



Armenian National Committee of America

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ANCA Policy Brief: The Armenia-Azerbaijan “Peace” Agreement

On March 13th, it was announced that Armenia and Azerbaijan had concluded negotiations on the terms of a peace agreement. The agreement, which has not been made public, includes provisions requiring Armenia to withdraw its legal petitions against Azerbaijan before the International Court of Justice (ICJ), and the removal of European and third-party border monitors. Additionally, Azerbaijan has imposed preconditions on ratifying an agreement not previously discussed during negotiations.

In the days following the conclusion of negotiations, Azerbaijan continuously accused Armenia of ceasefire violations – which European border monitors have refuted. That same week, reports emerged that Azerbaijani forces had opened fire on Armenian positions in southern Armenia. There are concerns that Azerbaijan’s claims are an attempt to manufacture a pretext for military escalation.

The [ANCA’s position](#) is that a just, durable, and dignified peace is impossible without accountability and tangible security guarantees for Armenia. The terms of the peace agreement have been dictated by Azerbaijan and imposed on Armenia at the barrel of a gun – amid Azerbaijan’s occupation of sovereign Armenian territory and the detention and abuse of unlawfully detained Armenian POWs.

Azerbaijani Preconditions

- **Constitutional Changes:** Azerbaijan has demanded that Armenia make changes to its constitution, expunging any reference to Nagorno-Karabakh and its indigenous Armenian population. In addition to being a brazen infraction of Armenia’s sovereignty, it is clear that Azerbaijan is seeking to delay and derail a peace agreement by imposing unreasonable preconditions. Changing the constitution would require a referendum, which would not take place until 2026 at the earliest.
- **Dissolution of the OSCE Minsk Group:** The OSCE Minsk Group is the entity mandated to negotiate a sustainable peace in the region, and it includes the U.S., Russia, and France as co-chairs. While the OSCE has been defunct since Azerbaijan’s assault on Nagorno-Karabakh in 2020, it remains the only multilateral mediation platform assigned to address this conflict. In light of Azerbaijan’s bad-faith engagement in peace talks and its ongoing belligerency toward Armenia, multilateral engagement is critical to sustainable peace.

What the Peace Agreement Doesn’t Address

- **Armenian Prisoners:** The Armenian government has acknowledged that the peace agreement negotiated with Azerbaijan does not contain any provision for the release of Armenian prisoners of war. Azerbaijan continues to unlawfully detain at least 23 known prisoners, who have been subject to abuse in custody and denied their legal rights to due process. In a recent statement, National Security Advisor Mike Waltz called for Azerbaijan’s release of Armenian POWs.
- **Right of Return:** Under international law, the 150,000 Armenians forcibly displaced from Nagorno-Karabakh have the right to a collective return under safe and secure conditions. Armenia has not raised this issue during negotiations, even as Azerbaijan violates the right of return through the destruction of civilian property and its desecration of Armenian Christian heritage.

Implications of the Peace Agreement

- Withdrawing European and third-party monitors from the border would remove the only deterrent against continued Azerbaijani encroachment into Armenian territory. Azerbaijan's false accusations against Armenia and recent ceasefire violations only underscore the need for international observers.
- Given the exclusion of Armenian POWs from the peace agreement and the ongoing sham trials of prisoners, international legal proceedings against Azerbaijan are critical to maintaining pressure for the release of detainees. Withdrawing international legal complaints jeopardizes the safety and well-being of those in Azerbaijan's unlawful detention.
- Azerbaijan's insistence on unreasonable preconditions for the agreement's ratification, including conditioning signing on changes to Armenia's constitution, is a tactic to further delay and derail a sustainable settlement to the conflict.
- The failure to address long-term issues, including the return of Armenian refugees to Nagorno-Karabakh and the protection of at-risk Armenian Christian cultural heritage, undermines the status and international human rights of those forced from their homes and would legitimize Azerbaijan's use of military force and ethnic cleansing to resolve this conflict – setting a dangerous precedent that would extend well beyond the South Caucasus.
- Azerbaijan's bad-faith conduct during and since the conclusion of negotiations calls into question Baku's commitment to long-term peace. The ongoing detention of POWs, occupation of sovereign Armenian territory, the imposition of unreasonable demands on Armenia, and calls for the exclusion of third-party mediators raise – rather than prevent – the risk of escalation.

ANCA Recommendations

In light of Azerbaijan's continued aggression against Armenia, the U.S. has a critical role to play in deterring renewed escalation – and making clear that Baku will not be rewarded for its attempts to delay and derail peace.

This must begin with holding Azerbaijan accountable for its human rights violations, specifically its ongoing unlawful detention and abuse of Armenian prisoners of war, civilian captives, and former Nagorno-Karabakh officials. The ANCA urges the Trump Administration to exercise its discretionary authority to impose Global Magnitsky Act sanctions against Azerbaijani officials responsible for war crimes as leverage to compel the immediate and unconditional release of Armenian detainees.

Given the risk of renewed escalation, Azerbaijan's continued occupation of sovereign Armenian territory, and efforts to undermine the regional peace process, the ANCA further urges the Trump Administration to maintain the enforcement of prohibitions on U.S. security assistance to Azerbaijan.

ANCA Request: The ANCA calls on Congressional leaders to support efforts urging the Trump Administration to hold Azerbaijan accountable for its efforts to delay and derail peace talks. Please contact Sari Cureton (sari_cureton@peters.senate.gov) in Senator Peters' (D-MI) office for more information regarding an upcoming letter to the Trump Administration urging U.S. support for a just, durable and dignified peace in the South Caucasus.

