

MEDIATOR ACTIVITIES IN INTERNATIONAL LAW AND UPPER-KARABAKH CONFLICT

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Abstract: *The aim of the work is to study the origin of mediation in international law, the place of Azerbaijan in modern international relations, the study of the possibilities for the settlement of Armenian-Azerbaijani Upper-Karabakh problem within the framework of the OSCE Minsk Group, in foreign policy of the co-chair countries, the prospects for the geo-strategic partnership of Azerbaijan with the United States, France and Russia. The methodological basis of the article is the work of domestic and foreign authors, affecting the history of the emergence of international law and the place of Armenian-Azerbaijani Upper-Karabakh problem in contemporary international relations. In these studies, have been developed the conceptual provisions of the international problems of the current period, which allows for a comprehensive approach to the settlement of Armenian-Azerbaijani Upper-Karabakh conflict. From the analysis, the author comes to the conclusion that in the near future the leading countries of the world are unlikely to abandon the application of the policy of double standards, therefore Azerbaijan remains nothing but to rely on its own forces in the settlement of Upper-Karabakh conflict. Today Azerbaijan proves to the whole world its military strength, economic and political stability, all these indicators will serve as the main key factors in the settlement of Karabakh problem.*

Keywords: *conflict; international law; Upper-Karabakh; OSCE; Minsk group.*

INTRODUCTION

The relevance of the topic is that with the advent of international law appeared mediation in world politics. After the collapse of the USSR and the restoration of state independence, Azerbaijan became a member of the OSCE, and after the creation of the OSCE Minsk Group, large states started talking about the Upper-Karabakh conflict at the world level. Russia, the United States and France are the co-chair countries of the Minsk Group. It is noteworthy that with the inclusion of the United States in the Minsk Group of the Axis on the settlement of the Upper-Karabakh problem of the conflict large states began to speak at the world level.

SCIENTIFIC SIGNIFICANCE

The scientific novelty of the article is determined by the fact that, despite the existence of a number of publications on the history of the Armenian-Azerbaijani Nagorno-Karabakh conflict, the issue of the activities of the OSCE Minsk Group Co-Chair countries in its integral comparability and integrated approach has not yet been covered.

METHODOLOGICAL AND THEORETICAL BASIS

The methodological and theoretical basis of this doctoral work is the work of domestic and foreign authors, affecting the Armenian-Azerbaijani Nagorno-Karabakh problem. In these studies, the conceptual provisions of the international problems of the current period have been developed, which allow for a comprehensive approach to the settlement of the Armenian-Azerbaijani Upper-Karabakh conflict.

GOAL OF THE WORK

The aim of the work is to study the possibilities for the settlement of the Armenian-Azerbaijani Upper-Karabakh conflict within the framework of the OSCE Minsk Group, the foreign policy of the countries co-chairing the prospects for the geo-strategic partnership of Azerbaijan with the United States, France, Russia (with the OSCE Minsk Group Co-Chair countries); influence of the Upper-Karabakh conflict on the events in the South Caucasus region. In the near future, the world's leading countries, as well as the superpower of the USA, are unlikely to refuse to apply the policy of double standards, that is why Azerbaijan remains nothing but to rely on its own forces in the settlement of the Upper-Karabakh conflict. Today, Azerbaijan proves to world its military power, economic and political stability and all these indicators will serve as the main key factors in the settlement of Karabakh problem. Generally, the accumulated experience in negotiating the settlement of the Armenian-Azerbaijani Nagorno-Karabakh conflict, as well as the experience of interaction in the political, military and economic cooperation between Azerbaijan and the countries co-chairing the OSCE Minsk Group (Russia, the United States, and France) is useful for many Eurasian countries. Claiming for an influential role in the South Caucasus, the Azerbaijani government proposes its own concepts and concrete measures of concerted action to settle this conflict. In a certain and practical sense, the geostrategic partnership of Azerbaijan with the United States, France and Russia can be seen as a positive example of the cooperation of the Muslim country with Christian countries, because Azerbaijan, through its democratic and secular regime, is actually an example for Georgia and Armenia.

ANALYSIS OF LITERATURE

In the first place among the Azerbaijani authors who studied the activities of the Minsk Group, as well as the problem around Upper-Karabakh and international relations in general, it is possible to mention, can be called Hasanova A. In their works a huge amount of factual material was used, which is especially useful for our topic. They cover the most diverse aspects of international relations and the process of globalization at the end of the twentieth century and at the beginning of the 21st century. In these works, the authors analyzed the geostrategic situation of the modern world and the main global problems of international relations reasonably enough, which allowed us to make several important points on our topic. The Azerbaijani author G. Aliyeva-Mamedova chose various aspects of Turkish-American relations under the new world order as an object of study, the author also examined the South Caucasus region in Turkish-American relations. Therefore, this makes this monograph important for us, since it contains a huge factual material on the foreign policy of Turkey and the United States and the role of Azerbaijan in this policy. In addition, when writing the doctoral work, we used the generalizations

and conclusions of some authors on the problems of international relations and geopolitics, which determine the main trends and prospects for globalization and modern geostrategy. Among these books, one can mention the work of E. Bazhanov, A. Bogaturov, N. Kleymentov and A. Sidorov, E. Yazkov, also in this perspective the book by A. Torkunov and G. Kissinger is well written, where all the smallest details of world politics and modern international relations. All this makes these books interesting for our work. Generalizations and conclusions of these authors on many issues of modern international relations and world politics proved to be especially useful for us in the work on the problem under study.

MAIN TEXT

No state, at any time, could exist for a long time absolutely isolated from other states. Thousands of threads (political, economic, military, cultural, scientific, etc.) are associated with others (11). The scientific and technical revolution accelerated the process of involving countries in the international division of labor and the exchange of products and information, which was the basis for the emergence of the phenomenon of an "open economy", or the internationalization of the economy, in the second half of the twentieth century, on the basis of the integration process (6, .413). Economic prerequisites for integration were rooted in the ever-growing internationalization of production and exchange, in the creation of large and economic complexes whose activities went beyond the borders of one country (9, pp. 41, 42).

The events of September 11, 2001, the military operations that followed it in Afghanistan and Iraq, the nuclear crisis on the Korean Peninsula, the further aggravation of the Palestinian-Israeli conflict and other major conflict situations show that in the first decade of the twenty-first century a new axis of controversy arose, or as it is called "new bipolarity". The history of international relations, including the history of the twentieth century, gives many examples of how conflicts of incompatible values and ideologies engendered political conflicts, and the latter often developed into armed clashes and wars (8, p. 7). Therefore, in the new and in the modern era, the issue of international security is understood as universal and does not infringe on the vital interests of the countries entering the system (5, p. 20).

The period of the creation of the UN and the formation of modern international law is associated with several events and factors that have influenced the development and content of international law. Among them - the First World War, as a result of which the victors - the Entente countries - a series of treaties with Germany and its allies created a legal regime, known as the Versailles-Washington system. These treaties envisaged the creation of new states in Central and South-Eastern Europe; the issue of compensation for damage caused by Germany was resolved, and its borders were revised; for a number of Western countries, the principle of "open doors" was established in China (12). An important link in the Versailles system and its guarantor was the League of Nations, whose status included the obligations of its members not to resort to war until the dispute between them was arbitrated, litigated or reviewed by the Council of the League; did not forbid war.

The anti-Hitler coalition of states that was formed during the Second World War came to the conviction that the post-war peace should be built on such principles that would provide States with international legal guarantees for their security. The maintenance of international peace was the subject of discussion at the Moscow (1943),

Tehran (1943) and Crimean (1945) conferences of the three allied powers: the USSR, the United States and Great Britain. It was recognized that the new international organization should be different from the League of Nations, be equipped with the mechanisms necessary to maintain international peace and security. The United Nations was established, the Charter of which was adopted on June 26, 1945, which marked a new modern stage in the development of international law. Fundamentally new in the UN Charter were provisions prohibiting aggression and establishing a mechanism for sanctions against the aggressor state (13).

At the same time, parallel with the political regulation of the United Nations in the western part of the world, the mechanisms of economic regulation began to develop under the active guiding role of the United States. The Bretton Woods system (the World Bank, the International Monetary Fund, the General Agreement on Tariffs and Trade, etc.) and the related mechanisms were intended initially to help the economic recovery of war-torn states, but over time they became the basis for preventing economic wars between them and a means of stabilizing international relations (2, p.639). During the nineties of the twentieth century, both practitioners and theorists paid great attention to conflict prevention. Preventive measures are designed to resolve differences, manage the situation or contain controversies until they become violent. Conflict management, in turn, means limiting, mitigating and containing conflict. The notion of conflict prevention includes numerous actions, such as avoiding conflict and resolving conflict through methods such as mediation, peacekeeping, peacemaking, confidence-building measures and informal diplomacy (14).

Modern international law is the basis of international law and order, ensured by collective and individual actions of the states themselves. At the same time, within the framework of collective actions, a stable sanction mechanism is being formed, represented primarily by the UN Security Council, as well as by the relevant regional bodies (15). However, in the era of globalization, the work of the international regulatory system is complicated by the situation within the UN. The prolonged discussion of the issue of its reform does not yield positive results. It only led to the fact that the talk about the obsolescence of the United Nations became a refrain of speeches and texts for United Nations sharp criticism directed against the Security Council, within which the five members (the United States, Russia, France, China and Great Britain) retained their preemptive veto privilege relation to the solutions under consideration (2, p.635).

At the same time, the United Nations lost its primary importance, this is confirmed by the four adopted UN resolutions (822, 853, 874, 884), regarding Armenia, which occupied 20% of the territory of Azerbaijan during the Nagorno-Karabakh war, which until now have not been observed by the aggressor Aut.). So, after the tragic events in Khojaly in 1992, Azerbaijan became a member of the UN and on 46th session (3rd March 1992) reported this event to all countries of the world. Since then, the Nagorno-Karabakh problem has entered the international political arena (10, s.194). Unfortunately, the international legal order in the conditions of globalization has so far failed to solve the painful problem of Azerbaijan, the conflict around Nagorno-Karabakh due to the application of double standards.

Does this mean that the world's leading powers are using international law for their own purposes, to strengthen their positions in the political arena, since in the era of the new world order, the activities of the Minsk Group for the settlement of the Nagorno-Karabakh conflict (is actually formal), the countries whose co-chairmen The United States, France and Russia (author). Among the co-chairing countries, Russia has a significant

potential for rendering a significant impact on the course of events in the Caucasus, in particular on the settlement of the Karabakh conflict. In the process of the settlement of the Nagorno-Karabakh conflict, in 1993, the Russian Federation was the first to "come to the conclusion that only observers are not enough to settle the conflict - a peacekeeping operation is needed with the use of the forces of disengagement of the belligerents, as well as facilitating the negotiation process". It is on the incentive for a constructive dialogue that the main emphasis is placed on Russia's mediating role. However, their interests in the region are also considered by the Russian side. They are realized at the expense of claims for the role of the sole mediator (16).

In general, the OSCE, as an organization serving to preserve peace and expand interstate relations in Europe is still mediating the resolution of the Armenian-Azerbaijani Nagorno-Karabakh conflict, but has not achieved anything concrete...

The difficulties of the settlement of this conflict are primarily related to the complexity of the conflict itself, since international law itself creates a certain conflict, when it consolidates, on the one hand, the right of nations to self-determination, and, on the other, recognition and respect for the territorial integrity of states. The competition of these norms leads to difficulties in resolving the conflict. In addition, geopolitical calculations of the powers, first, Russia, the United States, France, Turkey and Iran, leave their imprint on the balance of forces in the region. This was confirmed by the President of Azerbaijan Ilham Aliyev "... international law is just an instrument for strong states, so that they force the weak states to something. But for them, international law is nothing. We see this, everyone sees it. We see this in all corners of the world - who is strong, that's right. What does this show? That you need to be strong. We have long started this: a strong army, a strong economy, civil consent and, of course, thoughtful policy and social justice "(17).

In the book "Modern international relations and world politics" the author writes that "Today Russia is against imposing any recipes from outside by the participants of the conflict and proceeds from the premise that the main responsibility for the final choice should lie on the Azerbaijanis and Armenians themselves. It is ready to support that variant of the solution of the problem, which will satisfy all the parties involved "(8, p.852). However, at the expense of the position of the Russian Federation in the settlement of the Nagorno-Karabakh conflict, one could argue, since it does not impose anything on the conflicting parties on the mind of the Russian Federation, but in fact acts from the position of only its own interests. That is, Russia is interested in preserving the "status quo" around the Karabakh problem. It is strange that the country that once after the collapse of the Soviet Union staged the Nagorno-Karabakh conflict because of its fear of losing Azerbaijan, and at the same time all its natural resources, itself is not in the best political situation today (auth).

Russian authors wrote in their book about Russia's position in the South Caucasus: "...NATO leaders led by the US, uttering lulling words about friendship and cooperation, realize the idea of" squeezing "Russia. This problem is especially acute in the south: in Georgia and Azerbaijan, Turks and Americans actually host "(7, p. 139). The fact is that American academic political scientists believe that the modern world "needs an educational guide", and it is the USA that can play such a role (3, p.510). Gasanov A. Geopolitics. Baku, "Zərdabi LTD", 2012, 688p. World leadership is an integral part of the power and moral values of America, but it does not include the privilege of pretending that America is courteous to other nations by entering into an alliance with them, or has the unlimited opportunity to impose their will by depriving them of their favor. For

America, any application of the principles of "Realpolitik" must be combined with the consideration of the pristine values of the first society in history, specially created in the name of freedom (4, p.763).

However, the official doctrinal documents published in February, April, May 2010 and February 2011, defining in outline the Obama administration's military-political strategy: the Quadrennial Defense Review, the Nuclear Policy Review (Nuclear Posture Review), the National Security Strategy and the National Military Strategy of the United States of America are permeated from beginning to end with the idea of undivided leadership of the United States in world affairs, based on the American in power and policy from the standpoint of power. In this respect, what today has become known as the "Obama doctrine" is not much different from the "Bush Doctrine" that preceded it, as well as the imperialist doctrines of "peace in American way" - Pax Americana - that appeared in the US at the turn of the 19th and 20th centuries.

US military spending, especially after 2001, is constantly growing and is today, represented by Obama in January 2010 in the US Congress, the draft budget for starting on October 1, 2011 fiscal year, almost 50% of the world's spending on these purposes, namely 711 billion, If you add here the military expenditures of the US allies, the total amount will reach \$ 1150 billion, or 81% of the world's expenditures. The current potential of US military forces is the "nuclear triad", of which intercontinental ballistic missiles (ICBMs), strategic submarines (SSBNs and SLBMs) and strategic heavy bombers (TB) are constituent parts. The terrorist acts of September 11, 2001 at the World Trade Center in New York mean the coming of a new era. The West is provoking a reaction of rejection by its attempts to forcibly instill its values into the whole world. In conflict situations in which the banner is used by religions (the events of September 11, 2001, the Indo-Pakistani conflict, religious clashes in Nigeria, the Israeli-Palestinian war), the interfaith meeting in Assisi (January 24, 2002) sets itself the task of refuting the thesis about the conflict of civilizations and return to religious wars. Thus, the events of September 11, 2001 served as a catalyst for accelerating the already existing trends that reflect the new world (1, p.72, 73).

CONCLUSIONS

The analysis shows that in the near future the leading countries of the world, as well as the superpower of the world of the USA, are unlikely to refuse to apply the policy of double standards, then the small countries of the world, including Azerbaijan, have nothing to do but rely on their forces in settlement of the Nagorno-Karabakh conflict. Azerbaijan today proves to the whole world its military strength (April events around Nagorno-Karabakh), economic and political stability, most likely all these indicators of our country and will serve as the main key factors in the settlement of the Karabakh problem, and not the mediatory activity of the co-chairing countries of the Minsk Group OSCE (Russia, France, USA).

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