Party of Artsakh, the Movement-88 Party, the Nagorno Karabakh Communist Party, the Social-Democratic Party of Artsakh are the most influential parties. (The first two of them have their youth bodies).

Humanitarian, human rights, cultural and sporting activities are effectively carried out by “Vita” (Union of soldiers wounded in the Artsakh war), the NKR Union of relatives of missing soldiers, the Union of parents of lost soldiers, the Karabakh committee of the Helsinki citizens initiative-92, the Institute of Public Diplomacy of Artsakh, the Youth Union of Artsakh, the Fund for Culture, more than ten sporting and a number of other public organizations.

**16.** The 1992-1994 Karabakh-Azerbaijan armed conflict has greatly damaged the NKR economy.

It still remains impossible to cultivate more than 10 thousand hectares of irrigated lands (8 thousand hectares are mine-strewn, the rest remains under control of Azerbaijani armed forces).

16.1. Nevertheless, starting from 1995 the republic has been consequently implementing the policy of transition to free market economy. In 1995-1997 the Nagorno Karabakh Republic conducted a privatization of trade and service enterprises, as well as supported establishment of small and middle-scale businesses. In 1998 the NKR National Assembly, on cabinet’s initiative, adopted a program on property privatization. The program is still in progress. The process of free privatization of agricultural lands started in 1998 and was completed in 1999.

16.2. The NKR needs foreign investments to develop its economy. Since 1998, the National Assembly has ratified, several laws improving tax field in the republic. In recent years the total volume of foreign direct investments into NKR’s economy has reached 35 million US dollars

**17.** The Nagorno Karabakh Republic does not receive any direct financial assistance from international structures, which has a negative impact on the social-economic situation in the republic.

The NKR authorities have repeatedly stated that the absence of international recognition must not hinder NKR’s participation in regional integration processes. Such an approach contradicts the fundamental principles of international relations, directed to satisfy all the spiritual and material needs of any person irrespective of race, nation and religion.

17.1. The Nagorno Karabakh Republic is ready to discuss without any political preconditions economic relations with Azerbaijan, which could be the first step to create an atmosphere of confidence.

**18.** About two thousand cultural and historic monuments are registered and protected by the state in the territory of Nagorno Karabakh Republic. They form a greater part of the whole cultural wealth of Armenian people. Most historic and cultural monuments were destroyed during 70 years of Soviet rule. In 1992-1993 bombardments and shelling by Azerbaijani army severely damaged a number of monasteries, including IV century Amaras church, XIII century Gandzasar cathedral, XII century Dadivank monastery, and many others.

18.1. The current economic situation in the NKR hinders capital restoration of historical and cultural values. NKR authorities have repeatedly addressed several international organizations interested in exploration and protection of historical and cultural values. So far there has been no reply.

## **ELECTIONS 1991-2004**

### ***Referendum on independence***

On December 10, 1991 a referendum on independence was held in the Nagorno Karabakh Republic (the “Republic” or “NKR”). During the said referendum, the total number of registered voters was 132,328. 108,736 individuals participated, which constitutes 82.2 per cent of the total number of registered voters.

The question posed to the voters in the referendum was as follows: “Do you agree on the Nagorno Karabakh Republic to be an independent state, independently determining the forms of cooperation with other states and communities?”

108,615 individuals or 99.9 per cent of the total number of registered voters answered “Yes” to the aforementioned question; while 24 individuals or 0.002 per cent answered “No”.

Thus, the absolute majority of NKR’s population voted for the independence of the Republic.

The referendum was monitored by a number of independent observers, who were present at all 30 polling stations of the Republic, and in conclusion issued a report on the Referendum.

### ***Parliamentary elections***

On December 28, 1991, elections for the NKR Supreme Soviet were held.

81 districts and 214 polling station commissions were formed in NKR. Based on the results of the elections, 81 members were elected to the NKR Supreme Soviet..

On April 30, 1995, early elections for the NKR National Assembly were held.

33 districts were formed. 73.9 per cent of the total number of voters participated. 23 members were elected to the NKR National Assembly, in one round of voting. Independent international observers monitored these elections.

On June 18, 2000, regular elections for the NKR National Assembly took place.

33 districts were formed. In all districts elections were completed in one round. 33 members were elected to the National Assembly. 59.7 per cent of the total number of voters participated. Independent international observers monitored these elections, and they were present in 170 polling stations, they also participated in the compilation of the votes.

### ***Presidential elections***

**On November 24, 1996**, presidential elections were held in NKR.

70,052 voters, or 78.07 per cent, out of the total 89,733 number of voters participated in the elections. Mr. Robert Kocharyan was elected as NKR president. Independent international observers monitored these elections, and 51 signed the final report on the presidential elections.

Due to the appointment of Mr. Robert Kocharyan to the post of the Prime Minister of the Republic of Armenia, the NKR Central Electoral Commission issued a decision for the holding of an early presidential election, **on September 1, 1997.**

76,257 persons or 84.6 per cent of the total 90.137 voters participated in the elections. Mr. Arkady Ghoukasian was elected as the NKR president. International observers from the Russian Federation, France, Switzerland, Ukraine, and Armenia monitored these elections.

**On August 11, 2002** the third presidential elections were held in NKR.

64,736 voters or 75.7 per cent of the total 85,523 participated in the elections. Mr. Arkady Ghoukasian was re-elected as NKR president. International observers from Russian Federation, the United States, Great Britain, Italy, France, Armenia and other countries monitored at the elections.

### ***Elections for local self-governing bodies***

Three elections for local self-governing bodies were held in NKR, **on September 27, 1998, September 5, 2001 and August 22, 2004.**

The leader of the opposition “Movement-88” Party Eduard Aghabekyan was elected the mayor of Stepanakert, capital of the NKR, in the last elections.

During the elections for the NKR self-governing bodies held on September 27, 1998, two observers from the Central Electoral Commission of Armenia, as well as other local observers monitored the elections, while during the elections held on September 5, 2001 and two round elections on August 6 and August 22, 2004 local observers and representatives from the mass media conducted the observers’ mission.

## **DEVELOPING AND IMPROVING NATIONAL LEGISLATION**

The South Caucasus has been included in the post Soviet Europe. Consequently, the Republic of Nagorno Karabakh (NKR), striving to gain international recognition of its independence as well to develop and improve national legislation, prioritizes criteria of the Council of Europe, fundamental human rights and freedoms in accordance with the December 10, 1948 UN General Assembly's declaration.

Successively elaborating national legislation, since 2001 (when the three internationally recognized states of the South Caucasus were accepted to the Council of Europe and assumed corresponding obligations) the NKR despite the fact that it lacks consultative assistance of the Council of Europe or any other international organization, has passed and implemented the following laws:

1. "On Political Parties";
2. "On Public Organizations";
3. "On Television and Radio" (the NKR Public TV and Radio company was formed and the Council of the television and radio was appointed);
4. Second (special) part of the NKR criminal code (according to which death penalty was abolished and replaced with life sentence);
5. "On Civil Service";
6. "Civil Code";
7. "Electoral Code"
8. "On Ombudsman"
9. "On Making Amendments and Changes to the NKR Law "On the Public Prosecutor's Office" (effective from January 1, 2004). According to the law the right of sanctions was reserved for the Court of First Instance and the Prosecutor General was deprived of the right of legislative initiative;
10. "On Making Changes to the NKR Law "On the NKR President" (according to which the president no longer enjoys the right of legislative initiative);
11. "On Making Changes to the NKR Law "On Court Organization" (the Chairman of the NKR Supreme Court was deprived of the right of legislative initiative).

## **SELF-GOVERNING BODIES**

Local self-government in the NKR is implemented in accordance with the Law “On Local Self-Government,” adopted on January 19, 1998.

The Law defines the concept of local self-government, its principles, bodies, competence, as well as coordinates interrelations between the local self-government and state bodies.

According to the Law local self-government is the right and ability to control communal property of local self-governing bodies and solve communal problems within the frameworks of NKR legislation and its own responsibility with the aim of raising living standards of the population.

Members of the community elect local self-governing bodies, the council of community elders (as a representative organ) and the head of community (as an executive organ) for a three-year term.

Within the coming one–two months it is planned submit to the NKR National Assembly a draft law “On Changes and Amendments to the NKR Law “On Local Self-Government.” The draft law envisages:

- a) Enlargement of the jurisdiction of the council of community elders and the head of community;
- b) Correction of the principles of community budget formation;
- c) Definition of the interrelation criteria between local self-government and state bodies.

The list of the NKR communities is fixed in the NKR Law “On the Territorial-Administrative Division of the Nagorno Karabakh Republic.” The law grants towns (including Stepanakert) and other populated areas of the republic the status of community. The Law allows uniting two or more areas with small populations into a single community.

In September 1998, in September 2001 and in August 2004 elections to the local self-government bodies were conducted in the NKR.

## **LEGAL GUARANTEES OF THE FREEDOM OF SPEECH AND MASS MEDIA ACTIVITY**

1. The freedom of speech and the right of getting information in the Nagorno Karabakh Republic (NKR) are guaranteed by the legislation.
2. The NKR Law “On Mass Media” signed by the President of the NKR was put in force on December 11,1999. In October 2003 some amendments and changes were introduced to the above-mentioned law.
3. According to the law:
  - a. Mass Media in the NKR are free and serve to the development of free and democratic society;
  - b. No restrictions are put on searching, getting and publishing information are within and outside the territory of the NKR;
  - c. No special license is needed for any activities related to Mass Media;
  - d. The free right to get any information and materials from Mass Media freely is guaranteed for the NKR citizens;
  - e. Any kind of monopoly for publishing and spreading information in Mass Media is prohibited;
  - f. Censorship of Mass Media is prohibited;
4. The law defines the following spheres of limits for the freedom of Mass Media:
  - a. State secret;
  - b. Office secret;
  - c. Commercial secret;
  - d. Medical secret;
  - e. Human rights and private life
5. The law presupposes other limitations, in particular censorship in the state emergency, war and martial law;
  - 5a. No censorship of Mass Media has been carried out in the NKR since 1997. Such a decision was adopted by the National Assembly of the republic upon the proposal of the NKR President (see Presidential Decree “On Prolonging Martial Law in the NKR”).
6. In the NKR Mass Media can be founded by:
  - a. State and local government bodies;
  - b. A citizen;
  - c. A political party (with the exception of TV, radio and TV-radio companies).
7. The law prohibits the propaganda of war, violence, racial discrimination, subversion of the political system, religious intolerance, cruelty, and pornography.
8. The law defines rights and duties of journalists.
9. The law confirms freedom of accreditation and professional activity of the representatives of foreign Mass Media.
10. The functioning of Mass Media in the NKR can be terminated by:
  - a. the founder’s decision;
  - b. the decision of the court.
- 10a. So far there has been no verdict about terminating the functioning of Mass Media in the NKR.
- 10b. The issuing of the “Tenth State” weekly newspaper was temporarily terminated by the official decision of the founder in March of 2000.
11. The following newspapers are published in Nagorno Karabakh:

- “Azat Artsakh” republican newspaper in Armenian and Russian. The newspaper also an electronic version in Armenian, English and Russian (The web-site address is [www.artsakhtert.com](http://www.artsakhtert.com));
- “Martik” NKR Defense Army’s weekly newspaper;
- “Aparazh,” Dashnaktsutyun party newspaper;
- “Hairenik,” Democratic Artsakh Union party fortnightly newspaper (in Armenian and Russian);
- “Demo” public newspaper of Karabakh;
- “Pashpan Haireniats,” the newspaper of “Artsakh War Veterans” organization;
- “Eghetsi Louis”
- “Pala Poughi”
- “Gegharm,” a monthly literary publicistic periodical (in Armenian, Russian and English).
- “Stepanakert” weekly newspaper (founded by Stepanakert city administration)
- “Artsakh University,” student newspaper of Artsakh State University;
- “Chto Delat” analytical monthly newspaper founded and issued by independent political scientist Mourad Petrossian;
- “Lousarar” fortnight newspaper founded by the Ministry of Education and Science;
- All regional administrations issue bulletins, which are registered as newspapers;
- “Haiki Seround,” newspaper of “Haiki Seround” youth organization;
- “Artsakh Communist,” newspaper of NKR Communist Party.

12. The following organizations have accredited journalists in the NKR:

- RFE/Radio Liberty;
- “INTERFAX”, “REGNUM”, “ARKA”, “MEDIAMAX”, “ARMINFO”, “NOYAN TAPAN” information agencies;
- “Aravot”, “Haikakan Zhamanak”, “Azg”, “Haiastani Hanrapetoutiun”, “Novoe Vremia” newspapers;
- “Prometevs” independent and Armenian Public TV companies.

13. “Dzain Ardaroutian” (“Sound of Justice”) Azerbaijani language radio station operates in the NKR

14. In 2003 in accordance with NKR law “On TV and Radio” NKR Public TV was founded. Its governing organ is Public TV Council.

15. “Pace” independent TV company /in Armenian and Russian/, as well as “Pace” and “A+” independent radio stations are operating in the NKR.

16. Armenian Public TV, “Prometevs” independent, ORT, RTR Russian TV channels are re-translated in the NKR;

16a. The NKR does disturb the broadcasting the Azerbaijani State **AzTV1** channel in its territory;

16b. In the whole territory of the republic the authorities do not use any technical or other means to hinder broadcasting of the programs of Armenian, Russian, Azerbaijani state and independent as well as BBC, RFE/Radio Liberty and other international radio stations.

17. The freedom of broadcasting local and foreign TV and radio programs is guaranteed by the NKR Law “On Telecommunication”.

18. The NKR National Assembly has included in the agenda of its 8<sup>th</sup> session the draft laws “On Making Amendments and Changes” in NKR laws “On Mass Media”, “On TV And Radio”. The draft law “On Information Freedom” is currently in the stage of preliminary discussions.

19. By adopting new Laws “On Making Amendments and changes in NKR Laws “On Mass Media”, “On TV and Radio”, “On Information Freedom”, the Nagorno Karabakh Republic



actually without the assistance of European structures, will complete the process of safeguarding the legal basis of the right to search, get and spread information. The process began in May of 1994 following the signing of the cease-fire agreement with Azerbaijan.

20. The NKR authorities attach great importance to the role of mass media in the development of democratic and civil society and are ready to continue a constructive dialogue with all the political forces, national and religious minorities for within the frameworks and criteria acceptable to the Council of Europe.

## **FREEDOM OF CONSCIENCE AND RIGHTS OF ETHNIC MINORITIES**

The law “On the Fundamentals of the State Independence of the NKR” (entered into force on January 6, 1992) regulates freedom of conscience and rights of ethnic minorities in the Nagorno Karabakh Republic (NKR). According to article 9 article of the law citizens of the NKR have equal rights, irrespective of their origin, social and economic status, race, nationality, gender, education, language, religion, occupation, etc. NKR citizens enjoy equal rights in economic, political, social and cultural spheres.

Rights and freedoms provided in the NKR comply with the Universal Declaration of Human Rights and other international norms.

Article 1 of the law states that the NKR is free in realizing its own legislative, executive and judicial authority in its own way for the interests of the people living in the republic.

Article 10 of the law guarantees the usage and development of the Russian language and other languages of national minorities, the rights of the latter, the conditions of their development in all spheres.

The law “On the Freedom of Conscience and Religious Organizations of the NKR” (entered into force on March 16,1997) gives more details on the freedom of conscience:

According to the law:

- Freedom of conscience and religion is guaranteed in the NKR. Each citizen has a right to confess or not to confess any religion, and also to participate in religious services both alone or with other citizens.
- The citizens have equal rights, irrespective of religion. Law prosecutes any direct or indirect restrictions of religious rights, religious persecution and animosity.
- No violence is allowed against a citizen for participating in services, rituals and religious lectures.
- The freedom of conscience is limited only when it poses danger to the state and social security, order, health and morality of the citizens, rights and freedoms of the other members of the society.

## **ETHNIC MINORITIES**

According to the 1989 census representatives of 49 nationalities such Russians, Ukrainians, Belorussians, Greeks, Georgians, Tatars, Chechens, Azerbaijanis and representatives of other nationalities lived in Nagorno Karabakh. Many of them left Karabakh due to military operations. Now only Russians, Ukrainians, Greeks, Georgians, and some Azerbaijanis live in the republic.

The Russians settled in Karabakh in the 18<sup>th</sup> century. On the eve of the war 1922 Russians and Ukrainians lived in the republic and there were around 10 Russian language schools. Currently there are 805 Russians and Ukrainians living in the NKR and one Russian school.

Each year 169 pensioners and people of Russian nationality who have five minor children receive pensions and assistance as defined by the law.

The Russian community was legally recognized and has been functioning since 1996. The “Russian Community”, “Union of Russian Speaking Citizens of the NKR”, “Russian Diaspora” and some other public organizations function in the republic.

The Greeks settled the territory of Nagorno Karabakh in 1860 and founded the village Mehmana (Martakert region), where they have live till now.

As a result of military actions the village was completely destroyed and the population was displaced. Twenty four families were forced to leave for Greece in 1992. Following the liberation of the village, the NKR government has reconstructed six private houses, the water supply system, built an electric power station and the road to the village.

There are now 21 Greek families with overall number reaching 57 people, 12 of them are pensioners. The parents of six minor children get an aid from the state.

In June 1994 a centre of Greek-Armenian friendship was established, with the aim of improving social-economic conditions of the Greeks.

The Russian, French, English and German languages are taught in the schools of the republic. The students of eleven higher and secondary educational establishments (both state and private) study Russian, English, French and German languages.

## **INFORMATION**

### **On women occupying high positions in central and local self-government bodies**

Women occupy some high positions in central and local self-government bodies.

- In the National Assembly there are two women deputies. Women constitute 6.1 percent of NKR parliamentarians.
- There is one woman minister in the NKR cabinet of ministers, which comprises 14 ministries.
- There is one woman deputy minister out of 13 deputy ministers of the NKR cabinet;
- Four out of the 14 judges of the NKR Supreme and First Instance Courts are women.
- Women head nine out of thirty medical institutions in the system of the NKR Ministry of Public Health;
- Women head 91 out of 190 higher, secondary-professional and secondary educational institutions in the NKR as well as 184 out of 247 institutions and organizations in the spheres of culture and sports;
- 24 out of 78 heads of the departments and services in the NKR regional administrations are women.

## THE LEGAL SYSTEM

### ON THE ACTIVITY OF THE NKR LEGAL SYSTEM AND OTHER INSTITUTIONS CONTRIBUTING TO THE JUDICIAL AUTHORITY

The state authority in the NKR is realized on the basis of the separation of legislative, executive and legal powers.

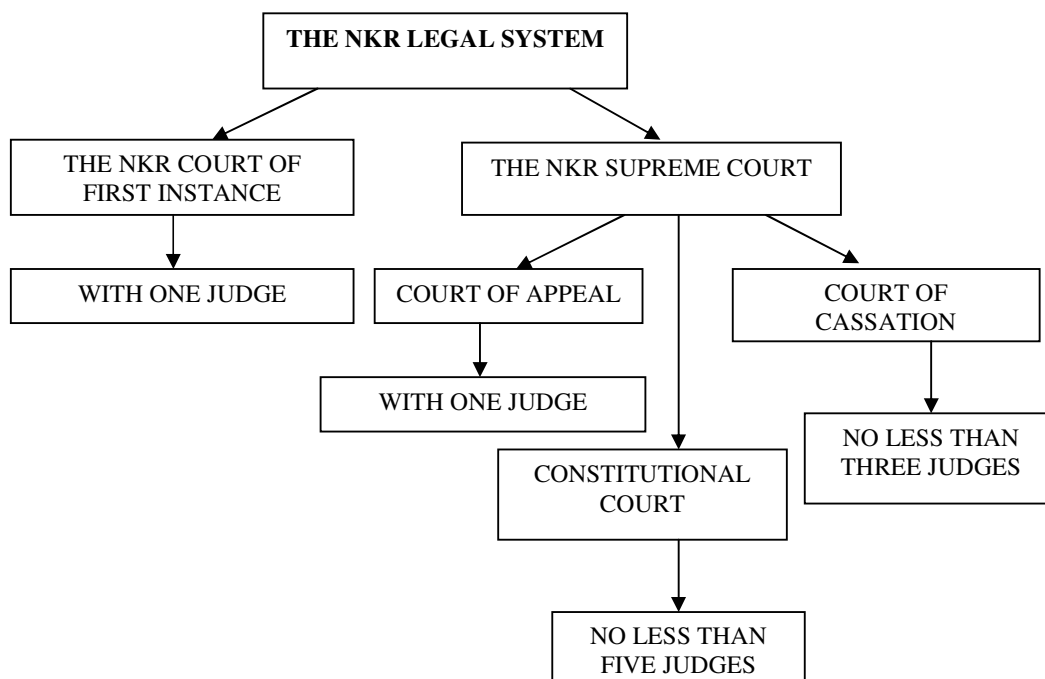
Administration of justice in the NKR is carried out only by the courts.

In 1999-2000 the NKR adopted a whole package of legislative acts for implementing legal and judicial reforms. The package in particular covers the intermediate courts and intermediate legal proceedings, obligatory performance of judicial acts, the formation service carrying out the performance of the judicial acts, the public prosecutor's office, the juridical activity, the court organization, the status of judges and the council of the judicial magistrates.

The new legal system has been functioning since February 6, 2002 when the supreme legislative body of the republic passed the laws "On the activity of the Supreme Court and the Court of First Instance in the transition period of legal and judicial reforms," "On the introduction of the new civil code of the NKR," "On the application of the new criminal code of the NKR," as well as appointed the chairmen and the judges of the Supreme and First Instance courts. The newly appointed judges assume offices on February 15, 2002, taking an oath in the presence of the NKR President.

According to the NKR law "On the Court Organization" the President appoints judges. The judges are independent, their position is secured (they occupy the same position till the age of 65), legal proceedings are public, interfering into the professional activities of the judges are inadmissible, etc.

Currently there is a three-level system of general jurisdiction in the Republic, with the two levels functioning within one structure - the Supreme Court.



The creation of extraordinary courts is forbidden, and abuse of authority of the court is legally punishable.

### **THE NKR COURT OF FIRST INSTANCE**

All the cases related to civil, economic, criminal, military as well as administrative offences are within the terms of reference of the Court of First Instance. The issues of detention, the warrant for apartment search as well as the restriction of the right of privacy of correspondence, telephone, postal, telegraph and other means of communication are reserved to the NKR Court of First Instance.

There is one Court of First Instance in the NKR, which consists of the chairman (who is also a judge) and 6 judges. The whole territory of the Republic is under the jurisdiction of the Court of First Instance. The headquarter of the court is the capital Stepanakert. The Court of First Instance has offices in the regional centers of the Republic. In the Court of First Instance a judge personally considers the cases.

To solve a particular dispute the parties to the dispute may create intermediary courts in accordance with the 1999 NKR law on intermediate courts and intermediate legal proceedings.

### **THE SUPREME COURT**

In the NKR the authorities of the Court of Review and the Court of Appeal are combined within the Supreme Court, which consists of 6 judges and the chairman (who is also a judge). Justice is administered either through reviewing with one judge or through cassation collectively with minimum 3 judges.

On the basis of the appeal, the Court of Appeal actually reviews the cases considered by the Court of First Instance. The Court of Appeal is not constrained by the arguments of the appeals and can entirely examine any case.

The Court of Cassation is an instance, which reviews the acts mentioned within the limits of the principles, based on the appeals that were brought against the decisions, the verdicts and the writs of the Court of Appeal that were put into effect by the Court of First Instance.

The decision of the Court of Cassation comes into force from the moment of issue and is not to be appealed.

The Supreme Court also acts as the Constitutional Court of the NKR and as such it considers the cases collectively with no less than five judges.

Four judges out of the 14 appointed in the courts of the republic are women. Four judges have about a 10-year professional experience and the rest have more than 20-year experience. All of them have graduated from higher legal institutions.

The interrelation between the courts and other law-enforcement bodies are regulated by the NKR legislation. Any interference by the state structures, local self-government bodies and their officials, political parties, public organizations and mass media into the activity of judges in administering justice are inadmissible and brings to legal liability.

## **THE COUNCIL OF THE JUDICIAL MAGISTRATES**

The Council of the Judicial Magistrates ensures the independence of the legal institutions, through which it assists the President of the Republic in effectively implementing his authority as the guarantor of independence of the legal institutions. In addition, the implementation of cadre policy through the Council considerably reduces the direct dependence of judges on higher organs and other state institutions.

The Council includes 7 members appointed by the President for a five-year term. The President, National Assembly and the cabinet of ministers each put forward by one judge. The Council includes also the Chairman of the Supreme Court and 3 judges, two of them being from the Court of First Instance and one from the Supreme Court. The Chairman of the Supreme Court calls forth the sessions of the Council when necessary. The Council makes suggestions to the President regarding awarding ranks to judges. The law also provides the principles of pre-term suspension of the authority of both the Council's members and judges and the initiation of disciplinary actions towards judges.

## **ARMED FORCES AND LEGAL BASIS FOR MILITARY SERVICE**

1. The Nagorno Karabakh Republic (NKR) was declared on September 2, 1991.
2. On November 26, 1991 unilaterally nullifying the Zheleznovodsk Communiqué, (Azerbaijan itself as well as the NKR were signatories of the communiqué), the Supreme Soviet of Azerbaijan, the highest official organ of the republic at the time) adopted a decision “On the goals of Defense and Interior Ministries of Azerbaijan on ensuring security of the Azerbaijani population of Nagorno Karabakh”. This was actually declaration of war on the NKR. The decision was followed by full-scale military activities against the NKR.
3. In such a critical situation the NKR started to create its own security system.
4. On January 12, 1992 the NKR National Assembly of the first convocation adopted a constitutional law “On the Fundamentals of the State Independence of the NKR.” The law secured the sovereign right of republic to have its armed forces.
5. On April 20, 1992 in accordance with that law the NKR cabinet of ministers formed the Committee of Self-Defense (CSD). The committee took command of self-defense forces.
6. On July 6, 1992 the NKR Supreme Soviet adopted a law “On Military Service”. The law defined the active, contractual, and reserve services. In 1992 Karabakh parliament adopted the law “On Criminal Liability for Military Crimes.”
7. On November 10, 1993 the Committee of Self-Defense adopted a decision on reorganization of the self-defense forces into NKR Defense Army, launching the formation of a regular army in accordance with international legal norms.
8. On October 31, 2001 the NKR National Assembly adopted a law “On Mobilization and Preparations to the Mobilization and on December 27, 2001 it adopted a new law “On Military Service.”
9. Now the National Assembly discusses draft law “On Alternative Military Service.”



## **ECONOMY**

The war and 16 years of blockade cost NKR economy more than 5 billion US dollars. The industrial complex of republic was completely destroyed. Great damage was caused also to the agricultural sphere. Many agricultural buildings and constructions were ruined, machines and equipment were plundered, and around 70% of livestock was taken to Azerbaijan. Around 1600 hectares of orchards and 9400 hectares of vineyards were completely incinerated.

Currently more than 10 thousand hectares of agricultural lands, including 6 thousand hectares of sown area, cannot be cultivated for they have are mine-strewn. The irrigation system (before the war more than 19 thousand hectares of agricultural land were irrigated) was completely destroyed. The total damage caused to the NKR agriculture is estimated at 2-2, 3 billion US dollars.

During the war 11674 private houses and 226 tenements were ruined. As a result 76 thousand Armenians from NKR became refugees and lost property worth of 1.5-1.9 billion US dollars.

Following the establishment of the cease-fire, NKR economy began to recover already in 1995. In 1995-1997 a macroeconomic stability was established with 5-6 percent of annual economic growth. Economic policy in 1998-1999 was aimed at preserving the growth rates as well as forming market structures and legislative field.

Since 2000 the main goal of economic development has been to maintain high and stable growth rates, improve market structures, and increase living standards of the population and reduce poverty.

Overall it can be said that main problems of transitional period (stable macroeconomic indicators, free trade and prices, privatization, legal basis for market economy) have already been overcome in the republic.

The share of private sector in the gross industrial output in 2003 constituted 67,1 percent (in 1999 the share of private sector was only 23 percent).

Favorable conditions (internal political stability, flexible tax field, cheap and qualified labor, appropriate infrastructure) have been created to attract and foreign and internal investments.

Since January 2000 tax reforms have been carried out in the NKR. The reforms has significantly reduced tax and social payments (currently NKR has the lowest taxes both in the region and among CIS states) and has created favorable conditions for foreign investments, reduced the share of shadow economy.

The total volume of private investments into the NKR economy in recent years has reached 35 million US dollars (without credit investments by commerce banks). It is expected to attract additional 12 million US dollars in 2004-2005.

The privatization of land, housing fund, state enterprises and other establishments has been already completed.

Special attention has been put on small and middle-scale entrepreneurship as important components of social-economic development of the republic. 400 million drams (around 708 million US dollars) have been allocated from the state budget for the development of small and middle-scale businesses.

However, in spite of a significant progress in the republic, NKR economy faces some serious problems, such as low salaries, pensions, insufficient development of market infrastructure, low volume of foreign investments, etc. New reforms in administrative, economic and social spheres have been envisaged to solve the above mentioned problems and ensure long-term sustainable development of the NKR's economy. A serious obstacle on the way of economic development of NKR has been the lack of international recognition, which hinders the flow of investments, credits and grants from international organizations, foreign banks and development agencies.

## **SOCIAL SITUATION**

The collapse of the USSR, the war unleashed by Azerbaijan, continuing blockade and population migration have seriously hindered the abilities of the Nagorno Karabakh Republic (NKR) to improve social situation in the republic.

### **LABOR-MARKET AND EMPLOYMENT**

NKR law “On the employment of the population” regulates issues related to employment. In 2004 the unemployment rate in the republic was 5.6%. The number of economically active people constitutes 58692 people. The number of employees in the reaches 55614, 61.8% of them works in different organizations and firms including budgetary ones. 38.2% of the employees are actually self-employees and are mainly engaged in agriculture and farming.

On January 1, 2005, 4223 people with no particular work were registered in centers of work and employment, 77.6% of them have gotten the status of unemployed.

The average monthly dole in the NKR constitutes 3,500 drams (around 7 US Dollars).

### **INCOMES AND SPENDINGS OF THE POPULATION**

In 2004 the population incomes amounted 43061.0 million drams (around 88,6 million US dollars), a 17.1% increase in comparison with 2003.

Spending constituted 41107.5 million drams (around 84,6 million US dollars), a 25,1 percent increase in comparison with 2003.

Population incomes have the following structure: salaries - 41,4 percent, social and other transfers – 19.3 percent, other types of incomes - 39.3 percent.

91.7 percent of its incomes the population spend for goods and services, 3.3 percent goes to mandatory voluntary payments.

In 2004 monthly average nominal wage in the NKR was 41170 dram (84,7 US dollars), a 22.3 percent increase in comparison with 2003.

## **SOCIAL SECURITY AND INSURANCE**

### **PENSIONERS**

As of January 1, 2005 the number of pensioners in the republic reached 36,119 people. Average monthly pension amounts 10220 dram (around 21 US dollars).

On January 1, 2004 the NKR Law “On State pensions” entered into force. The law has considerably improved the legal basis of pension allocations. The law and derivative from it governmental decrees have allowed increasing pensions in average by 15 percent. 37 per cent of pensions are funded from the state budget.

There is one old people's home in the republic. Fifty old people and first group bedridden invalids live there under state custody.

Pensioners in the republic enjoy free medical service.

#### **INVALIDS**

The number of disabled persons in the NKR drastically increased as a result of the war. Currently there are 9,183 disabled persons, 43 percent of them are disabled as a result of illness and 31,8 percent – as a result of the war or during military service. 22 per cent of the disabled people constitute invalids since childhood.

According to the NKR Law "On social security of invalids" and a number of governmental decrees invalids enjoy a number of privileges. Together with pension they are provided with different kinds of compensations, financial assistance, insurance, etc. The same law and other governmental decrees provide one-time insurance assistance to war invalids and families of perished soldiers. They also receive financial assistance for funerals and for constructing and amelioration of cemeteries.

#### **SUPPORT PROVIDED TO THE FAMILY**

A number of programs have been carrying out by the NKR government to strengthen and develop families, to improve the birth rate, material security and upbringing of the growing generation, increase welfare of families with many children.

Since July 1997 a state assistance program has been functioning in the republic. The program provides assistance to families in need and a special group of children.

The beneficiaries of the aforementioned program are:

1. invalids under 18 years;
2. single mothers;
3. orphans;
4. people who receive aliments;
5. servicemen;
6. first and second group invalids;
7. families with 4 and more children under 18 years;
8. persons on maternity leave with children under two years;
9. the unemployed

Children under one year are also provided welfare payment. After childbirth a family receives one-time financial assistance. Since January 1, 2005 it amounts 35,000 dram (around 76 US dollars).

In accordance with the above-mentioned decree, starting from the birth of the third child, a special deposit account is established in banks for each child born aftermath.

In the regions together with those accounts the following assistance is provided:

1. a family gets 3,000 US dollars for the tenth and for each child born aftermath;
2. a family with five children under 18 years gets 1,500 US dollars and receives compensation for 60 kWh of electricity per child;
3. a family with seven children under 18 years receives a house and gets 2,000 US dollars;
4. All schoolchildren in a family, which has four or more children, get free textbooks.

Since January 2004 it has been envisaged to build a house for each family with seven or more children under 18 years.

## **THE PROBLEM OF PRISONERS OF WAR, HOSTAGES AND MISSING PEOPLE IN THE NAGORNO KARABAKH CONFLICT ZONE**

The problem of POWs, hostages and missing people is one of the sore points in the Nagorno Karabakh conflict, both at the stage of military activities and peace settlement.

The first Armenian hostages appeared long before the military activities between the armed forces of Nagorno Karabakh and Azerbaijan; besides the information warfare and blockade of the NKR, Azerbaijan used this form of blackmail and pressure on Karabakh Armenians.

As early as in 1988-1989, individual cases of taking hostage and kidnapping Armenians were registered in Nagorno Karabakh. After a short-term detention they were returned to their relatives, mainly for ransom. However, in 1989, five cases of taking hostage with fatal outcome were registered.

On January 15, 1990, a state of emergency was declared in the Nagorno Karabakh Autonomous Oblast (region). A Commandant's Office of the State of Emergency District and simultaneously, according to the December 4, 1989 Resolution of the Presidium of the Supreme Soviet of the Azerbaijan Soviet Socialist Republic, a Republican Organizational Committee were established in NKAO, which, with the assistance of the USSR interior troops and army, jointly with the USSR Committee of National Security and the Azerbaijani OMON (special forces' militia detachments), carried out 164 extremely cruel military operations called "Koltso" (Ring) in Armenian villages in 1990. In the course of the operations, 757 Armenians were detained, and most of them spent different terms of imprisonment in the Shushi jail. Criminal proceedings were instituted against 14 people. At that time, unprecedented cases were fixed, when state bodies detained 38 people and passed them to Azerbaijani individuals as hostages. Besides, 7 people - among them a major of militia of the NKAO internal affairs' bodies - were killed in Azerbaijani jails. These facts are documented by international human rights organizations, including "Memorial" Center.

In 1991, the military operations were continued with more active involvement of the Azerbaijani OMON. During the first eight months of 1991 (before the secession of Azerbaijan from the USSR and the NKR from Azerbaijan), 66 operations were carried out in Armenian villages of NKAO, the Shahumian and Khanlar regions. As a result, 543 Armenians (at the end of the year the number increased to 599) were taken hostage in the NKAO, Getashen and Martunashen villages of the Khanlar region. Criminal proceedings were instituted against more than 100 people. These operations were conducted with particular cruelty and accompanied by numerous acts of violence. 524 people of 599 were taken hostage in April-June 1991, at the height of the "Koltso" operation, according to the preliminary prepared lists of persons. In fact, the number of hostages exceeded the aforementioned figures, since during the deportation of 22 villages of NKAO, the Shahumian and Khanlar regions the whole adult population of these villages was taken hostage for over three days.

During the well-known pogroms and anti-Armenian rallies in the Armenian-populated towns and villages of Azerbaijan (in 1988 – 1991), hundreds of Armenians were missed, and their fate is still unknown.

Prisoners of War appeared with the beginning of intensive military activities (1992-1994). By the end of the 1992 autumn, 48% of the NKR territory was under Azerbaijan's occupation, and it is not difficult to imagine the situation of the peaceful population of hundreds of settlements.

One of the main tasks of the authorities of the Nagorno Karabakh Republic, declared in 1991, was to ensure the security and rights of its own population. On January 26, 1993, the Presidium of the NKR Supreme Soviet passed the Decree “On the Accomplishment of the Geneva Conventions of 1949 and Their Additional Protocols of 1977”, according to which, in March 1993, the NKR State Committee on Prisoners of War, Hostages and Missing People was created.

On August 3, 1993 Chairmen of the State Committees of Nagorno Karabakh and Azerbaijan signed a “Joint Statement”, according to which the parties assumed the obligation to treat the prisoners of war in compliance with the Geneva Convention of 1949 and Additional Protocols of 1977, as well as to establish, during five days, a systematic work on exchanging POWs and hostages, to conduct joint search of missing people. But, as the practice proved, the agreements were not followed, mainly because of Azerbaijan.

The process of the search and exchange of POWs and hostages began long before the creation of the State Committees; people dealing with the problem were not always competent. With the creation of the NKR State Committee, the problem was solved on the state level and in accordance with Article 2, Chapter 4 of the Provision on Laws and Customs of Land War – “Conduct of Military Activities”, which stated that “prisoners of war are in the power of the hostile Government, but not in that of individuals or detachments, which captured them”. It can be affirmed that on this matter, the Azerbaijan authorities do not fully control the situation. This is also testified by the recent (in 2001) fact of ransoming NKR citizen Nelson Mnatsakanian from the Azerbaijan captivity by his parents. For four years the person was considered as missing. Along with other hostages saved by a miracle from the Azerbaijani captivity, he witnesses that he met many Armenians in the captivity, while the Azerbaijan party states that they have no Armenian POWs or hostages.

The NKR authorities, as a proof of their good will, passed over 190 people to Azerbaijan (via the OSCE Mission: Mr. M. Rafaely - in June 1993; Mr. P. Anderman - in October 1994; ICRC, Russian Embassy in Armenia - on September 22, 1993; Iranian Embassy in Armenia - in July 1994; Helsinki Citizens Assembly - on August 17, 1994 and October 6, 1994.

This number includes the Azerbaijanis and Turks-Meskhetians passed to Azerbaijan immediately after the intensive military activities were over in February 1992.

In the course of reciprocal release, the Nagorno Karabakh party passed 248 people, including 73 elders, women and children, and 45 corpses.

During the release on the principle “all for all” (May 1996), the Nagorno Karabakh party released all the 64 POWs and hostages, the availability of which in the NKR territory was confirmed by the ICRC Mission in NKR.

In May 1997, through the mediation of the ICRC Mission in Nagorno Karabakh, four more POWs, who were taken prisoners from May 1996 to May 1997 for different reasons (deserted, participated in diversions, etc.), were released on a reciprocal basis.

With the achievement of an agreement on reciprocal release of all women, children, elders and sick people (February 1995), and the parties’ statement on its implementation, two children, two women, two elders and three sick people were found in the territory of Azerbaijan, and a few months later they were passed to the Armenian party as an exchange, though it was agreed that

people of the mentioned category should be simply passed to the opposite party. There was also a case when a 10-year old Armenian boy was exchanged for 8 Azerbaijani POWs.

It should be mentioned that none of the hostages passed to Armenia by Azerbaijan as a sign of good will (July 1993) was from the conflict zone. They were mainly citizens of the CIS countries and Iran kidnapped by Azerbaijanis in trains, railway stations, etc. Currently, a new category of Armenian hostages appeared - persons of mixed marriages living in Azerbaijan.

The issues related to the Azerbaijani authorities' reluctance to solve the problem of POWs and hostages were brought up by the Karabakh party to the leadership of the OSCE Minsk Conference and Minsk Group during the mediators' visit to the region.

The NKR authorities actively cooperate with the ICRC, giving access to any place, thanks to which many issues are resolved on site. The Nagorno Karabakh party considers that for resolving this problem transparency is needed, and the ICRC should have complete information about all POWs and hostages on both sides, if there are any.

In March and April 1995, the ICRC came out with an initiative of organizing in Tbilisi a joint working group from representatives of the State Commissions of Azerbaijan, Nagorno Karabakh and Armenia, aiming to visit jointly the places of imprisonment and speed up the process of releasing POWs and hostages. The Azerbaijani representatives did not attend both meetings, which took place on March 16, 1995 and April 19, 1995.

Meanwhile, the Azerbaijani official structures, which are to deal with this problem, reject any contact with the corresponding structures of the NKR. The Azerbaijan party proved its frivolous attitude towards the issue by the refusal of the Azerbaijani State Commission's representatives to take part in the February 1998 organizational meeting aimed at creating a working group on the search of missing people and those forcedly detained by the conflicting parties, and initiated by human rights activists Bernhard Clazen and Svetlana Ganushkina together with the Henry Bail Fund, which managed to create a working group actively and effectively functioning up today.

Currently, over 500 servicemen and civilians of Nagorno Karabakh are considered to be missing. According to the Azerbaijani State Commission's data, the number of missing Azerbaijanis is thousands, and the Azerbaijani party considers that they are alive and held in Nagorno Karabakh and Armenia. But it is, surely, nonsense. There are no POWs and hostages in the NKR; the Karabakh party passed all the people of the category to Azerbaijan. It is also confirmed by international organizations' representatives and Azerbaijani human rights activists who visited places of imprisonment in the NKR.

Meanwhile, the falsification of this data is explained both by local grounds (existing facts of desertion from the Azerbaijani Army, which are concealed) and more general ones (anti-Armenian hysteria and politicization of exclusively humanitarian problems). Moreover, it is well known that the Azerbaijani authorities concealed the true number of losses during the winter assault in December 1993 –February 1994.

At the same time, the aforementioned fact of the recent ransom of the NKR citizen from the Azerbaijani captivity is an irrefutable proof of Armenians' presence in Azerbaijan. There are also different evidences that Armenians are held in Azerbaijan by individuals or under Azerbaijani names.

It is especially likely, since no representatives of international organizations have had access to some possible places of imprisonment in Azerbaijan for many years. Despite the numerous assurances, made recently by the Azerbaijani military officials, that such an opportunity would be afforded, the places of imprisonment under the jurisdiction of the Azerbaijan Defense Ministry are still closed both for international control and own State Commission.

Today, it has become a practice in Nagorno Karabakh to pass to the Azerbaijani party, through the mediation of the ICRC, its soldiers and civilians who accidentally crossed the contact-line and found themselves on the Armenian side. In 2003, through the mediation of the ICRC, the NKR authorities passed 6 AR citizens (3 soldiers and 3 civilians) to Azerbaijan. In 2004, also through the ICRC mediation, The NKR authorities passed 2 Azerbaijani soldiers and one body to Azerbaijan.

Representatives of the OSCE Minsk Group, Office of the Personal Representative of the OSCE Chairman-in-Office, ICRC, NGOs and International Working Group on releasing POWs and searching missing people in the Nagorno Karabakh conflict zone also take an active part in resolving the problem of POWs and hostages.



## **STRUGGLE AGAINST NARCOMANIA AND ILLEGAL CIRCULATION OF DRUGS**

Since 1993, that is including the period of the war, the NKR Police Departments' bodies have annually carried out an operation ("Poppy"), which covers the whole territory under the control of Nagorno Karabakh. Thanks to a complex of preventive and operational measures used in the framework of the operation, narcomania hasn't been widely spread in the Republic. We managed to drastically reduce the number of crimes related to drugs. 3-5 tons of green mass of wild hemp and 10-15 kilograms of unprocessed thebaic poppy are disclosed and eliminated annually.

The operative situation in the NKR is controlled by the NKR Police Department. The struggle against narcomania and illegal traffic of drugs and psychotropics is conducted in accordance with the NKR Police Department orders, instructions of Police Departments' bodies, criminal and administrative codes and international documents. This work has noticeably intensified for the last 5 years, which resulted in increasing the number of crimes disclosure more than twice. Thus, in 1998-2004, 182 crimes of the kind were uncovered, related to the cultivation of illicit narcotizing plants, keeping and use of drugs. In 2004, 26 crimes related to drugs were registered, which made less than 5% of the total number of registered crimes. In the course of the successful "Poppy" operation conducted the same year, more than 200 populated areas were checked.

A computer database has been created in the Police Department Operational Services Department, which comprises information on persons, who dealt or are dealing with narcomania and illegal circulation of drugs. According to the information of the Police Departments bodies, drugs made only of hemp and poppy are circulated in the Republic. No heavy or synthetic drugs are fixed.

On September 23, 1998, an agreement was signed between the NKR Police Department and the RA Police Department and National Security Service, in the framework of which their activities on struggling against narcomania and illegal circulation of drugs are coordinated. Jointly with the NKR National Security Service, the Republic's Police Department has used a series of measures on preventing the possible import of drugs to Nagorno Karabakh.

Before the collapse of the Soviet Union, the Police Departments' bodies of Nagorno Karabakh were part of the Ministry of Internal Affairs of Soviet Azerbaijan. So it is well known that the territories neighboring the NKR and currently being under the control of the Karabakh Army were traditionally used by Azerbaijan for cultivating thebaic poppy and hemp, the harvest of which amounted to tens of tons. Currently, the situation in these areas controlled by the NKR authorities differs completely. Thanks to permanent preventive activities and regular raids carried out by the employees of the NKR Ministry of Internal Affairs in spring and summer, as well as in October, that is the period of vegetation of hemp and thebaic poppy, their amounts are reduced to the minimum.

As a result of the systematic activity of the NKR law enforcement bodies, a stable tendency to the decrease of criminality is observed in the Republic not only regarding drugs, but also other kinds of crimes, both in percentage and in mere numbers.

The Nagorno Karabakh Republic is an unrecognized state. It borders with Azerbaijan and is in a state of war with it. Though it has a common border with Iran, but it is tightly closed from both sides. Moreover, the NKR has no diplomatic relations with this country, and also there are no customs or other kinds of admission posts on the border. The NKR has foreign relations and contacts only with the Republic of Armenia, so it cannot be a transit way.

The NKR authorities have repeatedly addressed to corresponding international structures to send a group of independent experts to Nagorno Karabakh for checking on site the accusations brought by the Azerbaijani party against the NKR (*NKR Parliament Speaker O. Yessayan's letter to the General Secretary of the Parliamentary Assembly of the Council of Europe Bruno Haller, September 19, 2001; NKR President A. Ghukassian's letter to the OSCE Chairman-in-Office Mircea Geoana, November 29, 2001; A. Ghukassian's letter to the OSCE MG Co-Chairmen, November 29, 2001; joint letter of NKR Ministers of Foreign Affairs and Interior to the USA Department of State, February 6, 2002; NKR Foreign Minister A. Ghulian's letter to the USA Department of State, March 15, 2003; NKR MFA Statement, December 10, 2003*). However, Azerbaijan did its utmost to hamper the creation of such a mission.

A number of international organizations' offices are accredited in Nagorno Karabakh, including the OSCE, the International Committee of the Red Cross and the HALO Trust, the representatives of which are provided by the NKR authorities with a free access to all the regions of the NKR and the neighboring territories. If the arguments of Azerbaijan were really justified, the international organizations operating in the Republic would fix such facts. However, the accusations of Azerbaijan have never been confirmed.

## **EDUCATION**

The first school in Nagorno Karabakh was officially founded 1600 years ago. The Nagorno Karabakh Republic (NKR) has a joint system of educational establishments. Education is available for all children irrespective of social and financial situation of their parents. In NKR secondary education is free. NKR's educational system operates mainly through budgetary financing.

Before the war there were 99 state and departmental kindergartens with 8200 children in Nagorno Karabakh. During the war not a single kindergarten was functioning. Twenty two kindergartens were burnt to ashes and eleven ones remained in Karabakh territories occupied by Azerbaijan.

Thanks to the Armenian Diaspora philanthropists, Armenian Evangelical Organization of America and Armenian Relief Society currently there are 21 non-state kindergartens with 950 children operating in the territory of NKR. One state kindergarten with 100 children functions in Stepanakert. Starting from January 1, 2004 secondary schools can open within their structures an one-group kindergarten. 24 secondary schools have been already permitted to do this.

In the secondary education system consists of 228 state secondary schools, two state departmental colleges, and two non-state secondary schools. The secondary educational system has three levels: junior (1-3 grades), medium (4-9 grades) and senior (10-11 grades). In the republic there are 17 junior, 36 medium and 121 senior secondary schools. Among senior secondary schools four schools are of special nature, two of which are professional technical schools.

During the war 49 secondary schools were burned down, most of the school buildings and equipment was damaged as a result of regular bombardment.

After the war NKR government has allocated budgetary means as well as funds given Armenian Diaspora organizations and private philanthropists to improve the situation in the sphere of education. 29 new schools have been built, 40 ones have been reconstructed. The newly built and reconstructed schools have been provided with new equipment. However, to ensure sanitary-hygienic and security norms 35 new school buildings must be built, 65 ones must be fully or partly repaired in the coming years.

The total number of school teachers constitutes 3292. 82% out of them have higher professional education, 14% incomplete higher and secondary professional education and 4% have secondary school diplomas.

There is a great demand of foreign language teachers in Nagorno Karabakh. Russian is taught in all schools of the republic, English - in 102, German - in 18, French is taught in separate courses.

Since 2002 NKR ministry of education and the Center of educational reforms have been organizing training courses for teachers. More than 1000 teachers specializing in six different spheres have already taken the courses.

Secondary schools have computer classes. Currently there are about 400 in secondary schools.

There are 21 extracurricular establishments in NKR, including 6 children creative centers, 8 sports schools and 7 musical and arts schools. 5956 pupils (28% of the whole number of schoolchildren) study in those establishments. This number is quite low which the result the lacks of financial

resources due to which there are limited number of extracurricular establishments and groups operating there.

College graduates receive their education in five secondary professional educational establishments, specializing in humanitarian, social, agricultural spheres as well as in the sphere of and arts.

There are eight universities in Nagorno Karabakh. Artsakh State University is the main and the biggest university. There are also seven non-state higher educational establishments; four of them are the branches of non-state universities of the Republic of Armenia.

The higher educational establishments overall satisfy the requirements of the republic in specialists, with the exception of medical, radio-technical, and energy specialists. Future specialists in those spheres receive education in the Republic of Armenia. Every year Armenia allocates quotas to Karabakh students.

The Artsakh State University prepares specialists in 28 categories. The University has established close ties with higher educational establishments in Armenia and other countries.

NKR needs international assistance to develop its education. Current volume of budgetary financing and assistance of Armenian Diaspora organizations and private philanthropists cannot solve all the existing problems of the sphere.

## **PAST AND PRESENT OF THE ARMENIAN CULTURE OF THE NAGORNO KARABAKH REPUBLIC**

The Nagorno Karabakh Republic (NKR), being a part of Artsakh province (state) of historical Armenia, has been involved in the all-Armenian cultural activity for thousands of years. In the works by Armenian, foreign and particularly Greek and Roman historians one may find many different evidences of the rich ancient historical and cultural values of Artsakh. In the NKR there are also a lot of materials, found out as a result of excavations, and more than 10.000 thousands-year old Armenian historical-architectural monuments, which have been preserved up to the present. Barrow-type mausoleum areas of the Bronze Age with hundreds of mausoleum hills and the ancient cavern of Azokh serve as evidences that Artsakh is one of the most ancient cradles of the humanity.

The culture of Artsakh had a particularly extensive growth since the 4<sup>th</sup> century, after the proclamation of Christianity as the state religion of Armenia.

Amaras monastery complex, which was founded by Grigor the Illuminator in the 4<sup>th</sup> century, has been preserved up to the present. It is the place where Mesrop Mashtots, inventor of Armenian letters, opened the first school in Artsakh in the 5<sup>th</sup> century.

One of the historical architectural pearls of Artsakh - Dadi Monastery with its complex still stands now.

Since the adoption of Christianity, there is another unprecedented manifestation of development of the Armenian culture in Artsakh – 365 churches that had been built by Vachagan Barepasht (the Pious) in the 5<sup>th</sup> century by the number of days in the year.

Among other still standing monuments of medieval architecture pearls, which came up from the depth of centuries, are the churches of Gandzasar (13<sup>th</sup> century), Gtchavank (13<sup>th</sup> century), Apostol Yeghishe's (12-13 centuries), Bri Yeghtsi (13<sup>th</sup> century).

Professor of Sorbonne University Charles Dil considered Gandzasar monastery as one of three Armenian miracles. Indeed, after Akhtamar, it is the second in the Armenian reality by the richness of its architectural decoration.

A number of pearls of the Artsakh medieval culture are kept in the museums of various countries of the world. For example, it is Artsakh Prince Hasan Jalal's dark green nephrite handle of a sword, preserved at the Hermitage museum of St.Petersburg. A number of Artsakh medieval miniatures are demonstrated at the Matenadaran, Yerevan.

In medieval Artsakh, there were more than forty centers of manuscript writing centers, where more than hundred of Armenian books were created..

Literature, art, historiography and philosophy experienced unprecedented flourishing in the medieval Artsakh. The Artsakh origin had such prominent figures of medieval Armenia as historian Movses Kalankatuatsi (7<sup>th</sup> century), chronicler Hamam Areveltsi (9<sup>th</sup> century), philosopher Hovhannes Sarkavag (11-12<sup>th</sup> centuries), one of the greatest Armenian and world scientist of law Mkhitar Gosh (12-13<sup>th</sup> centuries), famous historian Kirakos Gandzaketsi (13<sup>th</sup> century) and many others.

Development of the Armenian culture of Artsakh was especially intensive in the 19<sup>th</sup> century and the beginning of 20<sup>th</sup> century, the center of which was Shoushi. In that period in Shoushi there were 10 Armenian cultural objects, 5 printing houses, 21 newspapers and magazines, 19 of which were Armenian, and 2 were Russian. The Khandamirian Theater was founded in Shoushi in 1981. This town was also a center of popular music art, that is why the contemporaries called Shoushi as the Trans-Caucasian conservatory.

Shoushi gave to the Armenian people such prominent figures as the great novelist Muratsan, historian Leo, literary critic Arsen Terterian, collector of oral folklore Arakel Arakelian and many other famous personalities.

In the 19<sup>th</sup> century there were 5 churches, functioning in Shoushi. And they were considered as valuable monuments of the Armenian architectural art. However, only of them have survived up to present. A part of dwelling building of that time has also preserved. Unfortunately, most of the churches and dwelling houses were destroyed on the 23<sup>rd</sup> of March, 1920, when Azerbaijan organized Armenian massacre in Shoushi.

In 70 years of the Soviet government, when Artsakh was forcibly handed over to Azerbaijan, the multi-century Armenian culture experienced a serious drop, hundreds of historical, cultural, architectural monuments had been destroyed, and some part of them were attempted to be presented as non-Armenian. Armenian churches were used as warehouses and dwelling objects. Ancient Armenian historical-cultural values were left without any care, their examination, demonstration and preservation were prohibited. Many valuable monuments of Armenian history to be found through excavations had been brought to Baku and presented as non-Armenian cultural values. Nearly all Armenian monuments (temples, churches, khachkars –stone-crosses) were presented by the Azerbaijani authorities as Albanian, and medieval khachkars had been destroyed and used as stone materials.

In the years of Artsakh's existence within Azerbaijan, it was permitted at the Artsakh historical-geographical museum to expose only the materials of pre-Christian and Soviet periods, i. e. it was prohibited to demonstrate the Armenian multi-century historical and cultural values.

In the period of Azerbaijani rule, an original "Berlin wall" was erected to divide the organic cultural unity of Artsakh and Armenia. Another fact worth mentioning - there had not been even one historical-cultural monument to be repaired during all the 70 years of the Soviet government.

In the Soviet years, the educational process at the cultural centers, operating in Artsakh, was mostly performed not in Armenian.

It is also necessary to mention that during 70 years there were only two republican artistic centers in Artsakh – a dramatic theater of Stepanakert and a song and dance group. And it is natural that all this had become one of important reasons for the liberation struggle of Artsakh.

At the present period of the NKR statehood-building, which was brought to life by the national-liberation struggle of Artsakh, and in the time of fundamental economic reforms, which in their turn cause many socio-economic and spiritual problems to resolve, the role of culture, youth and sports acquires adequate significance and importance, and at the same all this requires permanently refreshing policy in the mentioned spheres.

After the proclamation of the NKR statehood, the cultural life of Artsakh, has been deeply transformed. The NKR Ministry of Culture, Youth Issues and Sports has been set up, and for the first time in the history of Artsakh, a Department for Protection and Research of Historical Monuments was created under the above-mentioned Ministry.

The NKR Ministry of Culture, Youth Issues and Sport, had got the responsibility of implementing state policy in the above-mentioned fields, correction of its contents, general provisions and objectives, and putting forward the initiative of adopting appropriate juridical norms.

The priority policy to be pursued by the Ministry, which has deeply already realized the national cultural heritage, both - material and spiritual, guarantees development of the culture of the Artsakh part of the Armenian people in the All-Armenian cultural area, creating conditions for communication with the global and all-national values, and at the same time, re-gaining its deserved place in the Armenian spiritual treasury, taking into account the social, spiritual and economic peculiarities of the Artsakh world, exerting joint efforts in its protection and enriching.

To undertake appropriate activities in the above-mentioned directions, the NKR Ministry of Culture, Youth issues and Sports first thoroughly analyzed the cultural policy, which had been pursued in Artsakh for many years, found out the shortcomings, determined the tasks and as a result worked out a development program.

The Program consists of 23 sections, and it has been widely discussed in detail with ordinary representatives of the cultural sphere, then was once again summed up and approved at the session of the Ministerial collegium

In the years of independence one of the most urgent tasks of the Ministry. was to create republican and regional cultural and sport new centers. Their creation eliminates individual monopolies in the cultural and sport areas and establishes objective environment and favorable creative conditions for a new competitive staff policy.

Consequently, first of all new republican, and then regional cultural and sport centers started to open in the NKR.

The regional centers not only served as an original personnel bank for the republican institutions, not only they were an original cradle for finding out talented children in all Artsakh villages, but they became the main means for pursuing the mass and popular policy in the republican and regional areas.

The state children ensemble “Artsakh’s Children” was created for the popularization of the national singing and dancing among little children.

Taking into account that the issue of ethnography had been destined to oblivion, for the first time in the history of Artsakh a state ethnographic ensemble “We, our mountains” was founded to find, save and present to the people the pearls of Artsakh ethnography.

An academic and a chamber choirs were organized to propagandize the classic art, which was also destined to oblivion for many years.

A chamber orchestra was also founded in the NKR.

These cultural establishments may become a basis for the development of symphonic music art in Artsakh.

In 2001, also for the first time in the history of Artsakh a College of Dance was founded there, which is the fourth in the Trans-Caucasus; this college is a professional base for the NKR State Dance ensemble, and a center for popularization of the folk and modern dances. It is necessary to mention that in the future 10-15 years the graduates of the dance college will have the opportunity to get job all over the republic.

The NKR State Song and Dance Ensemble has been radically changed in the years of independence. It was renamed as the NKR State Dance Ensemble, and against four-five dancers in 1990 it has now 30 dancers.

A serious problem was the issue of personnel of the State Theater of Drama after V.Papazian in Stepanakert, where the average age of actors reached 60 years. As a temporary measure, some graduates of the Yerevan Theater Institute were invited to work at the Theater, and then, in 2000, a studio was founded under the Theater, which has already given its first graduates this year. Also a theater of marionettes was founded under the Theater free of charge. The state ethnographic ensemble “We, Our Mountains” and the State Choir of Artsakh also have their studios, working on a voluntary basis.

In the years of independence a Union of NKR Artists was founded, which has revitalized activities of the NKR artists and already organized exhibitions in various countries.

All this became possible only after the donation of state funds. It is necessary to add that in the years of existence within Azerbaijan, Karabakh had no union of artists, because it was prohibited to create such union.

Among the regional reforms, carried out by the Ministry, establishment of the following cultural and sport centers may be singled out. Only in Shoushi there were opened 11 cultural and sport centers, 7 of which in the last three years. In all NKR regions there were opened regional folk music ensembles and sport schools.

Thus, in the years of independence, along with the fundamental reformation of cultural and sport centers in Artsakh there were opened 32 new cultural and sport centers, 15 sport federations, two of which are recognized by international federations. At present in Stepanakert and regional centers there musical schools, having their branches in villages, an art school, musical college, cultural secondary professional educational institution, town libraries, exhibition halls, culture houses, house-museums, ensembles, sport schools.

In all Artsakh villages there are culture houses and libraries. At present nearly 2000 people are working at the culture and sport centers of the republic, 70% of them are women.

The total fund of the republican and village libraries is nearly 500.000 books.

Within the structure of the Ministry there are the following cultural and sport institutions, having the republican status: state theater of drama after V.Papazian, the NKR state dance ensemble, the NKR “Karabakh” state variety ensemble, the Artsakh state choir, “Artsakh Children” state children ensemble, “We, Our Mountains” state ethnographic ensemble, the republican library after Mashtots, the republic children library after Tumanian, the museum of Artsakh history, “Museum



of the War Glory” with its branch, the NKR Palace of culture and youth, the sport arena after N.Stepanian, the republican chess house, two republican sport schools.

The agreement of 4 February 1999, signed by the Ministries of Culture, Youth Issues and Sport of Armenia and NKR is a basis of close cooperation of both Ministers. As a result of this cooperation, the all-Armenian festival “One people, one culture” was initiated to create an all-Armenian cultural field through close cooperation of Artsakh, Armenia and Diaspora.

Up to the present, 25 ensembles from 9 countries and nearly 1400 art experts have visited Artsakh under the slogan of “One people, one culture”. The representatives of cultural and sport centers of Artsakh have performed in 8 countries of the world.

International competition-festival “Amadeus” is periodically organized jointly with the Belgian organization holding the same name. The organization of these festivals allowed to find out talented children, and to develop the cultural life in Artsakh.

Being a structure of the unrecognized state, the Ministry of Culture, Youth Issues and Sports, has already undertaken some activity for establishing relations with international organizations. As a result of the reciprocal visits or negotiations, there have already established ties with cultural and sport organizations from Canada, USA, France, Russian Federation, Australia, Islamic Republic of Iran, Lebanon, and Armenian communities abroad. There were some meetings on the level of ministers, deputy-ministers and mayors of towns.

The efforts were mainly made within the NK-2001 Festival. This festival has already made its first slow steps in the mentioned direction; in particular, the potter workshop was repaired by the U.S. experts in the village of Nngi.

For the first time the musical festival “Gyumri-Yerevan-Artsakh” was held on the walls of Shoushi with the participation of many state ensembles and creative groups.

For the first time in the history of Armenian people an international scientific conference on the Armenian dialectology was organized in Artsakh with participation of 50 researchers from 11 countries.

For the first time the Days of Artsakh culture in Armenia were held within all-Armenian “One people, one culture” festival.

On the occasion of celebrations of the 1700<sup>th</sup> Anniversary of the proclamation of Christianity as the state religion in Armenia, various festive events were organized in Artsakh.

3 scientific conferences, one of which was international, were held.

In 2002, the first steps have been made to open a branch of the International Youth Center in NKR. The Ministry has established ties with some Russian youth organization and took part in all-Caucasian scientific conference “The Youth of Caucasus against Drug Addiction”, which was held in Rostov-on-Don, Russia.

Taking into account the necessity of activating social-political role of the youth and prioritizing the formation of such a field, the Ministry has been carrying out a corresponding activity for

establishing and expanding the network of social youth organizations. As a result, six social youth organizations (SYO) and the council of the organizations` representatives have been founded. All these will encourage the participation of our young people in different youth events organized both within NKR and abroad.

During 13-19 of July, 2003 young people from Artsakh participated in the educational courses on the development of youth politics, organized by the Council of Europe in Tsaghkatzor, Republic of Armenia (RA), as well as in the international contest of designer-stylists in Yerevan.

Within the frameworks of the development of Armenia-Artsakh-Diaspora ties, a meeting of “Hayki Seround” (NKR) (Hayk`s Generation), “Sounyats Artsivner” (Eagles of Syounik) of the Syounik region of the RA and “Union of Armenian Youth” of Tbilisi (Georgia), social youth organizations` plenipotentiary representatives took place on 9-12 of August in Stepanakert. The organizations signed a memorandum of cooperation.

The Ministry organized third pan-Armenian intellectual festival in the NKR. “Aspar” and “Alliance” teams of the NKR Defense Army (DA) participated in the forth pan-Armenian intellectual festival in Gyումri, RA.

Members of the “Miasnoutyoun” (Unity) cultural-athletic youth organization participated in the forum on developing the political skills of the North Caucasus youth. The forum was held in Yerevan.

In order to establish direct contacts between Armenian young people and to contribute to the formation of a pan-Armenian youth field, the NKR representatives participated in the “Baze Summer-2002 and 2003” and “Baze Winter-2004” pan-Armenian youth gatherings.

Substantial work has been done by the Sports Department of the Ministry in developing mass sport in the republic.

Many sportsmen from Artsakh have become champions of the Republic of Armenia. For the first time in the history of Artsakh one of its (sambo) wrestlers became a holder of the bronze, silver and then gold medals of the European Championship among juniors. This year the athlete is planning to take part in the world championship among juniors to be held in South Korea. Another athlete from Artsakh participated in a big tournament of the eastern martial arts in Odessa, Ukraine, and was awarded by the 1<sup>st</sup> degree prize, and one Artsakh junior chess player took part in the world championship among juniors in Spain and held 17<sup>th</sup> position among 96 participants. And the gold medal of the Artsakh football squad at the Pan-Armenian games may be also considered as a big success.

In the years of independence the protection of historical monuments and relevant studies has been radically changed. It was unnatural that there had not been any appropriate body or structure to deal with 10.000 historical monuments existing in Artsakh.

As it was already mentioned, the establishment of the Department for Protection and Study of Monuments under the NKR Ministry of Culture, Youth and Sports in November 1999, had a great importance. 40-50% of the historical monuments have already been registered. The first excavations have been carried out and special books have been published.

In the 10 years of NKR independence, its culture has revived and developed several times faster than during previous 70 years.

It necessary to note that among the most urgent tasks of the Ministry is the provision of a number of cultural and sport centers with new buildings, repair of existing buildings and supply with technical equipment. Another urgent task is the repair of thousands historical architectural monuments, which now seems impossible without active support of international organizations.

The NKR Government understands very well that in the transition period it is urgent to care for and finance the cultural and sport centers. The Ministry has worked out a program of repairing and construction works, dealing with the cultural centers. Today, the most urgent is to implement the programs on repairing The Theater of drama after V.Papazian in Stepanakert, Artsakh's State Museum of History, State Gallery, and on supplying the cultural centers with computers and modern technological equipment.

As a matter of fact, Artsakh does not receive any official material aid. All the programs are being realized with the support of the Armenians from Diaspora and non-governmental organizations.

The fact that Artsakh has not yet been internationally recognized hampers to present the original Artsakh art abroad.

Thus, the NKR, being not just Armenia's, but also one of humanity's ancient cradles, only in this case will have the opportunity to save the architectural monuments and monasteries of not only Armenian, but the universal value as well, and to present them to the whole world.

Annex 1

**LIST OF LAWS ADOPTED  
BY THE NKR NATIONAL ASSEMBLY**

<b>Name of Law</b>	<i>Date of adoption (dd/mm/yy)</i>
1. On State Property of NKR	06.01.1992
2. On State of Emergency	06.01.1992
3. On Fundamentals of the NKR State Independence	06.01.1992
4. On the NKR Supreme Council	06.01.1992
5. On the NKR Council of Ministers	06.01.1992
6. On Criminal Liability for Military Crimes	02.06.1992
7. On Military Service	02.06.1992
8. On the Status of the NKR People's Deputies	05.10.1993
9. On Procedure of Recalling the NKR People's Deputies	03.11.1993
10. On NKR President	21.12.1994
11. On NKR Parliament	22.12.1994
12. On NKR Government	22.12.1994
13. On Elections of the NKR People's Deputies	23.12.1994
14. On NKR Prosecutor's Office	14.02.1995
15. On Privatization and Denationalization of the NKR State Enterprises and Uncompleted Constructions	14.02.1995
16. On Property in NKR	14.02.1995
17. On Enterprises and Entrepreneurial Activity in NKR	14.02.1995
18. On Foreign Investments	14.02.1995
19. On Diplomatic Ranks in NKR	14.02.1995
20. On Martial Law in NKR	11.09.1995
21. On Fundamental Principles of the NKR Citizenship	18.11.1995
22. On recognition of the NKR Law "On Criminal Liability for Military Crimes" as invalid	02.12.1995
23. On Administrative Amenability for Traffic Regulations Infringement	09.12.1995
24. On NKR State Budget for 1996	21.12.1995
25. On NKR Holidays and Commemorative Days	25.12.1995
26. On Taxes in NKR	17.03.1996
27. On Value Added Tax	17.03.1996
28. On Language	20.03.1996
29. On Salaries of Administrative Employees and Specialists of the NKR Legislative, Executive and Judicial Powers	27.03.1996
30. On Private Enterprise	03.05.1996
31. On the Status of NKR National Assembly Deputies	04.05.1996
32. On the Salary, Service and Security of the NKR President	10.05.1996
33. On NKR Judicial Power	15.05.1996
34. On Establishment of "For Gratitude" Medal	17.05.1996
35. On the NKR Highest Rank "Hero of Artsakh"	03.06.1996
36. On Establishment of the Medal "For Courage"	03.06.1996
37. On Elections of NKR President	04.06.1996
38. On Private and Family Enterprise	13.06.1996
39. On Advertisement	13.06.1996

40.	On Bankruptcy of Enterprises and Private Entrepreneurs	19.06.1996
41.	On Circulation of Securities	25.06.1996
42.	On Non-Profit Organizations	26.06.1996
43.	On Privatization of State and Public Housing Funds of NKR	27.06.1996
44.	On Children's Rights	19.07.1996
45.	On Social Security of Servicemen and their Families	30.09.1996
46.	On NKR State Awards	23.10.1996
47.	On Consideration of Complaints, Applications and Proposals of NKR Citizens	04.11.1996
48.	On State Provision of Pensions for NKR Citizens	06.11.1996
49.	On State Statistics	19.12.1996
50.	On Public Organizations	19.12.1996
51.	On Military Ranks of Servicemen of the NKR Armed Forces	16.03.1997
52.	On Freedom of Conscience and Religious Organizations of NKR	16.03.1997
53.	On Taxes in NKR	17.03.1997
54.	On Value-Added Tax	17.03.1997
55.	On NKR State Budget for 1997	17.05.1997
56.	On State Duty	17.05.1997
57.	On Automobile Roads	11.07.1997
58.	On Joint Ownership	11.07.1997
59.	On the Population' Employment	03.08.1997
60.	On Official Pension for a Long-term Service	03.08.1997
61.	On Social Security of Disabled People in NKR	20.11.1997
62.	On Joint-Stock Companies	20.11.1997
63.	On Local Self-government	19.01.1998
64.	On NKR State Budget for 1998	02.02.1998
65.	On Elections to Local Self-government Bodies of NKR	09.02.1998
66.	On Land Code	01.05.1998
67.	On Privatization of Land	08.05.1998
68.	On Obligatory Social Insurance Payments	14.05.1998
69.	On Rural and Collective Rural Farming	23.05.1998
70.	On Administrative-Territorial Division of NKR	26.06.1998
71.	On Urban Development	28.07.1998
72.	On the NKR National Archives	28.07.1998
73.	On Privatization of State Property	29.07.1998
74.	On Export and Import of Cultural Values	01.08.1998
75.	On Excise Tax	04.08.1998
76.	On Taxes	05.08.1998
77.	On Funds for Encouraging the Social Development of the NKR State Tax Department	06.10.1998
78.	On Establishment of Class and Special Titles for Employees of the NKR State Tax Department	06.10.1998
79.	On Ratification of the NKR Government Report "On Realization of the Program on Privatization and Denationalization of Trade Units, Catering, Consumer Services, Leased Areas and Uncompleted Constructions for 1995-1996"	16.11.1998
80.	On the Program of Privatization of State Property for 1998-2000	16.11.1998
81.	On Land Tax	16.11.1998
82.	On Fixed Payments	16.11.1998
83.	On Medical Aid and Service for the Population	12.12.1998

84.	On Ensuring the Sanitary-Epidemiological Security of the Population	24.12.1998
85.	The NKR Forest Code	24.12.1998
86.	On Real Estate	13.01.1999
87.	On Local Payments and Duties	13.01.1999
88.	On NKR Budget System	18.01.1999
89.	On Weapon	20.01.1999
90.	On Social Security of Servicemen and Their Families	22.01.1999
91.	On Value Added Tax	23.01.1999
92.	On NKR State Budget for 1999	11.02.1999
93.	On Profit Tax	15.02.1999
94.	On Income tax	15.02.1999
95.	On Minimal Salary	15.03.1999
96.	On Share Contributions for the Construction, Renovation and Maintenance of Roads	15.03.1999
97.	On NKR Museums and Museum Reserves	15.03.1999
98.	On Medicines	15.03.1999
99.	On Property Tax	29.03.1999
100.	On Bankruptcy of Enterprises and Private Entrepreneurs	29.03.1999
101.	On Salaries of Administrative Employees and Specialists of the NKR Legislative, Executive and Judicial Powers	28.04.1999
102.	On Maintenance of Historic and Cultural Monuments and Historical Territories	20.05.1999
103.	On State and Official Secret	20.05.1999
104.	NKR Water Code	24.05.1999
105.	On State Duty	05.06.1999
106.	On Attorney's Activity	12.06.1999
107.	On Compulsory Implementation of Judicial Acts	15.06.1999
108.	On Services Ensuring Compulsory Implementation of Judicial Acts	15.06.1999
109.	On Arbitration Court and Arbitration System	15.06.1999
110.	On Ratification of the Report «On Realization of the NKR State Budget for 1998»	10.10.1999
111.	On Honorable Ranks of NKR	10.11.1999
112.	On Company Names	15.11.1999
113.	On Amenability for Violation the Law on Urban Development	15.11.1999
114.	On Mass Media	01.12.1999
115.	On Power Engineering	29.12.1999
116.	On Status of Judge	29.12.1999
117.	On Judicial System	31.12.1999
118.	On Council of Judicial Magistracy	31.12.1999
119.	On Repressed People	31.12.1999
120.	On Trade and Service Marks, and Places of Production	02.02.2000
121.	On Veterans of the Great Patriotic War	03.02.2000
122.	On Preventing the HIV Diseases	10.03.2000
123.	On the Prosecutor's Office	17.03.2000
124.	On Making Public and Putting Into Force the NKR Laws and Standard Legal Acts	17.03.2000
125.	On Transport	21.03.2000
126.	On State Registration of Rights for Property	21.03.2000
127.	On Elections of NKR National Assembly Deputies	29.03.2000
128.	On Education	15.04.2000

129. On State Budget for 2000	04.05.2000
130. On Ratification of the Report “On Implementation of the NKR Budget for 1999”	11.10.2000
131. On Telecommunications	10.11.2000
132. On Privileges in Taxation and Obligatory Payments of Social Insurance	20.11.2000
133. On Organization and Realization of Revisions in Organizations Operating in NKR	30.12.2000
134. On Business Accounting	30.12.2000
135. On the Basis of NKR Legislation on Environment Protection	08.01.2001
136. On Protection and Quarantine of Plants	08.01.2001
137. On NKR State Budget for 2001	08.01.2001
138. On Environmental Payment Rates	09.01.2001
139. On Environmental and Nature-Management Payments	09.01.2001
140. On Veterinary Medicine	09.01.2001
141. On Standardization	11.01.2001
142. On Uniformity of Measurements in NKR	11.01.2001
143. On Certification of Compliance of Products and Services with Normative Requirements	11.01.2001
144. On NKR National Assembly	19.03.2001
145. On Exemption of Collective Peasant (Share) Farms from Taxes and Social Insurance Obligations	27.03.2001
146. On Social Security of Families of the NKR President, NA Deputies, Government Members, General Prosecutor and Judges, the Mayor of Stepanakert, Heads of Regional Administrations in Case of Their Death While Executing Their Duties or as a Consequence of It	08.05.2001
147. On NKR National Assembly’s Control Chamber	18.05.2001
148. On Perpetuating the Memory of the Soldiers Perished for NKR Defense	18.05.2001
149. On Application of the Civil Code of the Republic of Armenia of 1998 in NKR	18.05.2001
150. On State Support for Small and Middle-Scale Business	18.05.2001
151. On NKR National Assembly’s Control Chamber	18.05.2001
152. On Holidays and Commemorative Days	18.05.2001
153. On Seed-Farming	13.06.2001
154. On Ratification of the Annual Report on Implementation of the NKR State Budget for 2000	26.06.2001
155. On Privatization of Creative Studios	04.08.2001
156. On Legal Position of Foreign Citizens in NKR	01.09.2001
157. On Specially Protected Natural Territories	12.10.2001
158. On Expertise of Affecting the Environment	12.10.2001
159. On Private Enterprise	31.10.2001
160. On Protection of Atmosphere	31.10.2001
161. On Fauna	31.10.2001
162. On Flora	31.10.2001
163. On Depths	05.11.2001
164. On Mobilization Preconditioning and Mobilization	22.11.2001
165. On Militia	12.01.2002
166. On Population Census	12.01.2002
167. On Protection of Selective Achievements	22.01.2002
168. On Ratification of the Report “On Realization of Programs on Privatization and Denationalization of Trade Units, Catering,	31.01.2002

	Consumer Services, Leased Areas and Uncompleted Constructions for 1995-1996 and on Privatization of NKR Property for 1998-2000	
169.	On Military Service	08.02.2002
170.	On the Activity of the Supreme Court and Courts of First Instance during the Transitional Period in the Judicial-Legal Reform	14.02.2002
171.	On Application of 1998 Civil Judicial-Legal Code in NKR	14.02.2002
172.	On NKR State Budget for 2002	22.02.2002
173.	On Ratification of State Target Healthcare Programs for 2002	01.03.2002
174.	On Establishing Tax Privileges for the «Martouni Wine Factory» SCJSC	04.04.2002
175.	On Food Security	17.04.2002
176.	On State Registration of Juridical Persons	17.04.2002
177.	On Trade Tax	08.06.2002
178.	On Licensing	30.04.2002
179.	On Program of Privatization of State Property in 2002-2003	30.04.2002
180.	On State Statistics	03.06.2002
181.	On Fire Safety	03.06.2002
182.	NKR Land Code	11.06.2002
183.	On Protection of Consumers' Rights	12.06.2002
184.	On Television and Radio	12.06.2002
185.	On Copyright and Contiguous Rights	27.06.2002
186.	State Program of Developing Education in NKR in 2002-2005	29.06.2002
187.	On Ratification of the State Report on Implementation of NKR State Budget for 2001	29.06.2002
188.	On Ltd. Companies	03.07.2002
189.	On the Report on Implementation of the Program on Privatization of NKR State Property for 2001	03.10.2002
190.	On Transport	03.10.2002
191.	On Television and Radio	03.10.2002
192.	On Tax Service	14.10.2002
193.	On Defense	30.11.2002
194.	On State Administrative Institutions	30.11.2002
195.	On State Non-Commercial Organizations	30.11.2002
196.	On Purchasing	30.11.2002
197.	On Treasury System	30.11.2002
198.	On Power Engineering	30.11.2002
199.	On Geographical Names	30.11.2002
200.	On Geodesy and Topography	30.11.2002
201.	On Honorable Ranks of NKR in Science, Education, Journalism, Health, Sports and Physical Training	30.12.2002
202.	On Seismic Defense	30.12.2002
203.	On Declaration of Property and Incomes of NKR Administrative Employees and Government Bodies	30.12.2002
204.	On Public Organizations	30.12.2002
205.	Regulations of NKR National Assembly	30.12.2002
206.	On NKR State Budget for 2003	30.01.2003
207.	On Ratification of State Target Healthcare Programs for 2003	06.02.2003
208.	On Ratification of State Program on Developing Small and Middle-Scale Business in NKR for 2003	06.02.2003
209.	On Salaries	20.03.2003



210.	On Ratification of a Three-Year Program of NKR State Statistic Service for 2003-2005	20.03.2003
211.	On Solvency (Bankruptcy) and Financial Recovery of Juridical Persons, Enterprises with no Status of Juridical Person and Private Entrepreneurs	02.04.2003
212.	On Hydro-meteorological Activity	05.04.2003
213.	On Food Security	05.04.2003
214.	On Joint-Stock Companies	22.04.2003
215.	On Social Security of Children Without Parental Care	15.05.2003
216.	On Trade Unions	31.05.2003
217.	On Establishing Privileges in Taxation, Obligatory Social Insurance and other Payments for "Vahe Karapetian" CJSC	30.06.2003
218.	On Funds	30.06.2003
219.	On Joint Ownership	30.06.2003
220.	On Administration of Tenement Houses	30.06.2003
221.	On Ratification of the 2002 Annual Report on Realization of Program on Privatization of State Property for 2002-2003	30.06.2003
222.	On Excise Tax	01.07.2003
223.	On Gambling and Gambling Houses	07.07.2003
224.	NKR Criminal Code	07.07.2003
225.	On Principles of the Legislation on Culture	30.07.2003
226.	NKR Code on Depths	30.07.2003
227.	On Concession of Depths for Researching and Mining	30.07.2003
228.	On Ratification of the Annual Report on Realization of NKR State Budget for 2002	30.07.2003
229.	On Company Names	11.10.2003
230.	On Human Reproductive Health and Reproductive Rights	17.10.2003
231.	On Individual Data	17.10.2003
232.	On Parties	17.10.2003
233.	On Auditing Activity	19.11.2003
234.	On Pawn-shops and Pawn-shop Activity	19.11.2003
235.	On Narcotics and Psychotropics	29.11.2003
236.	On Sports and Physical Training	29.11.2003
237.	On State Pensions	23.12.2003
238.	On Using Additional Funds of NKR Budget for 2003	23.12.2003
239.	On National Security Bodies	23.12.2003
240.	On Property Tax	23.12.2003
241.	On Science and Scientific-Technical Activity	27.12.2003
242.	On Service in National Security Bodies	27.12.2003
243.	On Civil Service	27.12.2003
244.	On Service in Police	27.12.2003
245.	On Refugees	29.12.2003
246.	On NKR Water Code	29.12.2003
247.	On Social Protection Cards	29.12.2003
248.	On Salaries of Administrative Employees and Specialists of NKR Legislative, Executive and Judicial Powers	29.12.2003
249.	On Civil Employees' Salaries	29.12.2003
250.	On NKR State Budget for 2004	20.01.2004
251.	On NKR Currency	20.01.2004
252.	On NKR Budget System	10.02.2004

253.	On Protection of Population in Emergency Situations	08.04.2004
254.	On Civil Defense	08.04.2004
255.	On State Duty	30.04.2004
256.	On Business Accounting	10.05.2004
257.	On NKR Administration	22.05.2004
258.	On Military Service	22.05.2004
259.	On Privatization of State Property in 2004-2006	05.06.2004
260.	On Lottery	13.10.2004
261.	On Cash Desk Functions	02.11.2004
262.	On Freedom of Information	02.11.2004
263.	On Mass Media	10.11.2004
264.	On Agrarian State Inspections	11.12.2004
265.	On Tourism	17.12.2004
266.	On Insurance	17.12.2004
267.	On Minimal Salary	30.12.2004
268.	On Cash Register Machines	30.12.2004
269.	On Unions of Abstractor Companies	10.01.2005
270.	On Implementation of Court Verdicts	10.01.2005
271.	On NKR Electoral Code	21.01.2005
272.	On NKR State Budget for 2005	25.01.2005
273.	On Ombudsman	09.03.2005
274.	On Referendum	29.04.2005
275.	On Notary	30.04.2005
276.	On State Resources	26.05.2005
277.	On Uniformity of Measurements	26.05.2005
278.	On Conformance Evaluation	26.05.2005
279.	On Wastes	02.06.2005

223 further amendments and supplements were introduced in the NKR Laws.

## Annex 2

**LIST OF PUBLIC ORGANIZATIONS**

	<b>Name of the Organization</b>	<b>Date of Registration</b>
1.	“IDEA” Artsakh Youth Union	1. 06.02.1997
2.	“Mouunk” Intellectual Club	02.03.1997
3.	Union of Artsakh Youth	01.05.1997
4.	NKR Association of Lawyers	01.08.1997
5.	NKR Republican Council of War, Armed Forces and Labour Veterans	01.08.1997
6.	Centre of “Hay Dat” Study	20.08.1997
7.	World Club of Stepanakerters	30.08.1997
8.	“Yerkrapah” Union of Karabakh War Veterans	07.10.1997 Re-registered 12.01.1999
9.	NKR Union of the Blind	09.02.1998
10.	NKR Trade Union of Public Health	12.03.1998
11.	NKR Federation of Table Tennis	15.07.1998
12.	Stepanakert Press Club	24.07.1998
13.	NKR Track-and-field Athletics Federation	20.05.1998
14.	NKR Union of Afghan War Veterans	24.07.1998
15.	NKR Association of KVN	08.08.1998
16.	NKR Boxing Federation	19.08.1998
17.	NKR Union of Deceased Soldiers` Parents	24.08.1998
18.	NKR Council of Restoration of the Aristocracy Generations' Rights	08.09.1998
19.	Centre of Armenian-Greek Friendship	11.09.1998
20.	NKR Union of Writers	11.09.1998
21.	NKR President`s Assistance Fund	25.09.1998
22.	“Vogi-Nairi” Art Centre	05.11.1998
23.	“Armenian Missionary Association” of America's Representation	17.11.1998
24.	NKR “Union of the Deaf”	18.12.1998
25.	Artsakh Association of Cultural Relations with Foreign Countries	11.12.1998
26.	NKR Federation of Heavy Athletics	
27.	NKR Federation of Hu-shu	
28.	NKR “Interkap Karabakh” Union, Representation of the “Interkap” Public Organization of Armenia	12.02.1999
29.	NKR Judo Federation	05.02.1999
30.	NKR Basketball Federation	22.02.1999
31.	“Stepanakert” Fund	13.03.1999
32.	NKR “Karate Shotocan” Federation	20.05.1999
33.	NKR “Culture” Fund	29.06.1999
34.	NKR “Red Cross” Association	01.07.1999

35.	Artsakh “Union of Bee-Keepers”	05.07.1999
36.	Artsakh Institute of Public Diplomacy	18.07.1999
37.	“Artsakh Teqeyan Culture Union”	11.10.1999
38.	“Russian Community”	19.10.1999
39.	NKR Tae-kwan-daw Federation	02.11.1999
40.	NKR Wrestling Federation	05.01.2000
41.	Union of Artsakh War Veterans	12.01.2000
42.	“Hishatak” Relief Fund for the Families of Deceased and Disabled Soldiers of Artsakh War	15.01.2000
43.	Artsakh National Traditional Fudokan Karate-do Federation	18.03.2000
44.	“Renaissance”	25.05.2000
45.	Union of Artsakh Intelligentsia	29.05.2000
46.	Union of Artsakh Painters	02.06.2000
47.	“Zangak” Union of Artsakh Disabled Children	31.07.2000
48.	“Avetis” Fund	10.09.2000
49.	“National Aikido” Federation	04.09.2000
50.	“Vita” Association of Artsakh War Wounded Soldiers	12.09.2000
51.	“Consumer’s Right” Union of Consumers` Rights Protection	22.09.2000
52.	International Academy of the Authors of Scientific Discoveries and Inventions (Artsakh Branch)	27.09.2000
53.	National Chess Federation	01.05.1997 Re-registered 28.09.2000
54.	“Land of Promise”	31.10.2000
55.	Artsakh Branch of the USA “Motherland” Union	19.10.2000
56.	“Karabakh With Own Hands” Union	26.10.2000
57.	Artsakh Sambo Federation	01.11.2000
58.	“Shen” Public Organization's Branch	21.02.2001
59.	Artsakh Branch of Armenian Relief Union (ARU)	
60.	Union of Artsakh Journalists	13.03.2001
61.	“Haterk” Benevolent Countrymen Fund Public Organization	02.04.2001
62.	Shoushi Fund	18.04.2001
63.	NKR Branch of “Commandos” Public Organization	28.06.2001
64.	“Real College” Fund	17.08.2001
65.	Union of “Artsakh Hunters and Fishers”	31.08.2001
66.	NKR Union of Manufacturers and Entrepreneurs	22.01.2002
67.	SGS Sports Club Public Organization	23.01.2002
68.	“Tradition” Artsakh Public-Cultural Centre Public Organization	05.03.2002
69.	NKR “Arpen” Centre for Pregnant Women	28.01.2002
70.	“Omega” Public Organization	16.04.2002
71.	Artsakh Association of Human Rights Protection	28.06.2002
72.	“Motherhood” Public Organization	05.09.2002
73.	“Defensive Athletic-Technical” Public Organization	30.10.2002
74.	“Youth Centre” Public Organization	20.08.2002
75.	“Arax-Agro” Development Fund	05.09.2002
76.	NKR Union of Russian Speaking Citizens	04.10.2002
77.	“Russian Diaspora”	21.03.2003
78.	“Union of Psychiatrists and Psychologists”	24.10.2003

79.	“Youth Centre”	29.08.2002
80.	“Hayki Seround” (Hayk` s Generation)	31.10.2002
81.	Centre of Civil Initiatives	13.11.2002
82.	“MENQ” Union of Rural Mutual Aid	25.03.2003
83.	“Association of Bread Producers”	22.07.2003
84.	“BSA” Association of Professionals	11.08.2003
85.	“Union of Artsakh War Veterans”	12.01.2000 Re-registered 05.09.2003
86.	“Karabakh Health Union”	28.11.2003
87.	“Zepyour” (Zephyr)	14.01.2004

### PUBLIC - POLITICAL ORGANIZATIONS

	<b>Name of the Organization</b>	<b>Date of Registration</b>
1.	ARF Dashnaktsutyun Party	12.08.1994 Re-registered 06.10.2004
2.	Helsinki Initiative-92	18.08.1994
3.	NKR “Motherhood Committee”	13.10.1998
4.	NKR Communist Party	13.10.1998 Re-registered 18.11.2004
5.	NKR Union of Missing Soldiers' Relatives	21.10.1998
6.	Artsakh Organization of ARF (Armenian Revolutionary Federation)	24.05.1999
7.	Artsakh Armenakan Party	30.04.1999 Re-registered 19.11.2004
8.	Artsakh Social-Democratic Party	05.05.1999
9.	Armenian National Democratic Party	30.09.1999
10.	Christian-Democratic Party of Nagorno Karabakh	04.10.1999
11.	“Democratic Reforms and Human Rights”	31.03.2000
12.	“Liberty” Public-Political Party	22.08.2001
13.	“Social Justice” Party	19.11.2004
14.	Democratic Party of Artsakh	Re-registered 02.02.2005
15.	“Unity” Public-Political Organization	26.06.2002
16.	“Movement-88” Party	Re-registered 02.03.2005
17.	“Our Home - Armenia” Party	02.02.2005
18.	“Free Motherland” Party	22.02.2005
19.	“For Moral Revival” Party	09.04.2005

### MASS MEDIA

	<b>Name</b>	<b>Date of Registration</b>
1.	“Education and Science in Artsakh” Periodical	10.07.1996

		Re-registered 31.01.2000
2.	“Lousarar” Monthly Newspaper	31.08.1999 Re-registered 31.01.2000
3.	“Artsakh University” Monthly Newspaper	01.05.1997 Re-registered 01.02.2000
4.	“APARAZH” Biweekly Newspaper	29.12.2000
5.	“Anis” Information Agency	10.02.2000 Re-registered 10.06.2000
6.	“Defender of Motherland” Monthly Newspaper of Artsakh War Veterans	31.03.2000
7.	“Eghitsi Louis” Monthly Newspaper of the NKR Union of Writers	23.12.1999
8.	“Pely Poughi” Satiric Magazine of the NKR Union of Writers	17.04.2000
9.	“A Plus” Radio Station	07.11.2000
10.	“Hayrenik” Weekly Newspaper of «Democratic Artsakh Union» («DAU») Public-Political Organization	06.07.2001
11.	“VEM” Radio Station	26.07.2001
12.	“Artsakh Communist”	02.10.2001
13.	“Vigodnaya Sdelka” (Profitable Deal)	23.10.2001
14.	“Chto Delat” (What To Do) Social-Political Newspaper	23.10.2001
15.	“Arevik” Juvenile Monthly Newspaper	28.01.2002
16.	“Amaras” Official Newspaper of the Administration of Martouni Region	01.04.2002
17.	“Dizak” Official Newspaper of the Administration of Hadrout Region	03.04.2002
18.	“Azat Artsakh” (Free Artsakh) Official Newspaper	04.04.2002
19.	“Berd” Official Newspaper of the Administration of Askeran Region	06.04.2002
20.	“Shoushi” Official Newspaper of the Administration of Shoushi Region	09.04.2002
21.	“Jraberd” Official Newspaper of the Administration of Martakert Region	17.04.2002
22.	“Demo” public newspaper of Karabakh	March, 2004

*Annex 3*

**DATA ON REFUGEES, DISPLACED PERSONS AND THE TERRITORIES, OCCUPIED DURING MILITARY ACTIONS IN NAGORNO KARABAKH AND AZERBAIJAN**  
(disseminated in the UN)

**NAGORNO KARABAKH**

The Nagorno Karabakh Republic (“NKR”) is also referred to as the Nagorno Karabakh Autonomous Region (“NKAR”) or the Nagorno Karabakh Autonomous Oblast (“NKAO”, the Russian word “oblast” means “region”).

The current geographical territory of NKR does not include all of the areas which were historically and ethnically considered as Armenian<sup>1</sup>; it does however include the territories of what was formerly considered as the Nagorno Karabakh Autonomous Oblast under the Soviet Regime, as well as the Shahoumian region.

It is on these territories that the Republic of Nagorno Karabakh was established. On September 2, 1991, the Joint Session of Soviet People’s Deputies of NKAR and the Shahoumian Region proclaimed the establishment of the Republic of Nagorno Karabakh, pursuant to Article 3 of the “Law of the USSR on the Procedure of Cessation from the Union of Soviet Socialist Republics”, adopted on April 3, 1990. This Proclamation of Independence was based on the national referendum held on December 10, 1991. The population of these territories participated in the election of the state authorities, who are referred to as “elected and other representative of Nagorno Karabakh” in the 1992 mandate of the OSCE Minsk Group.

**REFUGEES AND DISPLACED PERSONS IN NAGORNO KARABAKH**

The Armenian population of Nagorno Karabakh reached 300,000-330,000 in 1918. Had conditions of consistent economic growth and reliable security been ensured in the region, the Armenian population of Nagorno Karabakh would have reached 700,000-800,000 by 1988. Between 1918 and 1920, a Turkish-Azeri campaign of ethnic cleansing was launched against the Armenians in Nagorno Karabakh, resulting in the killing of 20% of the population. In Shoushi alone, one of the largest cities in the Transcaucasus and the capital at the time, 20,000 Armenians were massacred by the Turkish-Azeri troops. Even after such atrocities, Armenians still made up 95% of the population of the Autonomous Region (Oblast) of Nagorno Karabakh at the time of its creation in 1923, whereas the Azeris constituted only 3%. The region was renamed the Nagorno Karabakh Autonomous Region (“NKAR”) in 1936.

Due to such systematic discrimination and forced emigration during the Soviet-Azeri regime, which lasted over 70 years, the growth of the Armenian population in Nagorno Karabakh stagnated (currently 600,000 Nagorno Karabakh Armenians live in Armenia and the CIS countries); proportionally, it even decreased – to 77% in NKAR. Whereas the number of Azeri population in Nagorno Karabakh consistently increased under the Soviet-Azeri regime, due to the influx of Azeris from Azerbaijan.

**According to the official data of the 1989 USSR census, the population of NKAR was 189,000, of which 145,500 (76.9%) were Armenians and 40,600 (21.5%) were Azeris. Over**

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<sup>1</sup> The territory historically and ethnically considered as Armenian covers a considerably larger area, including the northern part of Nagorno Karabakh where prior to 1988 the population was predominantly Armenian.

**17,000 Armenians (80% of the population of the Shahoumian region) and approximately 3,000 Azeris lived in the Shahoumian region.**

The census, however, did not include 23,000 Armenian refugees from Baku, Sumgait and several other cities, who, when the census was being conducted in January of 1989, actually lived in the former known as NKAR. These people did not have NKAR “registration” (a stamp in the passports of all Soviet citizens indicating the place of their permanent residence) and hence were considered to be living in their previous places of residence.

**Thus, the total number of the Armenian population of both NKAR and the Shahoumian region was 185,500, of which Azeris constituted 44,000, and the Russians, Ukrainians, Greeks, Tatars and others- about 3,500 thousand.**

In 1923, the regime in Moscow entrusted the Azeris with the task of determining the borders of the Nagorno Karabakh Autonomous Region, and the Northern areas of Nagorno Karabakh (regions mainly populated by Armenian, such as the Shahoumian region), which were originally included in the territories given to Azerbaijan by the Russian Bolsheviks in 1921, were not included in this newly established autonomous oblast.

In the 1930s, in an effort to dilute the overwhelming majority of the Armenian population in the northern territories of Nagorno Karabakh (such as Dashkesan, Shamkhor, Gedabek, and Khanlar regions), the Azeris redrew the borders of Nagorno Karabakh, and these northern territories which were densely populated by Armenians were divided and included in the newly created administrative regions of the Azerbaijani Soviet Socialist Republic (“AzSSR”). The ancient Karabakh town of Gyanja - formerly Elizavetpol and then Kirovabad in Soviet times- was part of these regions which were divided and included in the AzSSR. Nevertheless, until 1988, Armenians constituted an absolute majority of the population of Northern Karabakh, which included the mountainous regions and partly also the foothills of the above-mentioned regions of the AzSSR. In 1988, the number of Armenians living in this area was as follows:

	the Khanlar district	14,600
	the Dashkesan district	7,300
	the Shamkhor district	12,400
	the Gedabek district	1,000
	the city of Gyanja	48,100
<b>Total</b>		<b>83,400</b>

These figures demonstrate that the Armenian population of Northern Karabakh alone was twice as large as the Azeri population of the former NKAR. In the city of Gyanja alone there were 7,000 more Armenians than Azeris in the whole of the former NKAR, or 4 times the number of Azeris living in the town of Shoushi.

**By the end of 1988, the entire Armenian population of Nagorno Karabakh (the NKAR, the Shahoumian region and Northern NK) was 268,000.**

The deportation of the Armenians of Northern NK started in the autumn of 1988 and came to an end only after the initiation of armed combat in 1991. The last Armenian settlements in Getashen and Martounashen were ravaged in April-May, 1991, as a result of the joint operation of the Ministry of Internal Affairs of Azerbaijan and internal troops of the USSR. During this operation called “Ring,” 24 Armenian settlements in Nagorno Karabakh were occupied by Azerbaijan and



their entire population was deported. Currently the overwhelming majority of the refugees from Northern NK live in Armenia, some of them are in Russia and only a few have returned to NKR.

During the military actions in the summer and autumn of 1992, the Azerbaijani army completely took hold of the Shahoumian region, approximately two-thirds of the Martakert region, as well as some parts of Martouni, Askeran and Hadrout regions of NKR. As a result, 66,000 Armenians became refugees or displaced persons. After the liberation of the greater part of the occupied territories (except for the Shahoumian region and parts of the Martakert and Martouni regions) by the Defense Army of Nagorno Karabakh, 35,000 refugees returned to NKR. However, most of these refugees qualify as “displaced persons”, since either their villages were completely destroyed or they are still under Azeri occupation.

**The total number of Armenian refugees from Nagorno Karabakh is 114,000, of which 83,000 are from Northern NK, and 31,000 are predominantly from the Shahoumian and Martakert regions.**

**There are about 30,000 displaced persons in the NKR.**

**From the 185,000 NKR Armenians in 1991, currently there are 61,000 refugees and displaced persons from NKR proper, which represents 33% of the Armenian population of NKR (1991 figures).** *(Information is based on the following sources:*

- *The 1989 Soviet Union census,*
- *The Department of Statistics of the Oblast Soviet of the NKAO,*
- *The Regional Executive Committee of the Shahoumian Region,*
- *The Committee on Refugees of the NKR)*

**This means that one-third of the NKR population are refugees or displaced persons.**

**Together with the refugees of Northern NK (see above) the total number of refugees and displaced persons reaches 144,000, which is 54% of the Armenian population of Nagorno Karabakh as a whole (NKR and Northern NK), according to 1988 figures.**

**Thus, since 1988, every other Armenian from Karabakh, who, at that time, lived in their Motherland, has become either a refugee or a displaced person.**

Although most of the Armenians who had lived in Baku, Sumgait and several other towns and regions of Azerbaijan and became refugees as a result of the conflict, are of Karabakh descent, we deliberately limited ourselves to the geographic and demographic borders of Nagorno Karabakh and do not speak here about this considerably large category of Armenian refugees, which should become a subject of discussion between Armenia and Azerbaijan. *(More than 350,000 Armenians left Azerbaijan and now live in Armenia, Russia, CIS and other countries)*

When comparing the aforementioned figures for the refugees and displaced persons from NKR, with the figures available for Azerbaijan (please see below) it is clear that of the two conflicting parties, NKR has suffered an incomparably more difficult situation in terms of refugees and displaced persons. It should also be added that contrary to the fact that Azeri refugees receive humanitarian aid from international organizations, until recently, NKR did not receive any assistance from such organizations for its refugees and displaced persons.

## **OCCUPIED TERRITORIES OF THE NKR**

By occupied territories of Nagorno Karabakh, the authorities of the NKR mean the territories of the NKR, occupied by Azerbaijan. As stated earlier, NKR does not cover the whole Armenian Nagorno Karabakh in its geographic, historical and ethnic entirety, but only the territories of the former NKAR and the Shahoumian region (see above), where the authorities of the NKR had full control at the onset of the military conflict.

**As a result of military actions between Azerbaijan and the NKR in 1992, the Azeri troops occupied and still hold approximately 750 sq. km, or 15%, of NKR territory including the whole of the Shahoumian region (600 sq. km) and some parts of the Martakert and Martouni regions.**

## **AZERBAIJAN**

The Azeri authorities consistently, through state propaganda and official statements, claim that 20% of Azerbaijani land is occupied at present and there are more than 1 million refugees and displaced persons. They claim that this situation is a result of Armenia's aggression against Azerbaijan, as well as the seizure of both NK and the adjacent regions by Armenia.

It should be noted that none of the UN Security Council resolutions concerning the NK conflict contains any expression of "aggression" by Armenia or demands that its troops be withdrawn from the territory of Azerbaijan and Nagorno Karabakh (see the 1993 UN SC resolutions 822, 853, 874, 884.)

## **THE ISSUE OF THE OCCUPIED AZERI TERRITORIES**

According to the maps issued by the Azerbaijani officials, the total area of the territories occupied by the Defense Army of Nagorno Karabakh allegedly is 8,780 sq. km., the total area of the Azerbaijani Republic being 86,600sq. km. Simple arithmetic calculation shows that the seven regions adjacent to Nagorno Karabakh make up only 10% of Azerbaijan's territory. Even if we were to consider the Republic of Nagorno Karabakh proper as an "occupied territory," as it is officially claimed by the leaders of the Azerbaijani Republic, the area would make only 13% and not 20% (*Taking into account the territories that both Azerbaijan and Karabakh have occupied from each other*).

As stated earlier, none of the UN or OSCE documents make any mention of "Armenia's occupation of the territories of Azerbaijan." These are merely allegations made by the Azeri authorities in their propaganda material.

Furthermore, the maps issued by Azerbaijan are, first, drawn on a distorted scale, as Nagorno Karabakh and adjacent territories, in comparison with the neighboring regions, are drawn larger than they are in reality, and second, the line of contact between the Karabakh and Azeri military is drawn more eastward than the real borders of conflict: a fact which is easily verified when the Azeri maps are compared with the military and other maps used by the OSCE Minsk Group. Notwithstanding the above-mentioned distortions, the area of the occupied territories is overstated.

Curing the military actions, the Defense Army of Nagorno Karabakh seized 5 districts of Azerbaijani Republic (Lachin, Kelbajar, Koubatly, Zangelan and Jebrail), as well as approximately 30% of Agdam and Fizuly regions.

According to Azerbaijani data, the area and population of the said regions are as follows:

District	Territory (sq. km.)	Population (thousand)
Kelbajar	1,936	50,6
Lachin	1,835.	59,9
Koubatly	802	30,3
Jebrail	1,050	51,6
Zangelan	707	33,9
Agdam	1,094	158
Fizuly	1,386	100

(Sources:

- *Data of the Ministry of Defense of the AR, disseminated by the Embassy of the AR in the Russian Federation in the autumn of 1994;*
- *1989 census in the USSR*
- *Azerbaijani Soviet Socialist Republic: Administrative-Territorial Division. Azgosizdat. Baku 1979;*
- *Mukhalifat (Azeri newspaper) 03.04.1996, etc.)*

The total area of the first five districts is 6,330 sq.km. The total area of Agdam and Fizuly regions is 2,480 sq.km. However the Defense Army of Nagorno Karabakh controls only 35% of Agdam and 25% of Fizuly regions, i.e. respectively 383 and 347 sq. km. Hence, the figure of 8,780 sq. km. of occupied territories, claimed by the Azeri side, is also a fabrication.

**The total area of the territories of the Azerbaijani Republic, controlled by NKR, is not 8,780sq.km. It is 7,059 sq. km. which is 8% of the area of the former Azerbaijani SSR, i.e. it is 2.5 times smaller than 20%, a figure constantly mentioned by the leaders and representatives of Azerbaijani Republic, deliberately misleading the international community and world public opinion.**

**Whereas Azerbaijan occupies 15% of the territories of NKR.**

### **REFUGEES AND DISPLACED PERSONS IN AZERBAIJAN**

Between 1988-1989, 168,000 thousand Azeris left Armenia. (These figured are based on the official figures for Azeris living in Armenia in the beginning of 1988, although Baku arbitrarily speaks of some 200 or even 250 thousand Azeris) Most of these 168,000, who left Armenia 8-10 months after of the pogrom of Armenians in Sumgait and forced deportation of 350,000 thousand Armenians from the AzSSR, were able to exchange or sell their houses, which were built in rural areas. The rest received financial compensation (a total of 72 million rubles or about 100 million USD) from the government of Armenia (to date Armenian refugees have received no compensation).

Virtually all of the Azeri population, 40,600 people or 21.5% of the population of the former NKAR (according to the 1989 USSR census) left former NKAR during the military actions in 1991-1992. It should be mentioned that Azerbaijan deliberately overstates the number of the Azeri population of the former NKAR, speaking of “60 thousand people” or about “a third of the population.”

The Azeri population of the Shahoumian region stayed to live at their homes in all of the four Azeri villages situated along the border, in the northern and eastern parts of the region (where the Karabakh-Azeri front-line passed through in 1992-93). The Azeri population living on the territories adjacent to the northern Nagorno Karabakh and in the populated areas of the northern Nagorno Karabakh did not suffer either; whereas 83,000 Karabakh Armenians were deported in 1988-91. Moreover, more than 100,000 Azeri refugees were housed in the abandoned homes and apartments of Armenians, who were driven out of the northern part of Nagorno Karabakh. *(According to the 1989 USSR census, the average Azeri family in the AzSSR consisted of 5.6 individuals and the average Armenian family in the AzSSR, 3.85 individuals. Moreover, as a result of 70 years of discriminatory policies against Armenians in AzSSR, there were many empty Armenian houses in Azerbaijan. The owners of these houses had left for Armenia, Russia or other republics of the USSR earlier)*

According to Azerbaijani data cited above, the population of the seven districts that have been either entirely or partially occupied by the Defense Army of Nagorno Karabakh, totaled to 483,900 in 1989. Taking into account that the Agdam and Fizuly regions are occupied partially, the total number of displaced persons from these regions constituted about 420,000; of which 45,000, again, according to the Azerbaijani data, returned to their homes in 1997. Thus, of the total number of the inhabitants of the mentioned 7 regions, only 375,000 are refugees and displaced persons *(40,000 of these refugees and displaced persons have left for Russia. According to the Ministry of Internal Affairs of the Russian Federation, 1,5 m. Azeris, citizens of Azerbaijan, currently live in Russia)*

The total number of Azeri refugees and displaced persons should be calculated by adding to the aforementioned figures the number of refugees from Armenia (168,000, who, as stated earlier, either exchanged their houses or received compensation for their property, and would not qualify as “refugees”) and from Nagorno Karabakh (40,000).

**Thus, as a result of the NK conflict, there are 583,000 refugees and displaced persons in Azerbaijan, comprising 7.9% of the officially declared population of Azerbaijan. Claims about “ a million refugees in Azerbaijan” are propagandistic falsification like the claim about “20% occupied territories of Azerbaijan.”**

**It should be recalled that one-third of the NKR population are refugees and displaced persons. According to the data from the Republic of Armenia, refugees make up 12% of the population of Armenia. Apart from this, 300,000 individuals remained without shelter after the 1988 earthquake, while blockade has been imposed on Armenia by Azerbaijan and Turkey, which is one of the OSCE Minsk Group countries.**

**Main Comparative Data**  
(percent)

NKR TERRITORY OCCUPIED BY AZERBAIJAN		AZERBAIJANI TERRITORIES CONTROLLED BY THE DEFENSE ARMY OF NKR
<b>15%</b>		<b>8%</b>
REFUGEES AND DISPLACED PERSONS IN NKR (% OF THE POPULATION)		REFUGEES AND DISPLACED PERSONS IN AZERBAIJAN (% OF THE POPULATION)
<b>33%</b>		<b>7.9%</b>