

APPLICATION OF HUMAN LIFE DAMAGE ASSESSMENT METHODOLOGIES: AGAINST THE BACKGROUND OF THE ARMENIA-AZERBAIJAN MILITARY CONFLICT

Farhad Mikayilov,

farhad.mikayilov@esri.gov.az

Economics Scientific Research Institute,

Head of Social Policy and Humanitarian Areas Department

State Technical University, Department of Economics and Statistics,

Associate Professor

The main goal of the research work is to generalize the methodological bases for the compensations to be paid to the persons killed, injured and disabled as a result of the violation of human rights, and at the same time to assess the damage to human life and health in Azerbaijan during the military aggression of Armenia to Azerbaijan.

In order to achieve this goal, the theoretical and methodological bases were summarized, the experience of similar countries was taken into account, and assessments were made based on relevant statistical data.

Here, the damages were estimated as the sum of the amount of benefits and one-time payments paid to the killed, injured or disabled persons of the countries where the compensation will be based on the increase of budget expenses based on the benefits paid directly by the state, and the amount of potential income that those persons can get.

It should also be noted that the income that can be obtained is estimated based on the average monthly salary of that country and the interval until the retirement age, and the period of benefits to be paid is based on the age limit defined by the legislation or the age interval until the expected life expectancy of the recipients of benefits.

Analysis, analysis, synthesis, evaluation methods were used in conducting the research.

In the end, the amount of damage caused to the citizens of Azerbaijan due to the damage caused to human life and health was calculated with appropriate justifications.

Keywords: Human rights, death, enforced disappearance, injury, lifelong disability.

1. Introduction

Human rights, as rights earned simply because they are human, are superior to and independent of state law. Human rights find their place only within a democratic order as a necessary condition for the comprehensive development of the individual. Human rights rules have a universal basis of equality and therefore have a high moral character. All rules that protect human dignity are covered by human rights. Human dignity is the most important tool to measure compliance with legal rules and correctness of decisions. Human rights rules, as a set of superior rules aimed at protecting human value and material and moral development of people, define state-individual relations in all countries and form the basis of world peace and justice at the international level. Any rule or action aimed at destroying the human rights of anyone, any organization or state cannot be accepted and implemented by the highest bodies of any country, as well as international organizations. It is under the direct control and responsibility of the state that a person is not harmed while exercising his rights. The protection of human rights means primarily the protection of the individual, and the main responsibility for this protection belongs to the state.

After World War II, the concept of "crimes against humanity" was reflected in Article 6 of the Nuremberg Tribunal Statute. According to article 6 of the Nuremberg Court Statute, crimes against humanity include murder, extermination, enslavement, deportation, rape, torture, persecution, committed for political, racial or religious reasons, against the civilian population before or during the war. With the intensive development of international criminal law, the concept of "crimes against humanity" has been greatly expanded.

The main criterion that brings this diversity to a common denominator is that these actions are systematically or on a large scale and are aimed at the civilian population. This internationally accepted criterion is also reflected in the legislation of the Republic of Azerbaijan: 105 of the Criminal Code of the Republic of Azerbaijan. 105-113 of this chapter. Intentional acts envisaged in the Articles or as part of systematic attacks are considered crimes against humanity.

It should not be forgotten that one of the most dangerous events that end human freedom occurs during wars. Therefore, war is a tool that jeopardizes free coexistence as well as mass death and injury. One of these wars is the undeclared war of Armenia aimed at occupying Azerbaijani lands. This war started in 1988 and the first phase of the active period mainly covered the years 1988-1994.

At this stage, 20 percent of Azerbaijan's lands were occupied, a ceasefire was implemented as of May 12, 1994, and it was decided to solve the problem through peaceful means. During this ceasefire, the ceasefire was regularly violated, albeit for a short time, and there were casualties.

The chronology of crimes against peace and humanity, as well as serious and especially serious crimes committed by the Armenian armed forces operating illegally in Karabakh and the Armed Forces of the Republic of Armenia in the occupied territories of Karabakh and in the eastern Zangezur regions of the Republic of Azerbaijan can be summarized as follows.

Since 1988, Armenian armed military units operating illegally in Karabakh and the Armed Forces of the Republic of Armenia forcibly displaced the local population of Azerbaijani nationals living in Karabakh, East Zangezur regions and other regions of the Republic of Azerbaijan from their legal residence. , material wealth in residential areas and state facilities, looting and destruction of cultural monuments, horrific torture of Azerbaijani prisoners and hostages, brutal treatment of civilians and other persons protected by international humanitarian law, genocide, deportation, torture and killing of group members in order to destroy, in whole or in part, as a group. crimes against peace and humanity, as well as deliberate murder, sabotage, terrorism and other particularly serious crimes:

Illegally operating Armenian armed military units, soldiers illegally brought from the Republic of Armenia and deployed in Khankendi.

The aggressor Armenia, with such provocative actions, grossly violated the fundamental norms and principles of international law, created a sharp escalation, and committed open conspiracies against the sovereignty and territorial integrity of the Republic of Azerbaijan.

Crimes against the civilian population of Azerbaijan were recorded and documented by the investigation team operating at the scene, and intensive investigative actions were carried out in order to gather relevant evidence of crimes against humanity committed by Armenian soldiers.

As a result of the ceasefire violation, on September 27, 2020, the conflict entered an active phase for the second time and the enemy tried to continue the policy of aggression. However, as a result of the sharp retaliatory attack and counter-attack of the Azerbaijani army, the main part of the occupied territories was freed from the enemy for 44 days. In total, 3,058 people were killed and 5,000 were injured from the 2nd Karabakh war from September 27, 2020 to September 27, 2022.

In general, along with these civilians, up to 25,000 Azerbaijani citizens were martyred and 56,000 were injured at all stages of the aggression carried out by Armenia against Azerbaijan.

We note that the conflict can be divided into stages according to the table below, and in each stage of this stage, the damage due to the killed, wounded and missing citizens can be assessed based on appropriate methodologies.

Table 1.*Gradual number of dead and wounded in the Armenian-Azerbaijani military conflict¹*

| | Those who perished | The wounded |
|--|---------------------------|--------------------|
| 1988-1994 (Active Phase 1) | 20000 | 50000 |
| 12 May 1994-27 September 2021 | 1008 | 1205 |
| 2020 (September 27-November 10, 2020) (Active Phase 2) | 2908 | 4620 |
| November 10, 2020 - September 30, 2022 | 150 | 360 |

As can be seen, the damage caused by Armenians to the lives of Azerbaijani citizens continued both during the active period of Armenia's military attack on Azerbaijan and after the signing of the armistice and surrender law.

2. Methodology

It should not be forgotten that one of the most important elements is the implementation of measures to prevent crimes against human life or loss of human health. It is the determination of the damage done against the background of the crime committed and the demanding of appropriate compensation from the aggressor. One of the gravest crimes of a rapist is committing genocide. It should be noted that the word "genocide" was first used in 1944 by Polish lawyer Rafael Lemkin in his book "Axis Rule in Occupied Europe". It consists of the Greek prefix *genos*, meaning race or tribe, and the Latin suffix *cide*, meaning to kill. Lemkin coined the term partly in response to the Nazi policy of systematically exterminating the Jewish people during the Holocaust, but also in response to earlier examples of targeted actions in history aimed at destroying certain groups of people. Later, Rafael Lemkin led the campaign to recognize and legislate genocide as an international crime.

Genocide was first recognized as a crime under international law by the United Nations General Assembly (A/RES/96-I) in 1946. It is regulated as a separate crime in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention).

¹ Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ)

<https://caspiandefense.wordpress.com/2021/01/04/44-gunluk-muharib-c9%99-az-c9%99rbaycan-v-c9%99-erm-c9%99nistanin-itkil-c9%99grinin-nisb-c9%99ti-monitorinq/>

¹ Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ)

<https://caspiandefense.wordpress.com/2022/01/31/v-c9%99t-c9%99n-muharib-c9%99sind-c9%99n-sonra-az-c9%99rbaycan-azi-110-h-c9%99rbicisini-istirib/>

¹ <https://caspiandefense.wordpress.com/2016/05/12/az-c9%99rbaycan-1008-h-c9%99rbi-qulluqcu-s-c9%99hid-olub-1205-n-c9%99f-c9%99r-yaralanib-22-illik-at-c9%99sk-c9%99s-c-c9%99bh-c9%99-s-c9%99hidl-c9%99ri-statistika/> baxılıb: 22.12.2020

¹ Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ) <https://mod.gov.az/az/news/veten-muharibesinde-sehid-olmus-herbi-qulluqcularin-siyahisi-38067.html> baxılıb: 19.04.2022

The convention has been ratified by 149 countries (as of January 2018). The International Court of Justice (ICJ) has repeatedly stated that the Convention includes principles that are part of customary international law. This means that regardless of whether States have ratified the Genocide Convention or not, they are all bound by the principle that genocide is a lawfully prohibited crime under international law. The International Court of Justice also stated that the prohibition of genocide is a binding norm (or *ius cogens*) of international law, and therefore derogation is not allowed.

II of the Genocide Convention. The definition of the crime of genocide in its article was the result of a negotiation process and reflects the compromises reached between the member states of the United Nations when the Convention was drafted in 1948. Genocide is defined in the Rome Declaration of the International Criminal Court (Article 6) and in the statutes of other international and hybrid judicial bodies in the same terms as in the Genocide Convention. Many states have criminalized genocide in their domestic laws; others have not yet done so.

Damages caused by war to human life can be distinguished and grouped as follows:

- do not perish;
- lost;
- injury;
- lifelong disability.
- It is understood from the studies that different methods are used to evaluate the damage to human life for these identified groups.
- Some authors evaluate human life in terms of average life value in insurance programs.
- Measures the subjective value of another group of people's lives.

Whatever method is chosen, human losses and physical impairments severely reduce the future earning potential of society.

At present, the following can be mentioned as the main quantitative approaches to the assessment of human life (Mikayilov F.G., Ibishov E.I. 2021):

A. The Copenhagen Consensus values human life at \$100,000.

B. Life insurance. These compensations are generally applied in traffic accidents observed with more accidents. Insurance premiums are lower in the type of transportation where accidents are frequent, and higher in the safer type of transportation. Thus, human life insurance in the event of an accident in automobile transport ranges from \$20,000 to \$1,000,000 in a rail accident.

C. General Motors engineer Edward C. Ivey measures the costs of a fatal car accident by fire. The basis of its methodology is a cost-benefit analysis, which includes discounting all future earnings based on average age and average monthly salary. Based on this methodology, the value of a human life is estimated at \$200,000.

D. In the United States, the lives of National Guard soldiers are insured for \$250,000, which is considered the most honest and reliable by many researchers evaluating the consequences of military conflicts.

F. Another approach is to evaluate the income level based on the Purchasing Power Parity of GDP per capita, one of the United Nations Development Program's measures of human development level. Evaluations can be made according to this indicator. Another advantage of this approach is that it is calculated over the Purchasing Power Parity, which allows comparison between countries. But social security costs and average monthly pensions etc. It can be a bit of a challenge since it is expressed in manat.

G. There is also another approach, in the form of assessment methods as the sum of benefits and one-off payments for people killed, injured or maimed in the attacked country and the amount of potential damage. Income that these people can earn.

The income that can be earned here is determined by the average monthly salary of that country and the range up to retirement age.

At the same time, the duration of the benefits to be paid is estimated based on the age limit set in the legislation or the age range up to the expected life expectancy of the benefit recipients.

H. Another approach is the estimation method based on the potential income that can be obtained according to the education level of the population. Based on this method, a number of studies conducted in the United States have analyzed the relationship between people's education levels and earnings.

Estimates suggest that men with a high school diploma will earn approximately \$1.54 million over their lifetime (accumulated earnings over 50 years between the ages of 20 to 69), while those with bachelor's and master's degrees, including associate degrees, will earn \$2.43 million and \$3.05. It shows that he will earn millions of dollars. they earn dollars respectively.

Women's lifetime earnings are lower than men's, but there are also significant differences in education; Those with secondary education, bachelor's, master's and science degrees are taken as 811 thousand, 1.44 million and 1.87 million dollars, respectively. Thus, the income gap between high school and undergraduate level is about \$896,000 for men and about \$630,000 for women. (3, p. 10) Considering the above, we can compare the losses as shown in the table below.

Table 2.

The amount of damage in the relevant scenarios, in million manats, according to the total number of dead and missing people at all stages of the war

| Category | Number of persons | Estimate for scenario A | Estimate for scenario C | Estimate for scenario D |
|-------------------------------|-------------------|-------------------------|-------------------------|-------------------------|
| Deaths | 23941 | 2394,1 | 4788,2 | 5985,25 |
| Arrested and missing | 3955 | 395,5 | 791 | 988,75 |
| Total (million ABS dollars) | | 2789,6 | 5579,2 | 6974 |
| A total of one million manats | | 4742,32 | 9484,64 | 11855,8 |

Of these, only item D refers to the life of military personnel (in this case the US National Guard), and this option has been chosen in similar studies, for example in the territory of the former Yugoslavia and in many other conflicts.

At the same time, another approach should be taken into account in the study, in accordance with the assessment method, the sum of the amount of benefits paid for people attacked, injured or disabled, plus one-off payments. country and the amount of potential income they can earn.

The income that can be earned is determined by that country's average monthly salary and the range up to retirement age.

At the same time, the duration of the benefits to be paid is estimated based on the age limit set in the legislation or the age range up to the expected life expectancy of the benefit recipients. (F. G. Mikayilov, N. E. Mammadov, R. R. Guliyev 2019)

It should be noted that the privileges and social security rights granted to the families of martyrs and their peers in our country can be summarized as follows.

Table 3.

Privileges and social security rights granted to the families of martyrs

| The name of the concession and social guarantee laws | Privilege and social security rights |
|--|---|
| One-time mortgage payment | 11,000 manat insurance payments are made to the families of the fallen military servicemen (from January 1, 2022 by the Ministry of Labor and Social Protection of the Population) |
| Financial aid for the organization of the funeral ceremony | payment of financial assistance in the amount of 3,000 manats to the parents (representatives) of the martyr for the organization of the funeral ceremony (by the State Service for Mobilization and Conscription); |
| Presidency of the Republic of Azerbaijan (monthly) | the martyr's family is paid the pension of the President of the Republic of Azerbaijan (500 manats) (by the Ministry of Labor and Social Protection of the Population); |
| Family head | if the martyr is entitled to a pension, the family members are paid a pension for the loss of the head of the family (by the Ministry of Labor and Social Protection of the Population) |

| | |
|---|--|
| Assistant (monthly) | If the martyr does not have the right to retirement, each family member is given an allowance of 100 manat for the loss of the head of the family (by the Ministry of Labor and Social Security). |
| Range coverage | Until January 1, 2020, at the same time, the Ministry of Labor and Social Protection is authorized by the local government to provide flats or detached houses to the families of martyrs who are recorded in need of residence in 2020. |
| Psychology support | In the post-war period, after the first diagnosis of the family members of the martyr (by the Ministry of Labor and Social Protection), psychological support is provided by using psychological methods such as individual and group consultations and family therapy. |
| Sanatorium-resort service | Martyr family members are provided with free sanatorium-resort treatment throughout the country with the referral of health institutions (by the Ministry of Labor and Social Protection). |
| Collection | children of martyrs are exempt from tuition fees (by the Ministry of National Education) |
| Essence of self-absorption | The families of martyrs are provided with extraordinary participation in the self-employment program as soon as possible and assets in the form of goods and materials are provided for them to establish small family farms and businesses within the framework of the program. |
| Paid social services | It is ensured that the family of martyrs will be paid for social work as soon as possible; |
| Investing in social work places | It is ensured that the family of martyrs is sent to the program of the social work places of the martyrs as soon as possible. |
| Creation of additional workplaces from kvota | 100%-minimum costing of martyrs' family members in establishments and workplaces |
| Creation of social institutions and additional workplaces, execution of commercial programs | Execution of special petitions that will include the families of martyrs, which are among the sensitive categories |
| Addition | For the sake of the family of martyrs, tax, labor law, and a number of other beautiful people were kept in front of them. |

Death: With the exception of 11 min manats for a living allowance and 3 min for financial aid for her death, the judgments of each and every civil martyr's family are together.

Evaluation. It should be noted that the Azerbaijani lands have been occupied by Armenia with such methods and practices since the 90s of the last century, and a 44-day counter-offensive has been carried out since September 27, 2020, in order to liberate these lands from occupation. It is possible to evaluate the damage to the health of Azerbaijani citizens as a result of their operations.

Table 4.

*Gradual number of dead and wounded in the Armenian-Azerbaijani military conflict²
(Caspian Defense Studies Institute (CDSI))*

| | Those who died | Injured |
|---|----------------|--------------|
| 1988-1994 (Active Phase 1) | 20000 | 50000 |
| 12 May 1994-27 September 2021 | 1008 | 1205 |
| 2020 (27 September-10 November 20200 (Active Phase 2) | 2908 | 4000 |
| 10 November 2020 - 30 September 2022 | 150 | 360 |
| Total | 24066 | 55565 |

According to the information provided by the Ministry of Defense of the Republic of Azerbaijan and other relevant organizations, we can say that 24,066 Azerbaijani citizens were martyred and 55,565 people were injured in all stages of Armenia's attacks on Azerbaijan. Some of our soldiers are being treated in health institutions. At the same time, as of December 21, 2020, the search and identification work of 3,955 military personnel and civilians who are considered to be missing as a result of this war are continuing.

It should not be forgotten that 11,000 manat is paid to his heir at once for each martyr in Azerbaijan and 300 manats are paid monthly. In addition, funeral expenses (3 thousand manats) are provided. In addition, insurance payments are provided to the war disabled (8800 AZN for the 1st degree handicapped, 6600 AZN for the II degree handicapped, 4400 AZN for the III degree handicapped).

As of the end of 2020, social assistance is provided to both the families of martyrs and the disabled in the form of a President's salary, a pension or an average monthly allowance of 700 manat.

In other words, the president's monthly salary (210-230-250 manats per month for the 1st, 2nd and 3rd degree disabled people, 300 manats for the war invalids, 300 manats for the families of the martyrs) and in addition to this salary, monthly or allowance (approximately 400 manats) according to the length of service. manat) is paid. It should also be noted that an additional (55-110 AZN) is calculated for the insurance

² (Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ) <https://caspiandefense.wordpress.com/2021/01/04/44-gunluk-muharib%20c9%99-az%20c9%99rbaycan-v%20c9%99-erm%20c9%99nistanin-itkil%20c9%99grinin-nisb%20c9%99ti-monitorinq/>)

² Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ) <https://caspiandefense.wordpress.com/2022/01/31/v%20c9%99t%20c9%99n-muharib%20c9%99sind%20c9%99n-sonra-az%20c9%99rbaycan-azi-110-h%20c9%99rbcisini-iterib/>

² <https://caspiandefense.wordpress.com/2016/05/12/az%20c9%99rbaycan-1008-h%20c9%99rbi-qulluqcu-s%20c9%99hid-olub-1205-n%20c9%99f%20c9%99r-yaralanib-22-illik-at%20c9%99sk%20c9%99s-c%20c9%99bh%20c9%99-s%20c9%99hidl%20c9%99ri-statistika/> baxılıb: 22.12.2020

² Caspian Defense Studies Institute (CDSI) – Xəzər Hərbi Tədqiqatlar İnstitutu (XHTİ) <https://mod.gov.az/az/news/veten-muharibesinde-sehid-olmus-herbi-qulluqcularin-siyahisi-38067.html> baxılıb: 19.12.2022
<https://caspiandefense.wordpress.com/2021/01/04/44-gunluk-muharib%20c9%99-az%20c9%99rbaycan-v%20c9%99-erm%20c9%99nistanin-itkil%20c9%99grinin-nisb%20c9%99ti-monitorinq/>)

part of pensions. It is also worth noting that the average monthly salary for November 2020 is 704.5 manats. At the same time, the families of martyrs and the children of the family members of the disabled people and themselves are exempt from paying tuition fees. Free shipping is provided once a year for sanatorium-resort treatment, and prosthetics and rehabilitation tools are provided free of charge to the war-disabled. They are preferred in active employment programs (self-employment, paid public works, etc.). A mandatory quota has been established for all employers (public and private) to secure their employment. Taxation of family members of martyrs and war invalids etc. in labor legislation. Some concessions have also been made. Using this entire database, we can calculate the amount of damage done to our martyred citizens.

Based on the experiences of the countries concerned and the tools of the experts conducting research in this field, we can say that the damage done by the people killed occurs in three directions. One-time payment and funeral expenses are provided in the first direction.

Table 5.

One-time payment to the martyr's family and funeral expenses³

| | number of people killed | payment amount in manat | total payment amount, million manats |
|---|--------------------------------|--------------------------------|---|
| The amount to be paid once to the family of each martyr, (Bö) | 23941 | 11000 | 263,4 |
| Funeral expenses (Dx) | 23941 | 3000 | 71,8 |
| Total, million manats (İ ₀) | | | 336,6 |

$$\dot{I}_0 = D_x + B_{\ddot{o}} \quad (1)$$

As can be seen from the table, the total loss in this direction was 335.2 million manats.

In the second direction, payments are made to the heirs of the deceased. Payment amounts within the scope of this compensation item are reflected in the table below.

³ QEYD: 11 min manat sığorta ödənişi və 3 min manat dəfn üçün maliyyə yardımı istisna olmaqla, hərbi və mülki şəhidlərin ailələrinin hüquqları bərabərdir.

Table 6.*The main indicators of payments to the heirs of the deceased⁴*

| | |
|--|----------------|
| Life expectancy, years | 75 |
| Average life expectancy of heirs of martyrs, years | 33 |
| The difference between the expected life expectancy and the life expectancy of the deceased's heirs, years | 42 |
| The family of the martyr and the number of members, the number of people | 49754 |
| Average annual payment volume per person, manat | 8640 |
| Total payment amount, million manats | 18091.1 |

$$I = (L_{av} - A_{ge}) * V * w * 12 \quad (2)$$

Here **I** - the (lost) amount to be paid to the heirs from the period when a certain man was martyred, **L_{av}** - the average life expectancy in the country, **A_{ge}** - the age of the heirs in the considered period, **V**- number of heirs; **w** – average monthly social security costs for heirs in the country.

$$I_1 = (75 - 33) * 49754 * 720 * 12 = 18091.1$$

As can be seen from the table, the total amount of payments made to the heirs of persons who died in the second direction, according to the 2020 year-end base indicators, is equal to 17624.9 million manats.

In the third direction, compensation is determined by the potential income that the deceased could obtain. We can calculate the amount of compensation in this direction according to the following formula:

$$I_2 = ((P_{age} - A_{ge}) * w * 12) + (G - P_{age}) * W_p * 12 \quad (3)$$

Here

I - the amount that he can gain (loss) during his life expectancy from the moment of death,

P_{age} - the accepted retirement age for men in the country,

A_{ge} - the age of a particular person at the time of death,

w is the average monthly salary in the country.

G-life expectancy

W_p is the amount of the average monthly pension in the country.

⁴ 1) The widows and orphans of the deceased are paid at the rates specified in the second paragraph. (2) deceased personnel;

a) If single, 50% to mother, 50% to father,

b) If he is married and has no children, 50 percent to his wife, 50 percent to his mother and/or father, if his parents are alive;

c) 100% if married and childless, in case of death of spouse, mother and father;

ç) If they are married and have children, if their parents are alive, 50 percent to their spouse, 25 percent to their children, 25 percent to their mother and/or father;

d) If he is married and has children, 50% to his wife, 50% to his children if his parents are dead; Payment completed. (3) Parents and children are equal heirs among themselves.

(4) Payment of the disabled is made to the debtor himself or his guardian.

Table 7.

Key indicators that determine the potential income a survivor can earn

| | |
|--|---------------|
| Life expectancy | 75 |
| Retirement age limit, years | 65 |
| Average age of the deceased, years | 28,1 |
| Difference between retirement age and life expectancy of the deceased, years | 36,9 |
| Death toll, people | 24041 |
| Average annual pension per person, manat | 3600 |
| Average annual payment volume, manat | 8400 |
| Total payment amount, million manats | 8923.1 |

Then, the results obtained in these three directions are summarized.

$$I_2 = 336,6 + 18,091 + 8923,1 = 27350,7 \text{ (million manat)}$$

It should not be forgotten that one of the aspects of damage to human life in military conflicts is the expenditures made for the first medical aid and treatment for those injured during the conflict. As can be seen here, the provision of medical services is carried out in two directions. It can be attributed to the provision of first aid and inpatient rehabilitation.

Evaluation of lifetime disability.⁵ (F. Q. Mikayılov, N. E. Məmmədov, R. R. Quliyev 2019) A common approach here is to calculate the cost per lifetime disability to the state using the following formula, based on the cost to the injured state to the war disabled and wounded:

$$P = (L_{av} - Age) \cdot p \cdot 12 \quad (4)$$

Here:

P - the estimated total value of the pension paid by the state to a particular person,

L_{av} - the average life expectancy in the country,

Age - the age of a particular person at the time of disability,

p is the monthly pension paid by the state to a specific person.

⁵ F. Q. Mikayılov, N. E. Məmmədov, R. R. Quliyev. İşğal nəticəsində dəymiş zərərlərin qiymətləndirilməsinin metodoloji əsasları. Bakı: İqtisad Universitetinin nəşriyyatı 2019

Table 8.

The main indicators determining the payments made by the state to the war disabled people

| | |
|---|----------------|
| Life expectancy, years | 75 |
| Average life expectancy of people with disabilities, | 27.6 |
| Difference between life expectancy and life expectancy of people with disabilities, years | 48.4 |
| number of disabled | 34135 |
| Average annual payment volume, manat | 8400 |
| Total payment amount, million manats | 13877.9 |

However, the compensation demanded from the occupying country is not limited to this amount. To this amount is added the person's loss of income, which is calculated by the following formula:

$$I = (P_{\text{age}} - A_{\text{ge}}) \cdot w \cdot 12 \quad (5)$$

Here I - the amount that a particular person can earn (loss) from disability to retirement age,

P_{age} - the accepted retirement age for men in the country,

A_{ge} - the age of a particular person at the time of disability,

w is the average monthly salary in the country.

Table 9.

Key indicators of potential loss of income for people with disabilities

| | |
|--|--------------|
| Retirement age limit, years | 65 |
| Real average life expectancy of people with disabilities, years | 27,6 |
| The difference between the retirement age and the life expectancy of the disabled, years | 37,4 |
| Number of disabled | 34135 |
| Average annual salary payment volume, manat | 8406 |
| Total payment amount, million manats | 10731 |

Thus, compensation K claimed from the aggressor country is calculated as the sum of the two amounts:

$$K = P + I \quad (6)$$

$$K = 13877.9 + 10731 = 17136,6$$

At first glance, this may be thought of as an exaggerated formula, and it is sufficient to substitute $P' = \max(p; w)$ in formula (F. Q. Mikayilov, N. E. Məmmədov, R. R. Quliyev. 2019). However, this is a fallacy:

- This amount initially paid to the disabled person can only cover financial losses at best, and moral damages such as physical and social inadequacy and inability to lead a normal life cannot be compensated with the amount calculated in (3).
- The second point is that the amount calculated by the formula (F. Q. Mikayilov, N. E. Məmmədov, R. R. Quliyev. 2019) is additional state expenditures as a result of the occupation, and most importantly, instead of healthy people who contribute both to the country's GDP and to the state budget, on the contrary, they become an additional "burden" and this burden also comes from the aggressor country. It goes without saying that it should be requested.

In order to determine all these more accurately, statistical indicators corresponding to the number of patients treated and the number of days of hospitalization are needed. After obtaining such statistical indicators, the cost of medical devices, surgeries and other services provided to these patients is estimated.

As a result, the average cost per patient is determined. It also requires taking into account that there is a certain difference between the number of those treated and the total number of injured. In other words, among the dead, there are those who received treatment for a certain period of time, there are those whose treatment did not yield results, and there are also cases of recurrent injuries. As can be seen, the assessment of damage to injured military personnel (and civilians) is carried out in several stages. First of all, let us state that, based on the information of the Ministry of Labor and Social Protection of the Population, the above-mentioned amounts are given according to the degree of disability of the injured and disabled people, that is, it is 8800 manats for the first person. It is expected that a one-time insurance premium will be paid 6600 manats for the disabled in the third group and 4400 manats AZN for the third group of disabled people.

Since we cannot obtain information about the figures according to the degree of disability, we can calculate the number of injured by averaging the amount to be paid on a group basis.

$$E_1 = 34135 \cdot 0,006 = 204.8 \text{ million manats}$$

In the next step, we calculate the cost for each injured man using the following formula⁶:

$$E_2 = e \cdot d \quad (7)$$

Here

E – the total cost incurred for a particular injured person,

⁶ Hebrang A. "An Effectiveness Analysis of the Wartime Health System" (preliminary report), Zagreb, October 2003, p. 2.

e- One-day expenses of the injured in the hospital (these expenses include overnight stay in the hospital, food and equipment expenses, one-day salary of the hospital staff and other expenses),

d-is the number of days the injured person stayed in the hospital.

It should not be forgotten that the expenses of the aid given to the injured who are not in the hospital are calculated from the one-day hospital expenses. The sum of the calculated costs for all casualties gives the total cost. Considering the difficulties of collecting data on all casualties, the cost of casualties was calculated as follows, based on prices determined on a random sampling basis:

$$E=34135*60*350=1828.3 \text{ million manat}$$

When we look at the experiences of many countries, it should be noted that the rehabilitation costs of the wounded and disabled war participants in these countries are estimated to be about 15 percent of the treatment costs.

$$R_x=1828.3 *0.15 =274.3 \text{ million manat}$$

Thus, as a result of the military attack of Armenia on Azerbaijan, the total amount of damage to human health caused by other assistance to the families of martyrs and veterans (without taking into account the provision of housing to the families of martyrs, direct assistance, organizations donating and organizations sponsoring disabled vehicles) will be as follows.

$$\sum Z= I_2 + K + E_1 + E_2 + R_{yx} + R_{mi} \quad (8)$$

$\sum Z$ -total damage

I_2 - Damage from losses

K -Damage of being injured and losing health

E_1 – payment of one-time insurance premiums

E_2 - damage during the injury period

R_{yx} – rehabilitation costs

R_{mi} – rehabilitation costs for war participants

$$\sum Z= 27687.3+240608.9+204.8+1828.3+274.3+54.8=54657.9 \text{ million manat}$$

According to paragraph 2 of the Decree of the President of the Azerbaijan Republic dated July 1, 2004 No. 298 "On the approval of the State Program for improving living conditions and increasing employment of refugees and internally displaced persons",

property forms of internally displaced persons in 1992-1998, their evacuation from public buildings, apartments, plots and other objects in which they temporarily live is suspended until they return to their homeland, as well as move to new settlements and houses. the purpose of temporary living;

For the obligatory orphans and their loved ones, they are given the opportunity to dine at the home of the foreigner's assistant and the communal helpers:

In fact, IDPs (refugees and displaced persons) living in dense temporary settlements are paid a one-time allowance of 33 AZN per month, and refugees and displaced persons living in other settlements are paid a one-time allowance of 60 AZN per month. At the same time, the consumption expenses (electricity, natural gas, water and domestic waste transportation) consumed by the internally displaced persons temporarily settled in densely populated areas are covered by the state. According to the Decree of the President of the Republic of Azerbaijan dated August 4, 2003, students studying in public higher and secondary educational institutions are exempted from paying tuition fees. Pursuant to the Decree of the President of the Republic of Azerbaijan dated September 14, 2011, from the 2011/2012 academic year, newly admitted and studying undergraduate and graduate students of state higher education institutions are paid from the state budget.

Free textbooks are provided to internally displaced students in secondary general education schools;

It has pre-emptive rights to be employed while reducing the number of personnel and workers in offices, enterprises and establishments;

It is covered from the state budget with the drugs specified in the list of drugs given according to free drug prescriptions approved by the Ministry of Health of the Republic of Azerbaijan;

They are provided with free examination and treatment;

They are exempt from the fee for issuing an identity card;

They are exempt from the fee to apply to the court with a petition;

They are exempt from income tax up to 55 times the traditional financial unit;

They are exempt from notary fees when buying and selling apartments or houses.

Social expenses paid for IDPs

Social costs paid for IDPs

$$M_{k\ddot{o}}=28*332.6=9312,8 \text{ million manat}$$

Conclusion

As can be seen in general, it is possible to look at various generalized and applied methodologies in the assessment of damage to the dead, injured or disabled and missing persons in the first active phase, the ceasefire phases and the second active phases. Armenian-Azerbaijani military conflict. This problem can be both a basis for insurance companies' human life insurance and an assessment based on a methodology defined for any country, or it can also be addressed in contracts accepted by international organizations. However, we believe that the most appropriate method can be based on the methodology adopted by many post-conflict countries. As the costs incurred for the recovery and rehabilitation of these persons.

According to our calculations based on this methodology, the total amount of damage caused by Armenia to the life and health of Azerbaijani citizens for the periods or stages mentioned is 54.7, according to the assessment data (average monthly pension) as of the end of 2020. , social assistance given to the families of martyrs, the amount of manat given, etc.) was equal to billion manat.

If we add to this loss the public service payments made to the displaced people based on the 2020 indicators, the total damage to human life will be 64 billion manats.

It should be noted that over time, the total amount of damage caused by Armenia to the life and health of Azerbaijani citizens is likely to increase. Thus, the development of the country's economy, average monthly salary, retirement level, etc. may increase, causing damage. In most international methodologies, the last year is taken as the base year.

Reference list

- Mikayılov F. Q., Məmmədov N. E., Quliyev R. R.. İşğal nəticəsində dəymiş zərərlərin qiymətləndirilməsinin metodoloji əsasları. Bakı: İqtisad Universitetinin nəşriyyatı 2019.
- Mikayılov F.G., Ibishov E.I. Evaluation of the damage to human life and health in Azerbaijan in the second karabakh war PalArch's Journal of Archaeology of Egypt/Egyptology 18 (08), 2184-2191 2021.
- The Economist special report. - Copenhagen Consensus, June 5th 2004, pp. 64-65 <https://www.ncbi.nlm.nih.gov>, Christopher R. Tamborini, ChangHwan Kim, and Arthur Sakamoto "Education and Lifetime Earnings in the United States", Demography. 2015 August.
- Hebrang A. "An Effectiveness Analysis of the Wartime Health System" (preliminary report), Zagreb, October 2003, p.
- Ball, B., Betts, W., Scheuren, F., Dudukovich, J., and Asher, J. (2002) Killings and Refugee Flow in Kosovo March-June 1999, ICTY Expert Report, <http://shr.aaas.org/kosovo/pk/toc.html/>
- <https://mod.gov.az/az/xeberler-791/>
- <http://ulfet-az.com/news/sehidailelerine-ve-mueharibe-elillerine-verilecek-mueavinetler>
- <https://www.stat.gov.az/source/labour/>
- <https://www.sosial.gov.az/shehidailesihuquq>
- Missing persons and victims of enforced disappearance in Europe
- Zwierzchowski Jan , Tabeau Ewa The 1992-95 War in Bosnia and Herzegovina: Census-Based Multiple System Estimation of Casualties' Undercount 1 February 2010 Conference Paper for the International Research Workshop on 'The Global Costs of Conflict' The Households in Conflict Network (HiCN) and The German Institute for Economic Research (DIW Berlin) 1-2 February 2010, Berlin.
- Ball, B., Betts, W., Scheuren, F., Dudukovich, J., and Asher, J. (2002) Killings and Refugee Flow in Kosovo March-June 1999, ICTY Expert Report, <http://shr.aaas.org/kosovo/pk/toc.html>.

Spagat, M., Mack, A., Cooper, T., Kreutz, J. (2009) Estimating War Deaths: An Arena of Contestation, *Journal of Conflict Resolution*, Vol. 53, No. 6, p. 934-950.

Spiegel, P., and P. Salama (2000) War and Mortality in Kosovo, 1998-1999: An Epidemiological Testimony. *Lancet* 2204 (355).

Tabeau, E., and Zwierzchowski, J., (2009) A New Compilation of Results on Casualties of the 1992- 95 War in Bosnia and Herzegovina and 1975-1979 Khmer Rouge Regime in Cambodia.

Conference paper presented at the international conference: “Casualty Recording and Estimation” Carnegie Mellon University in Pittsburgh and University of Pittsburgh, Pittsburgh, Pennsylvania, 23-24 October 2009.

Tabeau, E., Bijak, J., (2005) War-related Deaths in the 1992-1995 Armed Conflicts in Bosnia and Herzegovina: A Critique of Previous Estimates and Recent Results, *European Journal of Population*, Vol. 21, No. 2-3, p. 187-215.