ON THE HISTORICAL AND POLITICAL ASSESSMENT
OF THE TREATY OF MOSCOW, DATED MARCH 16 (18) 1921*

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Introduction

Although officially dated 16 March¹ 1921, the Treaty of Moscow signed by the Soviet Russia and Kemalist Turkey on 18 March 1921 exemplifies a highly politicized text which reflects the pragmatism and revolutionary zeal of the beneficiary parties. At the same time it completely ignores the fundamental norms of democracy and International Law. This document was concluded by the illegitimate Turkish side as evidenced by the fact that the Ottoman Empire was at that time officially ruled by the Sultan with his Cabinet in Constantinople as well as by the fact that the Kemalists referred to the National Pact (adopted by the Ottoman metropolitan Parliament on 28 January 1920) in the Article I of the Treaty of Moscow. The Kemalists emphasized this way their collaboration with the official authorities and a range of other circumstances. The text of the Treaty ignored historical, social, legal, even demographic aspects, the need to ensure self-government or, at least, to obtain the consent of the governed to their new situation. All these requirements of a democratic character were absent. The document was dictated mainly by the military, geographic and to a lesser degree by the economic factors. Meanwhile, diplomacy either elaborates common interests and constructs mutually beneficial partnership or it simply enforces the weak side to bear the losses and burden imposed on it. Dictatorship (i. e. a violent coercion of the population to disadvantageous working and living conditions) reigns in the areas where people become merely an object of settlement and their right to self-determination is rejected. It is awfully typical and similarly unacceptable that during the negotiations of 26 February – 18 March 1921, the two parties unrecognized by the world community – Kemalists and Bolsheviks – disposed of the territories of the formally independent Armenia and Georgia without the latter’s participation and signatures. The negotiators

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¹ See: Документы внешней политики СССР. 1959, 597–604.
proceeded from and legitimized the outcome of the Turkish aggression of 20 September – 18 November 1920 which had resulted in the seizure of the Region of Kars, of Surmalu, Nakhijevan, together with the southern segment of the Region of Batum. This gross violation of the international law stemmed from the entire logics of their power.

We have to ascertain that the international law does not work well in wars or revolutionary conditions. Actually, it remains mandatory only for small and medium-sized countries. Such units as the Republic of Armenia cannot ignore the international law and conventions. Moreover, such units rather need to strengthen the international instruments’ effectiveness with their own economics, finance, demography, and means of defense. The law would hardly be useful for a weak, surrendered country. Here is a vivid example of what is lawlessness and dictatorship in the international relations: Artsakh (called the Mountainous Karabakh in those days) had been told that since it had economic ties with Baku, it should obey Azerbaijan’s orders². Why not vice versa, or why there should not be equal relations – this was not precised. The British together with Azerbaijan’s authorities blackmailed the region with the grain and total blockade, starvation and a ban on the repatriation of refugees. They also threatened with Tatar uprisings in the Republic of Armenia (further abbreviated as RA). The Musavatists together with the British Command announced to the Armenian National Council of Zangezur: your country was needed as a pasture for the cattle of our nomads, thus it should submit to Azerbaijan. Whether the inhabitants of Zangezur sought indeed such an invasion, on which terms of their control and whether the nomad should learn the modern way of cattle breeding – there was no explanation provided. Meanwhile, the nomads rejected Armenia’s control which had to be exercised jointly with the Indian detachments of the British Imperial Army dispatched by the Government of the Republic of Armenia. Instead, the nomads demanded to send them soldiers from Baku, at the same time destroying villages, ravaging crops and setting up camps at the cemeteries in the course of their migration³.

² As an example, such was a judgement, expressed by S. Ordzhonikidze, who was the member of the Caucasus Bureau of the Central Committee, RCP(b), and a member of the Revolutionary Military Council of the Caucasus Front, in his letter to the Peoples’ Commissar for Foreign Affairs of the RSFSR G. Chicherin, dated 22. 06. 1920: Геноцид армян: ответственность Турции и обязательства мирового сообщества. 2003, 73.

**General Political Specification of the Treaty of Moscow**

It is noteworthy that the Treaty of Moscow, signed on 18 March 1921 had not been an isolated phenomenon: it was a link in the chain composed of the Brest (of 3 March 1918) Batum (signed on 4 June 1918) – Alexandropol (of 2 December 1920), and by the Kars (concluded on 13 October 1921) Treaties. Besides, the Soviet Government had denounced the Treaty of Brest Litovsk on 20 September and 13 November 1918 which was later abolished by the Treaty of Versailles on 28 June 1919. Despite the fierce resistance of all revolutionary political forces in Russia, the Brest settlement had merely paved the way for the Ottoman Army which did not halt in the ceded to her Kars, Ardahan and Batum. The Ottomans had entered Alexandropol on 15 May 1918, continued their march to Tiflis and then seized Baku, exterminating and expelling on their way all Armenians from Nakhijevan on 19 July 1918. Ottomans deployed Commandants in Artsakh since early August, later on reinforced them with their regular units starting from 19 September. Between 15 and 18 September, they slaughtered 30,000 of our compatriots in Baku. Only in the aftermath of this slaughter and having completely lost Baku’s oil, the Bolsheviks did reject the Brest deal on 20 September by way of issuing a note signed by their People’s Commissar for Foreign Affairs. In doing so, they denied a treaty which had made the Soviet power legitimate. The aforementioned treaty was a recognition of the new government in Moscow by the German, Austro-Hungarian and Ottoman Empires alongside with Bulgaria. In the meantime, by 24 September 1918, 1500 Ottoman askers of the Gallipoli Division armed with 4 guns entered Shushi which had been plunged into a dreadful massacre for three days. This butchery was organized in a defiance of the pre-agreed ban on the entry and deployment of the Azerbaijani detachments in the city. The Ottoman askers’ further expansion in the region was stopped owing to the heroic resistance offered by the Artsakh peasants who had won the battle near the village of Msmna on 18 October.

It is also to be said that the treaty signed by Kemalists and Bolsheviks in 1921 was a package deal which tied up together the fates of the three important Armenian districts of Karabakh–Zangezur–Nakhijevan. Taken together, they constituted a segment of the potentially attractive and promising route for the world trade. The ethnic origin of the districts’ inhabitants was not.

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NAA 200/1/309/204; 314/1/34/65. Also: NAA 199/1/38/11; 276/1/16/15–16; Հարության. 1996, 60–67;
so important, but what really mattered was who would control the route. Nakhijevan was at the most extreme district next to Turkey, Artsakh was neighboring Azerbaijan. Zangezur was situated in the middle. Each of the mentioned sides wanted to expand on the purely geographic ground: the neighboring area was to be seized first. That’s all. Even the British, when they recognized the Kars Region and Nakhijevan as part of the Republic of Armenia, did not bother that they had handed over the Armenian Artsakh to the rule of Baku and the Tatars of Nakhijevan to Yerevan, hence creating problems for both sides of the conflict⁶. Having problems was beneficial. Moreover, in 1921, the list of our three above mentioned regions, involved into the trade, was further completed with a part of the Batum Region in common with the Surmalu District of the Erevan Region (a former governorship). The authors of such a commercial approach immediately indicated that most of all they desired to return Batum to Georgia, and therefore to the sphere of influence of RSFSR. They managed to reach their aim at the expense of the Armenian District of Surmalu, which the Treaty of Moscow had transferred to Turkey.

*Nakhijevan in the Treaties Concluded by the Republic of Armenia in 1918–1920*

After the Treaty of Brest Litovsk and its known military consequences the Republic of Armenia continued to held the Caucasus Front of the First World War single-handedly since 5–10 February 1918⁷, the Treaty of Batum followed next on 4 June of the same year. Its text was even more unfavorable and humiliating, because Nakhijevan was named a part of the Ottoman Empire along with other territorial losses⁸. However, RA did not ratify this treaty, even under the threat of invasion of Ottoman troops into Erevan. The Armenian Republic waged a tough diplomatic fight to neutralize it. Moreover, she succeeded in avoiding the ratification, while the Ottoman Empire itself repudiated this text. Proceeding from the decision of the Ottoman Cabinet, adopted on 16 October 1918, and after persistent reminders of the Armenian side, the Ottoman Minister of Foreign Affairs Mehmed Nabi sent a notification letter to the head of the RA Delegation in Constantinople, A.

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⁶ Makhmourian. 2020, 252.
⁷ On the Turkish advance from Tireboli until Bitlis since 5.02.1918: Türk Silahlı. 1985, 492; on 10 February as a date when an offensive on Erznka began with a note by the Commander of the Eastern Front Vehib Pasha of 12.02.1918 regarding his decision to begin a campaign onto the Caucasus see: Документы и материалы по внешней политике Закавказья и Грузии. 1919, 48–49.
Aharonian, on 25 October. This above mentioned decision was confirmed on 29 October by an official letter to A. Aharonian, directed by the Grand Vizier Ahmed Izzet Pasha\(^9\). Taking into account the materials kept in the Boston Archives of the Armenian Revolutionary Federation (Dashnaksutuun), these two facts are briefly mentioned in somewhat different interpretation by national and foreign publications\(^10\).

After further stabilization of the general situation, when on 10 August 1920 the victorious Allied Powers concluded the Treaty of Sevres with the Ottoman Empire as a final result of the First World War, the very same day, the Republic of Armenia had also concluded an Agreement with the Government of RSFSR. It was signed in Tiflis and certified by the Bolshevik Plenipotentiary in RA, B. V. Legran, in common with the Representatives of the Erevan Government – A. Babalian and A. Jamalians.\(^11\) Later on, the disaster of the Turkish–Armenian War generated the Treaty of Alexandropol of 2 December 1920, which had never been ratified by both signatories and was disavowed by Moscow immediately\(^12\). The Soviet Russia had recognized an independent status of the Republic of Armenia by the Agreement of 10 August and Erevan agreed to the deployment of the Red Army in Karabakh–Zangezur–Nakhijevan, qualified then as disputable territories. This is the first official document where the Erevan Cabinet agreed to consider Nakhijevan a disputable area. The Agreement which described the new status of this District was signed by RSFSR with RA in particular, not with the Soviet Azerbaijan. This Agreement also stipulated that the mechanisms for the settlement of this issue would be specified in a separate Armenian–Soviet Agreement.

Such a treaty did not materialize, although the Plenipotentiaries of the Kremlin (B. Legran) and of Erevan (L. Shant, H. Terterian, L. Zarafian) endorsed the Protocol of the final resolution of the two delegations\(^13\) on 28 October 1920. In this document the Governments of RSFSR and Azerbaijan

\(^9\) NAA 200/1/8/131 rev.–132; file. 41/75–76, 79: «The Ottoman Imperial Government desiring to strictly conform with the provisions of the Treaty of Brest Litovsk, decided to remove the Imperial forces, located in those parts of the Caucasus, which are situated outside the Ottoman frontiers, as they are fixed by the aforementioned Treaty». Also: file 49/36; Махмурян. 2022, 20–22.


\(^12\) Reminder of non-ratification, made by the Soviet side on 10. 03. 1921 during the Moscow Conference: Хейфец. 1968, 112.

recognized the inalienable right of the Republic of Armenia to Nakhijevan with Zangezur and withdrew their troops from this area. Besides, the Russian Federation became a mediator in the Armenian–Turkish dispute, recognized the independence of the Republic of Armenia and undertook to restore the 1914 border. In its turn, Turkey should renounce the texts adopted at Brest and Batum. As we see, the Protocol was not implemented with regard to Nakhijevan and it was very bad as far as Artsakh (Mountainous Karabakh) was concerned. To be fair, the latter had not been mentioned in the Treaty of Moscow. This region was dealt with separately on 5 July 1921. As for the Treaty of Alexandropol concluded on 2 December 1920\textsuperscript{14}, it was signed by the representatives of the illegitimate Kemalist and already deposed Dashnak Cabinets. Besides, the text which had been composed in Alexandropol was not ratified by either of the signatories and was not recognized by the Bolsheviks the very next day\textsuperscript{15}. However, this diplomatic paper recorded the most severe military defeat, capitulation and occupation of Armenia by the Kemalist troops.

The Treaty of Moscow as a record of the results, obtained by the Turkish aggression in 1920

The Treaty of Moscow was shaped not by the documents but rather by the actual disbalance of power. Russia was too weak to take control over the strategically important Kars or even to oust the Turks from Alexandropol (until 22 April 1921). She could have negotiated with Kemalists to get at least something\textsuperscript{16}, however, she could not firmly assert herself in the region


\textsuperscript{15} An Agreement between RSFSR and the Government of the Republic of Armenia had been signed by B. Legran with D. Kanayan and H. Terterian on 2 December 1920, at 16:00, in Yerevan (Великая Октябрьская социалистическая революция. 1957, 441–442). It transferred authority to the provisional Revolutionary Committee and terminated the powers of the Dashnak Cabinet at 18:00 of the same day. The delegation of the Government, which had already resigned, concluded the Treaty of Alexandropol at 2 a. m. on the night of 2/3 December 1920, see: H o v a n n i s i a n. 1996, 386–388, 392–394; on non-ratification: Ibid., 398; P e r i n ç e k. 2015, 19. About non-recognition: Геноцид армян: ответственность Турции и обязательства мирового сообщества. 2003, 282, 305; NAA 4033/2/ 1157/1.

\textsuperscript{16} See for example the telegram by G. Chicherin, addressed on 13–15. 10. 1920 to the Plenipotentiary of the RSFSR in Armenia B. Legran, or resolution of the Political Bureau of the Central Committee of the RCP(b), dated 27. 11. 1920: Ге- ноцид армян: ответственность Турции и обязательства мирового сообщества.
On the historical and political assessment of the Treaty of Moscow…

It is well known that by the letter of 26 April 1920 forwarded on behalf of the Turkish Mejlis to Lenin, M. Kemal offered Bolsheviks a free hand in Georgia and transferred Azerbaijan under their rule in exchange for Armenia’s occupation. RSFSR was returning into Transcaucasia and imposing soviet system here at any cost. Having formally recognized the independence of the Republic of Armenia, the Kremlin had no intention to respect it. We can and should call this policy immoral, as well as define the Treaty of Moscow as unlawful. However, A. Ohanjanian’s Cabinet which ruled in Yerevan had no right to expose its country to the attacks from both sides, since it deprived the Republic of Armenia of any chance of independence or bourgeois democracy. Let’s compare: Azerbaijan was the first to adopt the Soviet system on 28 April 1920, because it understood that if Turkey and RSFSR had agreed, it had no room to maneuver.

There are two more important aspects. The prominent historian and a specialist in cartography B. Harutyunyan had correctly analyzed that the Treaty of Moscow was worse than the Alexandropol deal. According to the latter document Armenia had received, for no apparent reason, 750 sq. km of Kars Region in the District of Aghbaba. While by the Moscow text the Turks had given 3,000 sq. km of the Batum District to Georgia in exchange for the absorption of the whole Armenian District of Surmalu, equal to 3,750 sq. km. And the very same Moscow text had returned 142 sq. km from Aghbaba to Kemalists, without any explanation. It was only the Attachment III to the Treaty of Kars concluded on 13 October 1921 that had compensated Armenia with the notorious 142 sq. km at the expense of Nakhijevan. B. Harutyunyan justly points out that this entire scheme had been agreed upon before the Alexandropol talks of 1920. To be precise this agreement was reached in the month of November: after the fall of the Kars fortress on 30 October and before the signing procedure in Alexandropol on 2 December. As long as the RA controlled Kars, Moscow considered the Russian-Turkish border of 1914 to be effective. It was namely the surrender of the fortress that became a crucial political factor. Moreover, on 3 December 1920, a meeting of the Political Bureau of the CC RCP(b) in Moscow followed G. Chicherin’s advise and emphasized the inconsistency of the Alexandropol text. It demanded through the special representative of the Peoples’ Commissariat for Foreign Affairs Polycarp (Budu) Mdivani, who was on the spot during his official mission to Ankara, to change its...
content. Mdivani had reported on 4 December that Kemalists were «fearful» of a pro-Dashnak uprising in Armenia and insisted that all issues should be discussed by the two main parties in Moscow, with a minimal Armenian participation.

It should be observed that on the eve and during the Moscow conference the scheme executed in November was supplemented with an additional military-political round. Thus, on 24 and 25 February 1921, the Georgian Government had officially announced the turnover of Artvin and Ardahan Districts under the rule of Angora and the Red Army immediately entered Tiflis. On 10–23 March the negotiating sides had definitely confirmed and realized the deal on the spot by assigning Artvin and Ardahan to Turkey and retaining Batum (by no means gratis) in Georgia.

The second detail: the Treaty of Moscow proceeded from the military capitulation of Alexandropol and thus it based strategically on the Brest Litovsk text formulated in 1918. This reality was confirmed also by the Article I of the Moscow document which described the new north-eastern frontier of Turkey. As soon as in 1918 V. Lenin understood that every Russian success in the military-political clash with the Ottoman Empire consolidated the Western Powers and strengthened their resistance to their northern rival, So, Lenin substituted the Russian–Turkish confrontation with a large-scale collaboration, for he had estimated the Russian–Turkish enmity as void of promise. The strategy of friendship is certainly better than a series of wars, if it is not implemented at the expense of other peoples. Meanwhile, according to the definition made by the leader of the October revolution, «the greatest national sacrifice» was forced upon the Armenian people «for the sake of overthrowing world capital». Friendship is certainly welcome, though in these new conditions the West would consolidate its obstruction in the economy the same way as it was done in the military sphere. No less important – this friendship requires from the Turkish side to refuse its own strive for political and military expansion and to manifest its will to become a friend. As we remember, it was the Ottoman Empire, not the Russian one, which took initiative and resorted to unnecessary aggression in the First World War.

Today as before, the contemporary Republic of Armenia cannot remain in the middle when Russia and Turkey cooperate, interact or have a feud.

18 Also: Хейфец. 1968, 83.
21 Акопян. 2021, 169.
23 Ленин. 1981, 166.
There is no room in between – you need to be either there or here. The hopes for the West were not justified in 1920–1921, there was no other help in those times, while the existing system of the State administration did not provide it either. Today as it was then, the Russian Federation is still too weak to return to the region on its own. She makes use of the old schemes In her partnership with Turkey, which are extremely dangerous for the being of the sovereign Republic of Armenia. Anticipating the situation can bring dividends, as Nakhijevan and the autonomy of Artsakh were for Baku in 1921. Yet, being late brings losses. And the more the political course and public thinking in Armenia lag behind the situation, the worse it gets. Besides, as it was also in the past, Russia and Turkey are absolutely free to develop their economic cooperation without any participation of Armenia. These two countries have totally unrestricted trade route across the Black Sea together with the exploitation of the «Blue Stream» (since February 2003) and «TurkStream» (from 8 January 2020) pipelines.

The Treaty of Moscow was silent on the fact that in 1914 Armenians made up more than 40 per cent of the Nakhijevan population, that massacres of 18 July – 23 August 1918, of 20–28 July and of 17–25 December 1919 as well as the flight of the unwanted residents from there had been organized by the Turkish regular Army. As to the Kemalist assault on RA in the autumn of 1920, it brought a heavy defeat onto the Republic. These circumstances necessitated the avoidance of such an offensive by all means. The more so that until 20 September 1920 G. Chicherin not only regarded all of the Eastern Armenia as our Republic’s territory but also spoke with the Turks about Van, Mush and Bitlis.

The Treaty of Moscow: its diplomatic consequences and assessment of the current situation

Moving on to the present day tasks, let’s ask ourselves: is it crucial to declare the Treaty of Moscow in common with the 5 July 1921 decision of the Caucasus Bureau of the CC RCP(b) concerning the subordination of Artsakh to the Soviet Azerbaijan and dictated by sense of the Treaty illegal? The answer is: yes, indeed. This should be done by the National Assembly of the Republic of Armenia, with the appeal to the Federal Assembly of the Russian Federation to follow. The mentioned Treaty not only ignores International Law, but it also had ceased to function a long time ago. Whereas the decision of 5 July totally ignores Armenians’ interests and their right to self-determination.

What are the current political situation and the character of the subsequent Russian–Turkish treaties? The republics of Transcaucasia were full-fledged sovereigns back in 1921. However, after the formation of the Soviet Union on 30 December 1922, a new Soviet–Turkish Treaty of Paris was concluded on 17 December 1925. It took into account the emergence of a new state entity with its own inherent collective interests. The treaty was
functional for 20 years and was terminated on 19 March 1945. On 30 May 1953 this Treaty was supplemented with a special note of the Foreign Ministry of the USSR. It declared that the union state it represented had no territorial claims to Turkey. After 19 March 1945, the basic Treaty on Friendship, Good Neighborhood and Cooperation had been signed in Moscow as late as on 12 March 1991. Its Preamble maintained that both sides «reaffirmed their commitment to all Treaties, Agreements and documents, concluded and adopted since the establishment of the diplomatic relations between the two countries in 1920»24. After the dissolution of the USSR both concerned parties had adopted their own Treaty on the Basics of Relations Between the two countries which was signed in Moscow on 25 May 1992. It made no reference to the soviet period, and both countries recorded in the text the non-use of force (Articles 2 and 4), consultations on regional issues (Articles 5–6) and a struggle against the arms smuggling (Article 19)25.

In 1999 the Russian Federation and Turkey agreed upon preferential taxes on the «Blue Stream» gas. The Turkish side did not sign to the price for the transported raw material, but the partners supplemented the Protocol with the «joint fight against terrorism» provision. In June 2001 the above two countries created a working group on Artsakh, energy, terrorism and on the Straits. On 16 November of the same year their Partnership Action Plan had been also expanded to include activities in the international organizations. Geographically it covered the entire Caucasus, Transcaucasia, Central Asia, Near East, Afghanistan, the Balkans, Cyprus, the Black and the Mediterranean Seas26.

On 13 February 2009 Moscow decided to create a Platform for Stability in the Caucasus to supplement the existing international mechanisms used for the Artsakh settlement by the Minsk group. Moscow announced that this creation was prompted by her desire to do away with the lack of confidence between the parties of the Transcaucasian conflicts27. That day gave start to the energetic torpedoing of the Minsk Group created by the Organization for Security and Cooperation in Europe in December 1994 for the purpose of peaceful settlement of the Karabakh conflict. The Minsk Group was co-chaired by Russia, the United States and France. From that point on, the

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27 Бдоян. 2017, 63–64.
Russian Federation and Turkey strived to substitute this international body for their own tandem. Moscow laid solid foundations for the gas and nuclear cooperation and signed a huge loan agreement with Turkey. Then, in 2001, Moscow officially invited that country to deal with the Artsakh issue. If there is anybody who can substantiate why the country which had annihilated the indigenous population of the Western Armenia in 1915–1918 and then continued the Genocide in 1918–1920 within the territory of the First independent Republic and all-around the Transcaucasia, including Nakhijevan, Artsakh and Baku, the country which permanently denies its hideous crime and in every possible way equates the victim with the criminal, why would such a country suddenly have the intention to make itself useful for the Armenian society? What, besides a mortal danger, has such an alliance brought and continues to bring to the present-day Republic of Armenia? However, the modern RA being an independent State did not take any perceptible political counter-measures.

All three powers of the Minsk Group – Russia since 1995, USA and France both since 2019 recognize Medz Eghern (the Genocide of Armenians) at the State level. Russia, however, in the course of her long-term diplomatic activity had been replacing the United States and France – two democratic, self-sufficient powers which are mindful of public opinion with the utterly biased Turkey, a NATO member state in need of the Russian raw materials and extremely eager to enter the region. Just to remind that Turkey which precisely at the invitation of Moscow and owing to its passivity was fully engaged in the war of 2020, had set up a military base in Shushi. Meanwhile, the official Yerevan has never announced that it rules out any discussions on the Armenian national problems with Turkey because of this country’s denial of the perpetrated Genocide and the assistance to Azerbaijan, her closest military and political ally. Especially in the current situation, when Russia regards its relation with the RA as purely applied and assigned to consumption.

As for the Armenian state administration, in 2020, it showed its very limited capability of defence in the conditions when the advent of Turkey has qualitatively and in a drastic way altered the situation. Prior to that, there were only two sides to the conflict, namely Yerevan and Baku, but since 2020 Armenia vitally needed reinforcement.

**Blunders of Armenian Diplomacy and Missed Opportunities**

Let’s address the blunders in the functioning of the present-day Armenian state. In 1994–2020 Azerbaijan brought 4 resolutions to the UN during the past 26 years of negotiation whereas the Armenian side brought none. Armenia has never ever raised such burning issues as pogroms in Sumgait and Baku, the massacre of residents of the Armenian village of Maraga and the ethnic cleansings in Kirovabad. The official bodies of Armenia did not condemn the long-term, genocidal policy of ethnic cleansing carried out by
Azerbaijan. Besides, Armenia has never countered the Azeri propaganda of racial intolerance and hatred; she failed to protest vehemently against the torture and abuse targeting civilians and prisoners of war. During the 2020 war, the RA diplomacy said nothing about the enemy’s use of the prohibited weapons, on the proven enlistment of mercenaries and terrorists or about the large-scale involvement of Turkey, as a third country, in the large scale military conflict.

We cannot list a dozen of the official Yerevan’s initiatives taken on the international arena in 1994–2020. The Republic of Armenia had also terribly failed as state in fulfilling her obligations of the security guarantor for the part of its Motherland – Artsakh. As of 2022, after the military downfall and the tripartite ceasefire declaration of 9 November 2020, there were 122 villages destroyed in this region whereby 40,000 people lost their homes, including the refugees from Sumgait, Kirovabad and Baku who had earlier returned to Artsakh and rebuilt their homes there. By November 2020, 70% of that part of the Motherland where our nation has always lived, defended his hearth and worked, was lost. Later on, Azerbaijan imposed an unimpeded transport blockade which lasted from 12 December 2022 to 19 September 2023 including a complete ban on all cargo from Armenia from 15 July 2023. All these events resulted in a mass exodus of 136,000 residents who quitted the region between 27 September and 3 October 2023\(^{28}\). Now, in 2024, Artsakh is completely cleansed of its indigenous population, while the Turkish–Azerbaijani alliance is busy destroying all historic evidence of the national identity and millennia-old creation of the Armenian people in this area. There is only one historical, cultural, and during 1991–2020 the socio-economic difference between Artsakh and Yerevan: being geographically located further East than Yerevan, this region has been the first of them to take the blows of the Azerbaijani genocidal policy.

It is evident today that a substitution of the political and ideological strategy of Unification for the strategy of independence, completed by Armenian power structures, did not bring good results. Not to say that the RA has poorly used the full potential of her sovereignty all these years. Let’s note that independence is not an end in itself. It rather serves as a tool to ensure the security and consolidation of the society that owns it. Each nation has its base: its territory, population, culture, society, modern economy and finances. It also maintains a superstructure, i. e. its control system. You can have an independent but helpless state. As for Azerbaijan, it always traded part of its sovereignty for the Armenian districts. It successfully ousted the Armenians under all regimes – be it Tsarist, Musavatist, Soviet or after the USSR collapse; and under all ideologies. Corruption in this country is much higher than in Armenia, however, it doesn’t prevent its power elites to carry on

\(^{28}\) See the official UN information of 27. 10. 2023: «В ООН запрошили 97 млн долларов на чрезвычайную помощь беженцам в Армении». – org/ru/story/2023/10/1445572 downloaded 10. 01. 2024.
with their long-term and consistent genocidal policy.

Keeping in mind the works by the victimology classics like Leo Kuper, Robert Melson, James Reid, Helen Fein, the author of this article and of several publications on the Genocide issue has to say: now the population of the Republic of Armenia is in even greater danger than in 2016–2020, although the stance of society in common with its governmental policy demonstrate that the RA is hardly aware of it. Back in 1990, at the I International Congress on Genocide in Yerevan, the leading victimologists stressed the request to create an international network geared to predict and prevent the danger they were experts in. The network of such institutions constantly operates since 2005 and, at present, includes the Special Adviser of the UN General Secretary on the Prevention of Genocide, Mrs. Alice Wairimu Nderitu. However, none of the experts from Armenia are involved in their activities. Moreover, I am not sure to what extent the society and the government institutions of Armenia are informed about this work. We can name at least six international journals on genocide topics, including Ukraine in the post-soviet countries. Since September 2014 the Genocide dedicated Museum-Institute of the National Academy of Sciences of the RA also publishes an «International Journal of Armenian Genocide Studies» in Yerevan. This by no doubt useful project should be integrated into international cooperation. It is also important to deliver regular publications from Armenia to particular foreign publications. By now, the information spread from our republic is fragmented and it is not systemic.

**Possibilities of the Political Settlement of the Artsakh Confrontation Before 2020 and in Recent Conditions**

For the record: in 2020–2021, the unification of the Republic of Armenia with Artsakh and their common appeal to join the Russian Federation was a feasible and expedient political solution. It is already problematic now,


although no one can deprive the Artsakh Armenians of their right to the fatherland, home, self-determination and freedom from a terrorist and criminal dictatorship. If the current administration of the RA thinks it impossible to represent the rights of Artsakh Armenians at the international arena, then the residents of the region can elect or approve their plenipotentiaries for this purpose.

Maintenance of the fundamental strategy aimed at Unification and close integration with the RF remains the main working solution by which the Republic of Armenia can help its compatriots. It is also clear that every vital decision on Artsakh must be reached in a referendum held in the RA. The long-term uncertainty or division are unacceptable for our small in members society; these would prevent solutions of any serious tasks, while small fragments of the society headed by their respective parties would fail in provision of the personnel able to ensure a high-quality work of the state bodies. That’s why all vital disputes should be solutioned by referendums.

**Political Assessments of the Present Situation Using the Method of Comparative Analysis**

Examining the events of 2020–2023, let’s note: the strategy of the Artsakh independence did not bring about positive results. Its capabilities sharply reduced while the force of 1960 peace-keepers and their activities associated with the protection of the population were obviously insufficient\(^{32}\). In its turn, the population of Artsakh was too small to ensure its self-defense on its own even back in 1988. Let’s also note that the peacekeepers from the RF did not fulfill their main task of ensuring the safety for the Armenians: the Azerbaijani troops were not stopped at the positions they occupied (item 1), the peacekeepers were not placed along the Lachin corridor, on the lines bordering the zone of military contact and did not stabilize it (item 3), they did not ensure the safety of the Lachin corridor itself and failed to provide any other safe connection of the Mountainous Karabakh with Armenia (item 6). The withdrawal of the Armenian armed forces (item 4) turned into a complete disarmament of the local self-defense forces whereas the exchange of prisoners of war (item 8) was not only thwarted\(^{33}\) but de facto led to an unhindered capture of new hostages by

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\(^{32}\) In accordance with the tripartite ceasefire declaration of 9. 11. 2020, 1,960 peacekeepers from the RF with 90 armored personnel carriers and 380 vehicles were allocated at the region for 5 years, unless one of the parties cancels their sojourn, doing it 6 months before the expiration of this period.

Azerbaijan. And the settlement of Azerbaijanis in the region is carried out without any control by the Office of the UN High Commissioner for Refugees (item 7)\(^34\).

Looking into the concept of sovereignty we would emphasize that a state’s primary function is to ensure the military security of its citizens. For instance, the Turks wrote in the Art. VIII of the Moscow Treaty that their territory is determined first of all by the existence of a «direct military and civil administration»\(^35\) – and nothing else. Any political demands which are not supported by an adequate defense inevitably trigger new aggressions. It should be stressed that the contemporary Republic of Armenia is not the legal successor of the First Independent Republic, dated 1918 – 12 March 1922, neither is she the successor to the soviet state which existed between 13. 12. 1922 and 1991\(^36\). She is actually a successor of the All-national Movement for Miatsum (Unification). All these three Republics are associated with different ideologies, strategies and perceptions in foreign countries. Any attempt to declare themselves a successor of the 1918–1920 legacy exclusively brings up the issue of territorial claims which create casus belli for Turkey capable of launching an armed invasion of the RA at any opportune moment. Deprived of its Armenian population, Nakhijevan and Artsakh pose a serious danger to Yerevan and Syunik. Now, in 2024, the Republic of Armenia faces even a greater threat than it was in 2020, and that’s why implementation of the Order of the International Court of Justice, UN, dated 17. 11. 2023 «Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)»; it obliges Azerbaijan to ensure compliance with this document, do not apply violence or intimidation, to guarantee security of entrance-exit and stay of the indigenous resident of the region, as well as to «protect and preserve registration, identity and private property documents» of these persons, having «due regard to such documents and records in its administrative and legislative practices».

\(^34\) Text of the tripartite ceasefire declaration of 9. 11. 2020, see in: Հայաստանի Հանրապետության վարչապետի, Ադրբեջանի Հանրապետության նախագահի և Ռուսաստանի Դաշնության նախագահի հայտարարությունը ամբողջական համադրության մասին, 2020 թ. նոյեմբերի 9-ում. – item/2020/11/10/Announcement/, downloaded 10. 01. 2024. See also para. 67 of the Order of the International Court of Justice, UN, dated 22. 02. 2023 in its Order of 17. 11. 2023, p. 3: «The Republic of Azerbaijan shall ... take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions».

\(^35\) Акопян. 2021, 171.

strategy of integration is potentially more useful under the current circumstances than other mechanisms.

Azerbaijan’s successful attack on 27 September 2020 and the subsequent disarmament of the Artsakh self-defense forces on 19 September 2023 require official Yerevan to provide a complete and precise mapping of the state borders. And taking into account Turkey’s large-scale involvement in all processes the above requirement might also apply to the present day Turkish-Armenian delineation defined as a de facto border in 1921. Wherever the present Republic of Armenia has no its direct management and governance, there is no its State. Acknowledging that the recent border line had been shaped by the successful Turkish aggression of 1920 facilitated by the Genocide of Armenians, committed by the Ottoman Empire in 1915–1923, the Republic of Armenia adheres to the de facto existing demarcation. RA does not have and has never put forward territorial claims in regard to the contiguous lands west of the border. Today, it is more expedient for Armenia’s politics and related information campaigns to emphasize that the republican authorities support peaceful methods and use of the international legal instruments for the regulation of inter-ethnic contradictions.

As a potentially useful measure the society can adopt its own National Oath reaffirming the 30 year long de facto Reunification of Artsakh with the rest of Armenia as an implementation of its chosen legal method of self-determination. None of the international documents on this issue will be considered legitimate if contested by the national legislature. When drafting such a document, it would be advisable to introduce a specific item that would clearly state that unlike the Treaty of Moscow of 1921, the contemporary agreements between the Republic of Armenia and the Turkish Republic cannot accept the Ottoman National Oath of 28 January 1920, especially its item 6 on a «full freedom of action» which actually manifests the fundamental lawlessness and despotism of the Turkish state as a necessary condition for its national existence.37

A simultaneous announcement of seeking closer ties with the Russian Federation may also be useful. Such a thesis would help to prevent a new military escalation and could contribute to obtaining more acceptable solutions in the currently difficult situation. Besides, we must unequivocally and formally link the integration between the Republic of Armenia and the Russian Federation with the task of the national unification (Miatsum) with Artsakh, keeping in mind that the above integration is a tool for resolving our main problem.

Practical Steps for Assessing the 1921 Documents

The National Assembly of the Republic of Armenia will need to evaluate the documents of 1921 as soon as possible, since they became the guidelines for the Russian–Turkish relations which had molded the Armenian–Turkish dealings too. Two of these documents reflect the results of the Armenian–Turkish and Armenian–Azerbaijani confrontation in 1918–1920 which was the large-scale and genocidal in regard to Nakhijevan and Artsakh. The losses of 1918–1920 were legally formalized in 1921, therefore the National Assembly of the RA is obliged to attest that the Treaty of Moscow dated 16 (18) March 1921 and signed by the RSFSR and Kemalist Turkey in common with the decision of the Caucasus Bureau CC RCP(b) of 5 July 1921 which subordinated Karabakh (Artsakh) to the Soviet Azerbaijan are a gross violation of the International Law. An official assessment of the RA’s legislator must be accompanied with an invitation to the Federal Assembly of the Russian Federation to join this statement.

The main violation in the Treaty of Moscow pertains to an obvious fact that Soviet Russia and Turkey in duet defined the ownership of the territories which belonged to the three Transcaucasian independent Republics (Armenia, Azerbaijan and Georgia), without their input into the talks or participation in the signing of the final text. The Angora Cabinet, who tried to shadow the Ottoman Government in Constantinople, together with the officials of the RSFSR disposed of the independent Republic of Armenia’s territories which were under the military occupation by the Kemalists. Article I of the Moscow Treaty had recorded the National Oath of the Ottoman Parliament which in its item 2 nullified the denunciation of the Treaty of Brest Litovsk repeating its main thesis. Besides, item 6 of the National Oath rejects the international law for it declares complete and unrestricted freedom of Turkish actions. This exposes the criminal nature of the Turkish state unable to comply with the international norms, which also proclaims the possibility of aggressing neighboring countries (Cyprus, Syria, set up of the military base in Shushi), whenever it thinks it to be fit.

Thus, Article I of the Treaty of Moscow had reflected the non-legal, nationalistic, militarist, dictatoral character of the Kemalist regime and its policy’s unison with the Ottoman policy. On Armenian matters: the RSFSR and Turkey had transformed Nakhijevan by the Article III of this bilateral text into «an autonomous territory under the auspices of Azerbaijan». Though the Soviet–Armenian Agreement of 10 August 1920 had recognized this Region as disputed between the RA and Soviet Azerbaijan and stipulated that this issue was to be settled by another bilateral agreement. The Treaty of Alexandropol on the subjugation of this district by the Kemalists was not ratified (Articles 18, 7) neither by the Turks nor by the RA. (Besides, the Art. 2 of the Alexandropol text stipulated a plebiscite alongside with a special administration in Nakhijevan, temporary protection by Turkey and non-interference of the Republic of Armenia.)
The decision of the Caucasus Bureau CC RCP(b) on Artsakh, dated 5 July 1921, followed from the logic of the Moscow Soviet–Kemalist deal. It had also disposed of the territory disputed by two independent Republics and did it without the involvement of any state authorities or a plebiscite. Though the RSFSR–RA Agreement of 10 August 1920 stipulated that the settlement process would be agreed upon by these two parties exclusively. Any participation of other States was not envisaged. Taking note that the inaction of the RA’s state bodies in a condemnation of the Treaty of Moscow concerning Nakhijevan together with the decision of 5 July 1921 on Artsakh in no way had helped the peaceful resolution of the conflict, it is important that the National Assembly insist on the Armenian demand to involve into negotiations only those states which are mandatorily acceptable for the conflicting parties.

Aside of the documents formulated in 1921, it is necessary to turn to the modern times, i. e. to adopt a separate resolution condemning the imposition of the complete blockade on the Armenian Republic and Artsakh. This blockade had been initiated by the Azerbaijani SSR in August of 1989 with the following assistance of Turkey and it was implemented until 19 September 2023 regarding Artsakh and up today in regard to the RA. The Armenian legislature should underline that Armenia had replicated by a blockade of Nakhijevan, because neither the central Government of the USSR nor any of the international organizations ensured Armenian freight traffic through Azerbaijan and further on through Syunik. If we go back in 1919–1920, the British forces had quickly and effectively deblocked the railway leading to the RA. Lifting of the blockade is used today as a long-standing weapon of pressure and blackmail because the Armenian economy is much more dependent of external communications than the industry of its adversary. It was not Armenia who had initiated the closure of the roads, and the question is only about whether they would be open for its cargo and how reliably these communication would function. And the state with private entrepreneurs of the RA will jointly answer the further questions of where and what to transport along the extensive North-South transport corridor now under development. And sure, Turkey with Azerbaijan are deliberately seeking transportation exactly via the territory of the Republic of Armenia instead of another State, namely through Iran.

**Conclusions**

Let’s put it on record that the Treaty of Moscow dated 16 (18) March 1921 and the subsequent decision of the Caucasus Bureau CC RCP(b) of 5 July 1921 had become the fundamental documents that shaped the long-term military-political confrontation of 1991–2020. Not only at the expert community level but also at the state level Armenia should officially qualify all the process of the creation of the conditions incompatible with the existence of the ethnic unity, embodied in pogroms, the complete transport
and energy blockade, ethnic cleansings and other atrocities against the Armenian Autonomy in Karabakh in 1988–1991, later on in the large-scale warfare of 1991–1994, then of April 2016 and 2020, in the isolation and complete exodus of the Armenian population from Artsakh in 2022–2023, including firing and attacks on the RA borders as genocidal policy and the fight of Azerbaijan against the Armenian SSR and the independent Armenian state. This policy of racial discrimination is implemented by the Azeri authorities supported by the wide circles of their society, and it is aimed at the denial of the right of Artsakh Armenians to self-determination. The very same right to self-determination which had been exercised by Azerbaijan in regard to the USSR, while this republic denies the legality of the process applied by the Autonomy which was forcibly incorporated into this state against its will. When it comes to the life and security of the citizens and peoples such a disregard for the international law seriously harms and endangers the international environment. A resolution that blames the blockade would effectively complement a condemnation of Azerbaijan’s aggression carried out in September – November 2020, when it used mercenaries and prohibited weapons, resorted to tortures of the prisoners of war and civilians. All these deeds constitute the criminal violation of the International Law and are called to disrupt the political, i. e. peaceful methods of the conflict resolution.

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К ИСТОРИКО-ПОЛИТИЧЕСКОЙ ОЦЕНКЕ МОСКОВСКОГО ДОГОВОРА ОТ 16 (18) МАРТА 1921 Г.

ГАЯНЭ МАХМУРЯН

Резюме

Ключевые слова: Московский договор 1921 г., Республика Армения, РСФСР, кемалистская Турция, Карская область, Сурмалу, Нахиджеван, Арцах (Нагорный Карабах), Азербайджан, Грузия.

Московский договор от 16 (18) марта 1921 г. был подписан Советской Россией и нелегитимной кемалистской властью Турции. Руководствуясь революционными и захватническими планами, стороны закрепили успехи кемалистов в их агрессивной войне 1920 г. против Республики Армения. Московский договор утвердил захват кемалистами Карской области и Сурмалинского района, а Нахиджеван был передан Азербайджану в качестве протектората. Новым проявлением большевистско-кемалистского сотрудничества стало столь же незаконное, как Московский договор, неправовое решение негосударственного органа – Кавказского бюро ЦК РКП(б) от 5 июля 1921 г. о подчинении Нагорного Карабаха Советскому Азербайджану, пронигорировавшее волю 95% населения.

Эти два решения 1921 г. заложили основу для долгосрочного армяно-азербайджанского конфликта, вылившегося в 1991–1994, 2016 и 2020 гг. в три войны, сопровождавшиеся длительными международными перегово-
рами. Рецидивные погромы 1905–1907 гг., 1918–1920 гг. и с 1988 г., блокада Арцаха с августа 1989 по сентябрь 2023 г. и массовое насилие над армянами, особенно Находжевана и Арцаха, а также современные этниче- 
ские чистки привели к полной деарменизации этих регионов. Об этих преступ- 
лениях следует информировать мировое сообщество, чтобы осудить их как осуществление политики геноцида. В условиях тесного сближения Российской Федерации и Турции, внешняя политика Республики Армения должна стать более гибкой и осмотрительной.

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