

Johns Hopkins University
School for Advanced International Studies



Nagorno Karabakh:
Understanding Conflict 2013

Conflict Management Program

Student Field Trip to the Region

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List of Acronyms

| | |
|---------|--|
| AAA | Armenian Assembly of America |
| ADP | Democratic Party of Azerbaijan |
| AKP | Justice and Development Party (in Turkey) |
| AF | Armenia Fund |
| ASSR | Armenian Soviet Socialist Republic |
| AZN | Azerbaijani New Manat |
| BATNA | Best Alternative to Negotiated Agreement |
| BTC | Baku-Tbilisi-Ceyhan (Pipeline) |
| CBCP | Caucasian Bureau of the Communist Party |
| CBM | Confidence Building Measure |
| CCA | Caucasus and Central Asia |
| CIS | Commonwealth of Independent States |
| CSCE | Commission on Security and Cooperation in Europe |
| CSTO | Collective Security Treaty Organization |
| EuFoA | European Friends of Armenia |
| EurAsEC | Eurasian Economic Community |
| ICG | International Crisis Group |
| ICJ | International Court of Justice |
| ICRC | International Committee of the Red Cross |
| ICRD | International Center for Religion and Diplomacy |
| ICTJ | International Center for Transitional Justice |
| IDP | Internally Displaced Person |
| IFES | International Foundation for Electoral Systems |
| IRFS | Institute for Reporters' Freedom and Safety |
| IPU | Inter-Parliamentary Union |
| IRFS | Institute for Reporters' Freedom and Safety |
| IWPR | Institute for War and Peace Reporting |
| LoC | Line of Contact |
| MP | Member of Parliament |

| | |
|-------|--|
| MHS | Mutually Hurting Stalemate |
| MVD | Ministerstvo Vnutrenikh Del (Russian Ministry of Internal Affairs) |
| NAP | New Azerbaijan Party |
| NATO | North American Treaty Organization |
| NGO | Non-Governmental Organization |
| NIP | National Indicative Program |
| NK | Nagorno Karabakh |
| NKAO | Nagorno Karabakh Autonomous Oblast |
| NKR | Nagorno Karabakh Republic |
| OMON | Otryad Mobilniy Osobovo Naznacheniya (a special operations unit). |
| OSCE | Organization for Security and Co-operation in Europe |
| PACE | Council of Europe Parliamentary Assembly |
| PCA | Permanent Court of Arbitration |
| PFAP | Popular Front (In Azerbaijan) |
| RA | Republic of Armenia |
| SAM | Center for Strategic Studies under the President of Azerbaijan |
| SSR | Soviet Socialist Republic |
| TARC | Turkish Armenian Reconciliation Commission |
| UN | United Nations |
| UNHCR | United Nations High Commissioner for Refugees |
| UNGA | United Nations General Assembly |
| USAN | U.S. Azeris Network |
| UNSC | United Nations Security Council |
| USSR | The Union of Soviet Socialist Republics |



Introduction: Nagorno Karabakh Report

I. William Zartman

The Nagorno Karabakh¹ dispute is complex and multilayered, arguably more so than any of the previous conflicts visited by the SAIS Conflict Management Field Trips.² It is a conflict on the personal, national, state, and international level, posing a compound challenge of understanding. It was to meet that challenge that the 2013 Field Trip sought an on-the-ground exposure to conditions and viewpoints of the three conflicting entities, Azerbaijan, Armenia, and Nagorno Karabakh,³ throughout the fall 2012 semester and then in the field between 15 and 26 January 2013, where the group of 16 upper level graduate students with two professors was given full tours and briefings by the host authorities.⁴ In addition to officials, and notably Foreign Ministers, we are particularly grateful to the Center for Strategic Studies and the Diplomatic Academy of Azerbaijan and the Caucasus Institute of Armenia.

The conflict emerged in the dying days of the Soviet Union, in 1988, in a peaceful call for independence that immediately escalated to inter-ethnic violence. On the human level the result was the rupture of longstanding personal relations and the expulsion of 1.5 million people from their homes as either Internally Displaced Persons or Refugees into new and often salubrious locations. Given attitudes in their former neighborhoods, it is impossible for many of these people to return to their homes and homelands, and although many say they want to, most are concerned above all about conditions of life wherever they are.

The trigger for the conflict in 1988 was the call of ethnic Armenians in Nagorno Karabakh for national self-determination, written as independence or integration into

¹ There are various spellings of the name. The Azeri spelling of the first name and the Russian spelling of the Persian last name are generally used instead of Nagorni (Russian) Karabagh (Persian).

² Other January Field Trips were to Tunis, 2012; Mindanao, 2011; Kosovo, 2010; Cyprus, 2009; Northern Ireland, 2008; and Haiti, 2006 and 2007. Reports from previous Field Trips are available at <http://www.sais-jhu.edu/graduate-studies/areas-of-study/details-4>

³ The Nagorno Karabakh Republic refers to itself as Artsakh.

⁴ A list of interviewees is appended.

Armenia. The population of the Soviet Oblast of Nagorno Karabakh was some 70% Armenian; the rest were Azerbaijanis, and Armenians lived here and there elsewhere in Azerbaijan. The call attracted an Azerbaijani military response, initially successful, but by 1993 the Nagorno Karabakh forces, aided directly or indirectly by Armenians and Russians, had not only retaken their oblast's territory but also an even greater amount of territory around Nagorno Karabakh falling outside the autonomous oblast and inhabited primarily by Azerbaijanis, giving the Mountainous Black or Beautiful Garden⁵ defensible boundaries and contiguity with Armenia. No state, including Armenia, has recognized the claims of independence, although Armenia supports the Nagorno Karabakh position and works closely with the now-self governing territory.

For Azerbaijan, on the state level, the territorial conquest and expansion runs directly counter to the principles of the illegitimacy of territorial conquest and of territorial integrity, regardless of the population. Towns such as Shusha, in the center of Nagorno Karabagh, and Aghdam, in the conquered territories, were largely Azerbaijani populated before the war. Azerbaijan has instituted a comprehensive economic and communications blockade of Armenia and has declared illegal (by Azerbaijani law) any contact with Nagorno Karabakh, with threat of being declared *persona non grata* in Azerbaijan, a policy that is ultimately counterproductive to its own position and interests. In all the hostile propaganda and bad blood running between the two neighbors, its handling of the Safarov affair stands out as a case of incredible insensitivity.

On the regional level, the conflict is not without connections in the South Caucasus and environs. Armenia has long had bad relations with Turkey, which enjoys good relation and ethno-linguistic similarity with Azerbaijan. Azerbaijan maintains good relations with its neighbor Russia, whose nose it has tweaked on occasion, and cooler relations with its other neighbor Iran, but proclaims an independent position and good relations (largely over oil) with the West. To counter the blockage, Armenia has entered into close relations with Russia, which dominates its military and economic affairs, although it also has close relations with Iran as well as with its diaspora in North America and Western Europe, both financially and politically. This mesh of relations is

⁵ "kara" is usually translated as "black" but it can also mean "beautiful" in Persian, a term more appropriate to the valley even if not often used.

of importance for the checkerboard conflict parties of the South Caucasus but often embroils them beyond their own interests.

Finally, on the international level, the conflict has been under the surveillance of a special committee of the Organization for Security and Cooperation (OSCE), called the Minsk Group and co-chaired by Russia, the U.S. and France. The Minsk Group has been criticized for inaction but Russia did mediate a conflict management ceasefire to the war in 1994 that has held ever since and the Group did move the parties close to an agreement on several occasions, and established a framework for settlement termed the 2007 Madrid Principles: 1) return of conquered territories to Azerbaijan, 2) interim self-governing status for Nagorno Karabakh with security guarantees and 3) eventual referendum on final status, 4) territorial connection between Nagorno Karabakh and Armenia at the Lachin (Berdzor) “corridor,” 5) right of return for IDPs and refugees, and 6) international security guarantees including peacekeeping forces. Other proposals have included a land or communications link between Azerbaijan and its western region of Nakhchivan, now separated by Armenia.

Current feelings in the diplomatic community expect no progress until the 2013 elections in Armenia have been resolved and those in Azerbaijan have been held, in both cases an indication of how the public support that the leaders have generated has turned into a sorcerer’s apprentice that captures its creators. At the same time, not only is the OSCE faced with deep problems in trying to mediate this conflict, but the conflict itself is spilling back and potentially weakening the very foundations of OSCE conflict management capabilities as they have developed over two decades.

In sum, Azerbaijan, stronger in hard power, is in the weaker position as demandeur. Armenia, in some ways weaker, is strengthened by the suffocating embrace of the Russian bear in the midst of regional isolation. NK has all it wants but recognition. All the parties would benefit from regional cooperation, particularly economic. The two states in conflict could indeed be in a mutually hurting stalemate if they would recognize it, but they are too busy hurling hatred at each other to notice. Of the Minsk Group’s three chairs, Russia has more interest in the conflict than in its resolution and the U.S. has little motivating interest in either.

In this conflict there is no one truth, only many “truths”. Our task is not to decide among them, but to try to help find a way out of the thicket to the deeper management of the conflict so that final resolution may be brought closer within reach.

The Flexible Barrier of History: Moving Peace Forward Through the Past

Kristoff Kohlhagen

The conflict between Azerbaijan and Armenia over the territory of Nagorno Karabakh (NK) is based in the last hundred years. Some historians, politicians, and scholars gesture even further back, toward the opaque mists of past centuries and millennia citing ancient texts, inscriptions, and folklore. Each “fact” is used to back differing national claims and interests while vehemently dismissing the “proofs” of the other. As violent conflict came to characterize the majority of interactions between independent Azerbaijan and independent Armenia during both the beginning and ending decades of the 20th century, each side has focused on their differing histories in an attempt to prove their legitimacy over the other’s claims to NK. In order to reach a solution to the NK conflict that all three parties (Armenia, Azerbaijan, and The Nagorno Karabakh Republic-NKR) can accept, the view and understanding of the conflict must be transformed. An integral part of this transformation should be a realization and focus upon the shared histories and shared stakes for both the Azerbaijani and Armenian peoples and their nations. As those who study and point to ancient histories should realize, the opportunity for relatively small nation states in the South Caucasus to choose their own destinies without the direct dominant hand of an outside empire, is not only rare, but an opportunity to be seized.

In order to defend their opposing narratives both sides have actively attacked the legitimacy of the other’s history in the region. In reference to Azerbaijan’s 1918 declaration of independence, Claude Mutafian (1994, 115) writes, “This represented the birth of a totally artificial state whose name did not correspond to any prior historical entity and whose diverse population (Tatar, Russian, Armenian) could not lay claim to the concept of a nation.” In reference to Armenians, it is said in Azerbaijan and certain circles that the Armenian population was not present in NK before a Russian resettlement in 1828. As Elnur Aslanov, head of the Political Analysis and Information Department, Administration of the President of the Republic of Azerbaijan wrote of the Karabakh Armenians, “The small group of Armenians that arrived [with the Russian resettlement]

in 1828 has grown, and by the start of the conflict in 1988, it already exceeded the number of Azerbaijanis” (Soltanov 2012, 51). Clearly both sides have attempted to use the convoluted study of history to justify their claims, actions, and inability to find a more permanent solution to the conflict.

1918-1920: The First Wave of Independence

To assert that the conflict stretches back before the 20th century is quite defensible. Shifting empires and violence have ebbed and flowed like ocean tides through the South Caucasus; however, before the year 1918, neither Armenia nor Azerbaijan existed as modern states. In fact, before either of these nations had declared independence, a Democratic Federative Republic of Trans-Caucasia was formed. This Republic incorporated the peoples and lands that today make up Armenia, Azerbaijan, and Georgia. However, this Trans-Caucasian Republic was plagued by weakness due to the competing and differing interests of the Armenians, Georgians, and Azerbaijanis. This led to the Republic’s demise in only five weeks (O’Balance 1997, 31). Georgia declared its independence under a German protectorate on 26 May. Azerbaijan declared its independence on the 28th under the Musavat party with Ottoman support. Armenia headed by the Dashnaksutiun (Dashnak) party declared its independence in Tbilisi on the same day.

With Baku controlled by the Baku Soviet (the Bolsheviks), Azerbaijan’s original capital was located in the city of Ganja. Stepan Shaumian headed the Baku Soviet, an Armenian for whom the capital of NKR is named, a city name not recognized by Azerbaijan, which instead refers to the city as Khankendi, translated to mean village or city of the king. When the Azerbaijani population revolted against the Baku Commune, both Armenian Dashnak and Bolshevik troops killed thousands. However, in August of 1918 when a thousand-man British force, invited into Baku by the Baku Soviet to keep the Ottoman’s at bay, retreated from the city, the Azerbaijani population rose up and killed thousands of Armenians. Nearly 20,000 Armenian and Azerbaijani lives were lost during this period of interethnic fighting (de Waal 2003, 100). Once the Azerbaijanis had established firm control, Baku became the new capital of the Azerbaijani nation.

From the first days of independence, Armenia and Azerbaijan disputed mutually held territories and boundaries. Ethnically mixed areas such as the regions of Nakhchivan, Zangezur, and NK saw fighting and unrest. On 5 August 1918 the first “Congress of the Armenians of Karabakh” convening in Shusha/⁶ declared their independence from Azerbaijan refusing to recognize Musavat rule (Walker 1991, 91). Even with the aid of 2,000 Ottoman troops occupying Shusha/i, the Azerbaijani Musavat was unable to fully reign in NK (Walker 1991, 92). With the Ottoman Empire’s surrender at the end of World War One, the British moved into NK. As one of the first orders of business, the British, apparently (at least marginally) aligned with Azerbaijan, convinced Andranik, an effective Armenian guerilla commander, to leave NK and not travel to Shusha/i. Andranik was assured that as a result of Germany’s recent surrender, all territorial decisions would be made at the Paris Peace Conference. Following this, on 15 January 1919, the British appointed the Azerbaijani Khosrov bek Sultanov to the post of NK’s Governor-General, a man despised by the Armenians (Walker 1991, 94).

In protest and rejecting the authority of Azerbaijan’s Governor-General, the fifth assembly (congress) of Armenians in Karabakh met in Shusha/i on 25 April 1919, and drafted a letter to General Shuttleworth, head of the British contingent. In the letter the assembly “...believes it is its obligation to declare that Azerbaijan has always been and remains today an accomplice and ally of the Turks and of all the cruelties committed by the Turks against Armenians in general and Karabagh Armenians in particular” (Libaridian 1988, 17). This sentiment held by Armenians, that of equating Azerbaijanis as essentially Turks, continues into today. During a tour of the Republic of Nagorno Karabakh Museum of Perished Azatamartiks (Armenian “freedom fighters”), the proprietress pointed to a photo of a captured Azerbaijani soldier and referred to him simply as a Turk. She then spoke of how an Azerbaijani soldier in NK during the recent war had told her that the Azerbaijani army was there to finish what the Ottoman Turks had started in 1915. This was a reference to the mass slaughter of Armenians often referred to as the Armenian Genocide. This enduring portrayal of Azerbaijani as Turk continues to hamper the ability of everyday Armenians to separate the current conflict with Azerbaijan from the greater historical narrative of its community’s struggle against

⁶ Azerbaijanis refer to the city as Shusha. Armenians refer to the city as Shushi.

total annihilation and their retreat from what they consider to be a heartland of Armenia, in what is now northeastern Turkey.

The letter of the Fifth Assembly of Armenians in Karabakh went on to reject provisional Azerbaijani rule, and the assembly washed its hands of any “bloodshed which may result from the forced establishment of Azerbaijani power on Armenian Karabagh” (Libaridian 1988, 19). General Shuttleworth made no major changes to British policy, and on 14 August 1919 the Azerbaijani Governor General Sultanov arrived in Shusha/i. The next day, the Seventh Assembly of Karabakh Armenians convened and accepted the provisions of Azerbaijani rule. The document that they produced has some telling sections. The very first line states that “...the fate of Mountainous Karabagh shall be determined by the Peace Conference” (Libaridian 1988, 21). This clearly shows the belief (held at least by the Armenians) that the Paris Peace Conference would decide the definitive demarcation of borders, and that a permanent granting of control to Azerbaijan would only be accepted through a decision taken at the Conference. The Paris Peace Conference would in fact never decide the issue.

The 19th point of the document stipulates “the disarming of the Armenian and Muslim population shall be suspended in Karabagh until the question of Karabagh is resolved by the Peace Conference.” The 20th point continues that the “government of the Azerbaijani Republic is to give material and moral assistance to the population of Karabagh for the rapid restoration of the devastated Muslim and Armenian villages” (Libaridian 1988, 23). The state of violence and mutual hurting in the region is evident in both of these requests. The Azerbaijanis and the Armenians were armed, with both groups having had villages “devastated.” The British soon after withdrew from NK, and by the end of March after an Armenian uprising in Shusha/i, the violence culminated in the killing of hundreds of Armenians and the expulsion of hundreds more.

Soviet Domination

With much of Azerbaijan’s military forces engaged in NK, the 11th Red Army entered Baku on 27 April 1920, ending the Musavat government and instituting Bolshevik rule. The Bolsheviks represented the newest incarnation of Russian imperial domination, and

the short-lived violent episode of the independent states of Azerbaijan and Armenia was at a close. By May the Red Army was in NK, and it arrived in Armenia before December. The fate of NK was now to be decided by far more powerful players than the recently subjugated nascent states of Azerbaijan and Armenia. Soviet Russia, still consolidating power, saw if not a potential ally in Atatürk's Turkey, at least the opportunity to secure one of its borders, a situation that worked to Azerbaijan's territorial advantage.

At first it appeared that NK would be handed over to Armenian control, as Stalin, then Commissar of Nationalities, granted the territory to Soviet Armenia in December 1920 (O'Balance 1997, 34). This decision favoring Armenia was interpreted as positive recognition for their conversion to Bolshevism (de Waal 2003, 129). However, this was not to be the last word. In 1921 the Caucasian Bureau of the Communist Party (CBCP) in charge of deciding the status of NK voted to make it a part of Soviet Armenia. One day later it reversed its decision citing the need for national peace through economic ties between the Azerbaijanis in the plains and the Armenians in the mountains, albeit granting NK wide autonomy, and thus effectively securing NK within the Azerbaijani Soviet Socialist Republic (SSR) (de Waal 2003, 130). In a nod to Turkey, the disputed area of Nakhchivan (with a majority Azerbaijani population) located mostly within the Armenian SSR, was granted to the Azerbaijan SSR. This occurred with the signing of the Treaty of Kars between Turkey and Russia in 1921, and placed these two nations as the guarantors of Nakhchivan's security.

In 1923 NK was designated as the Nagorno Karabakh Autonomous Oblast (NKAO), which though located within the Azerbaijan SSR, had an Armenian majority and the Armenian language as its designated official language (Chorbajian 1994, 13). In the first volume of the Soviet encyclopedia, a map labeled the Lachin corridor as part of the NKAO, effectively connecting NKAO with the Armenian SSR. However, by 1930 subsequent maps labeled this area as under direct Azerbaijani SSR control, and thus placed NKAO completely within the boundaries of the Azerbaijan SSR (Cornell 1999, 9). With the USSR's consolidation of power in the South Caucasus, overt violent clashes within NKAO abated. Though, as is evidenced by numerous petitions and letters sent to top Soviet leadership between 1945 and 1987 requesting NKAO's incorporation into the Armenian SSR, NK Armenians were not satisfied with the Soviet status quo. The Soviet

status quo would not last, and under Gorbachev's policy of *glasnost*, the tightly held reigns of central authority were loosened.

Soviet Disintegration: A Second Round of Independence and Conflict

Demonstrations in Yerevan and Stepanakert over the status of NK began to surface in 1987 and 1988. The very first protest on 17 October 1987 in Yerevan seemed fairly benign and similar to other soviet-era protests, in that it focused on environmental grievances. However, the next day close to 1,000 people again gathered to protest, this time in support of the rights of Armenians living in NK (O'Balance 1997, 35). With a lack of central soviet repression of these protests, and a growing sense of the weakness of the central soviet state, the numbers of protesters swelled. As the numbers of participants increased, the primary focus shifted from environmental concerns to political grievances, especially the status of NK. In the midst of the protests, on 20 February 1988, the local soviet of the NKAO demanded integration into the Armenian SSR; the Communist Central Committee in Moscow denied this request the next day. In an angry reaction to the NKAO soviet's request, a group of Azerbaijani men departed from Aghdam and headed to Stepanakert. At the village of Askeran a violent confrontation erupted between the group and policemen backed by Armenian villagers. Both sides suffered injury, but the Azerbaijanis suffered what may have been the first loss of life in the resurfacing conflict. Two Azerbaijanis were dead. One of them was only sixteen (de Waal 2003, 10-15). Nationalist rhetoric grew on all sides and the flow of Azerbaijanis out of Armenia and primarily from Stepanakert in NK began to grow (Golz 1988, 83). Two days later gangs of Azerbaijanis attacked hundreds of Armenians killing at least 26 in the Azerbaijani Caspian Port city of Sumgait (de Waal 2003, 40).

The debate of who started the ethnic cleansing that largely cleared the Azerbaijanis from NK and Armenia and the Armenians from Azerbaijan is almost impossible to decipher. The fact that both sides committed violent acts is certain. Between 1988 and 1994 it is estimated that 1.5 million Armenians and Azerbaijanis were displaced from their homes (International Crisis Group 2012, 2). Between 1991 and 1994 approximately 530,000 Azerbaijanis fled from NK and bordering territories, territories that today are held largely under the de-facto control of the NKR (de Waal 2003, 285).

Most of these Azerbaijanis are still referred to as Internally Displaced Persons (IDPs) and many told us they still want to return to their former homes. The Armenians who left Azerbaijan are less interested in returning. Many of them fled in the wake of the bloody mob violence that swept both Sumgait and Baku in 1988 and 1989 respectively.

In May 1988, a few months after the violence in Sumgait, NK again demanded for an immediate separation from Azerbaijan and incorporation into Armenia. The request was rejected once again by the Communist Party Central Committee in Moscow. As violence worsened, NK was put under direct Moscow rule in January of 1989. In September the Azerbaijan Supreme Soviet voted for a sovereignty law declaring their rightful possession of NK. On 28 November, direct Moscow rule of NK ended. In December the Armenian Supreme Soviet and the 'National Council' of NK proclaimed a unified Armenia (Herzig 1999, 66). In August of 1990 the Supreme Soviet of Armenia declared a new Republic of Armenia, in charge of its own armed forces and the only legitimate claimant of NK.

In March of 1991 a referendum was held on the preservation of the weakening Soviet Union. Armenia boycotted the vote, while Azerbaijan voted to continue the Union. This vote was soon followed by an Azerbaijani-led, Soviet-backed (tanks and artillery) offensive into NK in a reported attempt to disarm illegal militias (de Waal 2003, 115). This action marked an increase in the intensity of the war and is better known by its code name operation "Ring." Although unusual at first, Soviet and then Russian direct involvement in the war became fairly common. Russian soldiers and weapons fought on both sides, as was proven in 1992 when the Azerbaijani army captured six Russian soldiers in Kalbajar fighting for the Armenians (de Waal 2003, 200). But much like the Russian contributions to the fighting, rather than tamp down violence or land a decisive blow against the Karabakhi Armenians in NK, the aftermath of "Operation Ring" led to further escalation.

With the Soviet Union losing its ability to assert control, the Azerbaijan Supreme Soviet declared Azerbaijan's independence on 30 August 1991. NK responded on 2 September by declaring its own independence, which until today has not been recognized by any state. In response to this declaration, Azerbaijan abolished NK's autonomous status. Armenia declared independence in late September, and pointing to the newly

formed NKR, claimed that it was not directly involved in the conflict, and that the conflict was between the people of Azerbaijan and the people of NKR. However, political statements aside, it is clear that Armenia did directly support NKR during the conflict. As the former Armenian defense minister Vazgen Manukian stated about the war, “You can be sure that whatever we said politically, the Karabakh Armenian and Armenian army were united in military actions” (de Waal 2003, 210).

Armenia and NKR were more cohesive internally and their militaries had higher morale throughout the conflict. During the war Azerbaijan was mired in a “warlord-type” struggle for control of the nation. Azerbaijani commanders at the front such as Surat Husseinov (who in 1993 was sentenced to death in Azerbaijan for surrendering Shusha/i and Lachin) often headed armies that they had equipped and paid for (O’Balance 1997, 87). These armies owed their allegiance more to their commanders than to any central Azerbaijani army (Cornell 1999, 33). As the current President of Azerbaijan Ilham Aliyev stated in a speech to the Upper Karabakh Azerbaijani community in 2010, “We had no army. There were different armed formations, bandit detachments; every alleged party leader had his own armed units. Fighting with each other they were also struggling for power, while we were losing our lands” (Agababayeva 2010, 43).

In terms of land lost Aliyev was correct. For all of the military offensives and counter-offensives launched by both sides throughout the war, NKR and its ally Armenia were not only able to retain control of 92.5% of the original NKAO’s area, but between 1992-93 wrested total control of five of seven “occupied regions”⁷ representing some 13.4% of Azerbaijan’s total pre-war area (International Crisis Group 2005, 1). After many failed ceasefires, a ceasefire brokered by Russia in May of 1994 was signed by Azerbaijan, NKR, and Armenia. The most active and bloody phase of the war had ended, with more than 20,000 Azerbaijanis and Armenians having been killed (International Crisis Group 2007, 1). This ceasefire has held into today, though sporadic violence has and does erupt along the line of contact. Dozens of deaths are reported each year. Those killed are predominately soldiers from Azerbaijan, the NKR, and Azerbaijani civilians who live and travel within range of NKR sniper fire.

⁷ NKR today controls all of Jebrail, Kelbajar, Kubalty, Lachin, and Zengelin regions. NKR also controls approximately 77 % of Aghdam region, and 33 % of Fizuli region (de Waal 2003, 286).

Today the populations of Armenians and Azerbaijanis live in separate echo chambers, each one affirming their own story as to what really happened and how their side is right and just. Each side condemns the other as the purveyor of sadistic violence. The Armenians point to the ethnic violence in Sumgait and Baku as their proof, while the Azerbaijanis invoke the brutal 1992 killings of hundreds of civilians by Armenian forces in Xodjali/Khojali (Goltz 1998, 130). Armenian Karabakhis tell of cowering in basements as shells and missiles fired from Shusha/i rained down upon their homes, whereas displaced Azerbaijanis can only look at photos of their ruined homes in Shusha/i and Aghdam, still not able to return. Azerbaijanis assert there is no real difference between the government of NKR and Armenia, pointing to the fact that the previous and current sitting presidents of Armenia were both born in Stepanakert. Armenians point back to the pardoning and lionizing of convicted murderer Ramil Safarov, who viciously killed an Armenian fellow student during a NATO led English course. This constant sharpening of spears, this unceasing rhetoric of war, of who is right and who is wrong, will never bring the displaced persons home, or economic prosperity to blockaded lands. A focus on this mutually hurting history, one that empowers the extremists, simply perpetuates a counterproductive stalemate at best, emboldening the Safarovs of society, and increasing the possible resumption of war.

Conclusion

The NK conflict was born in the 20th century and lives on well into the 21st. For Azerbaijan it has been a tragic story fraught with loss, humiliation, displacement, and violence that has left them demandeurs. For NKR it has also been a violent and tragic era, punctuated by a victory and a palpable sense of de-facto independence. For Armenia it has had a crippling effect not only on the economy due to the Azerbaijani and Turkish blockade, but also on the nation's politics, both in terms of questionable autonomy from Russian influence, and domestic intimidation and bloodletting. While the Armenian people have won a victory on the battlefield, their state is none the more secure or prosperous. For Azerbaijan, its menacing threats and arms build-up has done little to further its position in the struggle. Aside from uniting its populace into a militant cohesion (with all of the possible blowback effects this entails), the line of contact has not

shifted since 1994. With this in mind it is hard to claim that Azerbaijan has furthered its interests in NK in almost two decades since the cease-fire.

The Armenian and Azerbaijani people still acutely feel the trauma of history. Armenian groups continue their campaign for the recognition of their massacre at the hands of the Ottoman Turks to be declared a genocide. For Azerbaijanis the main domestic focus is on the trauma generated in the loss of a proclaimed cultural heartland through a brutal war with no gains. In the recounting of their histories, both Armenians and Azerbaijanis see themselves as victimized. This victimized historical view of the Armenians and Azerbaijanis, and the constant rhetoric employed by both sides of selectively citing history both old and painfully new to justify hardened positions, seems to miss the true point. The Azerbaijanis and the Armenians have a long shared history, but it is a longer more prosperous future that should be their mutual focus. Both of these ethnic groups have struggled for independence while in the shadows of monolithic states and empires. Typically forced under the rule of another, both of these peoples now have their own states. However, yet again, as in 1918, when they would be wise to be one another's shield bearer and business partner, they are one another's worst enemies.

The situation today however is markedly different from these states' first attempt at modern independence in 1918. The horrific human practice of ethnic cleansing has already taken place. In a land that was ethnically mixed, ethnic boundaries have been violently established through intimidation and warfare. While never to be lauded or embraced, it is a fact on the ground. A settlement of mutually agreeable borders should be a possible task, one that takes into account these realities on the ground and the awful realities of the consequences of renewed warfare. In order to prepare all three populations involved in this conflict to be able to accept a peace settlement, there must be a retelling and changing of the view of both recent and ancient history, a retelling that dampens the vitriol, allowing neighboring nations to work for mutual protection and development. There needs to be a historical interpretation and narrative that recognizes and embraces this astonishingly unique moment in history, a moment when both Armenia and Azerbaijan are not directly under the jurisdiction of foreign empires, but are able to be independent and recognized within the international community. It is said that those who

do not know their history are doomed to repeat it. It can just as easily hold that those who repeat their history are doomed to never know all the potential they will have lost.

Recommendations

Short-Term

- **Snipers should be removed from the line of contact.** This “show of good faith” would not greatly change the calculus at the line of contact and would lower violent incidents that threaten to provoke greater escalation.
- **Lessen the focus on the historic role of “victim.”** While it is true that all sides have suffered greatly in their respective pasts, this constant focus and reiteration of this victimization only breeds continued militarism and distrust. Moving forward, both political and historic messages need to highlight the possibilities of a shared Caucasian future endowed with prosperity and security.
- **Azerbaijan should temper militaristic rhetoric and threats.** The constant threat of possible war coupled with a massive weapons build-up has done nothing to further a peaceful settlement. Instead it has forced NKR and Armenia into a “back against the wall” entrenched defensive position. This allows NKR and Armenia little leeway in domestic politics for resolving the issue.

Medium-Term

- **Reinstate NK’s autonomy that was stripped in 1991.** Though purely symbolic, it would signal Azerbaijan’s willingness to change the dialogue from its current zero-sum stance toward truly seeking a peaceful solution.
- **Release a detailed economic plan for NK and the territories.** Along with the reinstatement of autonomy, Azerbaijan should release a detailed economic plan for NK and the territories. According to our contacts at the Center for Strategic Studies in Baku, a plan like this exists and offers huge enticements to the citizens of NK. This economic plan should be coupled with IDP resettlement plans, and development funds should be clearly labeled to show both current NKR residents

and IDP communities receiving similar funding. Make NKR an offer that benefits them enough to entice them away from the current status quo.

- **Bring NKR back to the negotiating table.** NKR has been de-facto independent for the last twenty years. To deny its existence as an actual party to the conflict ignores a simple reality on the ground. It seems inconsistent with history to believe that it is not at least marginally independent from Armenia in its actions. It is questionable how free in its actions the Armenian government is, in terms of reacting to events and decisions made in NKR. To exclude NKR from peace talks removes a key player that will be needed to reach any final consensus.
- **Involve Georgia as a mediator.** Georgia has a major stake in seeing this conflict resolved in terms of its own security and prosperity. Georgia also has fairly good relations with all three actors, and therefore can play a powerful role in mediating an agreement that all sides could live with.
- **Create a consensus on long-term peacekeepers.** The international community along with the Minsk Group should facilitate an agreement for the deployment of long-term peacekeepers to NK that are seen as neutral by all three actors.

Long-Term

- **Form NKR into an autonomous Trans-Caucasian free trading zone.** Instead of allowing the NK conflict to divide the South Caucasus, use NK and part of the contested territories to form a new entity. The citizens of the new entity will enjoy a large degree of autonomy, yet be a recognized part of, and hold citizenship in Armenia, Azerbaijan, and Georgia. Whatever the final status of the surrounding territories, the Lachin corridor will remain as a part of NK to guarantee an open trade route to Armenia, just as the Aghdam sector guarantees open trade with Azerbaijan. To facilitate trade with Georgia an airport should be constructed. In this plan, NK would in effect be an autonomous part of the South Caucasus, its cultural glories shared by Azerbaijanis, Armenians, and Georgians. NK's security and prosperity would be a cooperative project that will help these three nations to strengthen relations, economics, and mutual security.

- **Armenia should create an open unrestricted trade corridor between Azerbaijan and Nakhchivan.** In recognition of the Lachin corridor's becoming a part of NK, Armenia should devise a way to insure a duty-free road-corridor, but not a pipeline, between the two areas of Azerbaijan to allow for the unfettered travel of goods and people.

Part I: Conflict in States

The Role of Civil Society in the Nagorno Karabakh Conflict

Jamie Pleydell-Bouverie

This paper addresses two main questions. First, what roles do civil society actors play in relation to the Nagorno Karabakh conflict, both directly and indirectly? Second, what potential is there for civil society to play a positive and transformational role in the conflict? Having explored these questions, I set out a number of recommendations aimed at facilitating the development of civil society in Azerbaijan, Armenia and Nagorno Karabakh, and using civil society to build bridges between the parties to the conflict.

The concept of civil society is diverse. Furthermore, it is often used without clear explanation of the meaning being ascribed to it. This necessitates clarification and definition. I define civil society as an intermediate sphere or sector of voluntary action, which is distinct from the political, economic and private sectors but is oriented toward and interacts closely with them. The essential characteristic of civil society is its autonomy vis-à-vis the state and the public sector (Spurk in Paffenholz [ed.] 2010, 7). It consists of voluntary associations and organizations, including NGOs, religious groups, youth associations, student bodies and unions. But there is an important sense in which civil society is more than just organizations and associations. In a representative democracy, each and every citizen is by definition part of a civil society that is represented and governed by the state.

It is clear that civil society is far from being homogenous with regards to interests, objectives and ideologies. It is equally clear, and pertinent to this present study, that civil society is by no means made up of entirely “civil” actors. The concept of “uncivil society” is a salient aspect of any polity, particularly in conflict areas where ethnic and religious identity mechanisms play important roles.

Part 1 of this chapter explores the theoretical basis of civil society in conflict resolution and peacebuilding, particularly as it relates to the Nagorno Karabakh conflict. I then turn to the two research questions that this chapter is concerned with. Part 2 gives an overview of civil society in Azerbaijan, Armenia and Nagorno Karabakh. I analyze the context of civil society activity in each republic, identify civil society actors that play important roles in relation to the conflict, and discuss civil society activities that are

oriented to the conflict. Part 3 explores the potential that civil society actors have to positively transform the conflict. I conclude with a number of targeted recommendations.

Civil Society and Peacebuilding

In both theory and practice, the involvement of civil society in conflict resolution and peacebuilding is largely undisputed. There may be plenty of debate regarding the importance, relevance or most appropriate role for civil society in certain conflicts, but terms such as “bottom-up peacebuilding” and “track two diplomacy” have firmly established themselves as part of the conflict management lexicon. Paffenholz (2010, 60) has noted that “Civil Society has emerged from a marginal actor in peacebuilding during the Cold War (with some exceptions) to an accepted key actor in almost all peacebuilding theories.”

The Conflict Resolution school of thought gives greatest weight to civil society action, arguing that solving the underlying causes of conflict involves fundamentally rebuilding relationships between parties, not just at the top level but within society at large. This observation resonates particularly well with the findings of our field research in Azerbaijan, Armenia and Nagorno Karabakh. The history of this conflict is such that dialogue between Armenians and Azerbaijanis is virtually absent, trust has been eroded, and hate narratives are ubiquitous. Of course, a politically negotiated settlement would be the singular most important step in resolving the conflict. But it would not be a silver bullet. Perceptions and attitudes will need to change if this conflict is ever to be truly resolved. Civil society actors are the key protagonists here. They may not be party to efforts to attain a negotiated settlement, but they can be party to the much larger process of *building the capacity for peace* in society. They may also provide political support for leaders, should they decide to make compromises in an effort to reach agreement.

The key functions that civil society can perform in building the capacity for peace are 1) Monitoring; 2) Protection; 3) Advocacy; 4) In-group Socialization; and 5) Social Cohesion (Paffenholz 2010, 381-403).⁸ Monitoring is the means of keeping governments

⁸ I have omitted “Intermediation and facilitation” and “Service Delivery” because of their inapplicability to the particularities of the Nagorno Karabakh conflict.

accountable; Protection is directed against the despotism of the state; and Advocacy includes promoting themes on the public agenda and putting public pressure on political actors. In-group socialization concerns the activities of associations, networks and other movements and can play a positive and a negative role. Positive in-group socialization promotes a culture of peace, tolerance and understanding. Negative in-group-socialization propagates radicalism and consolidates in-group identities. Finally, Social Cohesion is about bridging divides between adversarial groups. In the case of the Nagorno Karabakh conflict, the challenge is to bridge divides in a context where adversarial groups have little or no contact with each other. My analysis of the actual and potential roles of civil society actors in Azerbaijan, Armenia and Nagorno Karabakh will focus on these functions. Some clearly have a more direct link to the conflict than others, but each can influence the manner in which the capacity for peace is shaped in each polity.

On the one hand, the Nagorno Karabch conflict – stuck as it is in a political stalemate – is an environment where track two diplomacy may have a significant role to play: A “top-down” solution to the conflict in the form of a negotiated settlement unfortunately seems extremely unlikely in the current political climate. This means that “bottom-up” processes hold the only possibility of progress (however limited) being made in the short term. Civil society is the key to such efforts. Even if progress is slow and dialogue projects fail to gather momentum, at least this process keeps communication between opposing sides alive; something that political elites cannot be relied upon to do. On the other hand, there are a number of factors that make “track two” practices very difficult. First, there is minimal contact between civil society actors in Armenia and their counterparts in Azerbaijan. Laws and security considerations which prevent Armenians from traveling to Azerbaijan (and vice versa) exacerbate the problem. Secondly, the sphere of civil society in Azerbaijan is severely constrained and often repressed by the state, presenting a major obstacle to civil society initiatives. Armenia’s civil society is freer but poorly organized and not well-developed.

Thus, it is not the objective of this paper to argue that civil society holds the key to – or the most promise for – the resolution of the Nagorno Karabakh conflict. This chapter does argue, however, that civil society can play an important role in transforming

the conflict. This role can be conveyed with reference to John Paul Lederach's (1997) paradigm of "sustainable peacebuilding," which reconciles the dichotomy of short-term conflict management and long-term relationship building by insisting on the relevance and importance of multiple levels of action. Top level negotiation is certainly essential for seeking a political settlement. But it is grassroots leaders who represent the masses, and "middle-range" leaders – such as academics, religious business and NGO leaders – who are more likely to have the means to realize peacebuilding initiatives, while being freer of political constraints than government officials. It is civil society actors that dominate these two levels. It would be a mistake, therefore, to disregard the importance of the sphere.

Civil Society in Azerbaijan: Struggling for Recognition

Civil society in Azerbaijan is weak. It has never been vibrant, but opportunities for civil society to flourish began to close more definitively in the mid-2000s after the color revolutions in Georgia, Ukraine and Kyrgyzstan, which – it has been suggested – the Azerbaijani government "associated with international foundations and non-profit organizations" (Cosby 2012). Today, civil society operations are curtailed and limited by the repressive policies and acts of an authoritarian regime. The international NGO Freedom House has consistently ascribed low scores to Azerbaijan for civil liberties over the last decade. 2012 saw a downward trend due to "widespread attacks on civil society" (Freedom House 2012). These were particularly prevalent during and in the wake of the Eurovision Song Contest, which Azerbaijan hosted in May 2012. Civil society was vocal while the international spotlight was on Azerbaijan, demanding the release of political prisoners and advocating for the removal of restrictions on freedom of speech and assembly under the banner of the "Sing for Democracy" campaign. The government responded firmly, dispersing demonstrators violently and detaining scores of protesters (CIVICUS 2012).

NGOs have to apply for legal status to be officially recognized as a legitimate organization. This is a significant hurdle for many NGOs. The Institute for War and Peace Reporting (IWPR), which has itself been denied registration, has recorded numerous failed applications, including the Human Rights Club that coordinated the Sing

for Democracy campaign, which has applied for legal recognition and been turned down three times (Kazimov 2012). Without legal status, NGOs struggle to obtain funding and can face difficulties with the authorities, especially when organizing events or coordinating campaigns. Presently, there is much concern in Azerbaijan about the prospect of the authorities' amending legislation in order to further restrict the activities of NGOs. Under proposed changes, NGOs may face large fines and confiscation of property if they receive any sort of donation above 200 AZN (USD 250) without a proper agreement. A local NGO, Institute for Reporters' Freedom and Safety (IRFS), has reported that this would simply "allow the government to easily close down unwelcome NGOs in a few days" (IRFS 2013).

Some academics have argued that this sort of repressive climate should prevent one from even talking about civil society. In a recent article, Sarah Kendzior (2012) argued that talking of civil society is a distraction from the real problems in authoritarian states, claiming that civil society is a Western concept that has little application to authoritarian states because "to declare oneself as apolitical in an authoritarian state is a political stance." Hence, what civil society actors see as an impartial focus on the citizen, the government sees as a determination to act outside of the parameters of the State. Kendzior concludes that this reality means that civil society ceases to function as a category, adding that the very process of talking about civil society in relation to such countries – as this chapter is doing – gives authoritarian states far too much credit: It is precisely the repression of authoritarian regimes that denies the existential realization of the sphere.

This critique brings up important issues, and the underlying call for the international community to focus more attention on the repression and abuses of authoritarian governments like Azerbaijan is correct. But discarding the concept of civil society in States such as Azerbaijan is a mistake. Civil society may be weak and constrained in Azerbaijan, but *it does exist*. And it ceases to be a "Western" concept as soon as it is used by local actors in their own context. Political activism among the student bodies that we met at the Azerbaijan University of Languages and the Azerbaijan Diplomatic Academy was disappointingly meager, but they did speak about "civil society" and largely saw themselves as being part of it. In an interview (18 January

2013), Dr. Samad Seyidov, MP of the ruling party, conceded that Azerbaijan had “problems” concerning human rights and the repression of civil society which needed to be addressed. The sector struggles to operate. But struggle it does; and this means that civil society is alive even if not well.

Protection against the repression of the State is a function that reflects this condition well. On the one hand, clear evidence of civil society repression shows that civil society struggles to be effective as a protective actor in Azerbaijan. Yet on the other hand, the fact that NGOs such as the Institute for Reporters’ Freedom and Safety are free to report situations of abuse, organize meetings and conduct press conferences shows that civil society is functioning, monitoring state activity and disseminating information effectively.

There is little evidence that the Azerbaijani government has taken heed of any advocacy or lobbying. But on the matter of the Nagorno Karabakh conflict, there is little discord between the government position and the position of the majority of Azerbaijanis. In fact our field research suggests that much of Azerbaijani civil society is just as – and sometimes more – hard-line on the issue than the government. British journalist Thomas de Waal told us that the intelligentsia is often the most radical in society – a statement at least partially supported by our own research – meaning that they can play a negative role in building the capacity for peace.

This opens up the issue of “uncivil” society in Azerbaijan and the problems that civil society might pose in relation to the conflict. Hate narratives are certainly prevalent in Azerbaijan, as they are in Armenia and Nagorno Karabakh. This does mean that there is a lot of what Paffenholz calls “negative in-group-socialization.” But our research found a number of cases of positive in-group-socialization, including efforts to promote a culture of peace, dialogue, tolerance and understanding. Students at the Azerbaijan University of Languages, for example, spoke not only of the need for tolerance and collective understanding, but also of their own personal readiness to do “whatever it takes” – including participating in future student exchanges with Armenians – to promote such a culture. The university itself has great potential as a locus for positive in-group socialization. Comprised of intelligent and cosmopolitan young students, the University

recently opened a department of Armenian studies and has started to teach the Armenian language.

It is also a place where social cohesion initiatives could be initiated, if only the political and security situation would permit it. The Rector of the University, ruling party MP Dr. Samad Seyidov, declared in our interview, “We need Armenians here” as he spoke of the university’s Armenian studies department. It is extremely unfortunate that Azerbaijan maintains a policy of denying Armenians entrance to the country (a policy effectively reciprocated on the Armenian side). These policies may reflect legitimate security concerns, but they severely hamper efforts at social cohesion between Armenians and Azerbaijanis. The result is that there really is very little contact between the two countries’ civil society actors.

But there is some. For example, at the same time as our research trip, 20 participants from Armenia, Azerbaijan, and Nagorno Karabakh, including representatives of non-governmental organizations and civil society, met in Tbilisi for a two-day workshop ran by the Imagine Center for Conflict Transformation, the Caucasus House, and the School for Conflict Analysis and Resolution of George Mason University. Events like these allow dialogue, confidence building and mutual understanding. The Imagine Center is an example of “international civil society” facilitating social cohesion through an online platform called “The Neutral Zone,” which offers a forum for alternative voices from Armenia and Azerbaijan to write on issues such as, culture, education, society and the NK conflict.

The overall prognosis of civil sector in Azerbaijan is not encouraging, particularly in the immediate future, as the government moves to clamp down on any form of dissent ahead of the upcoming elections. But if the political weather changes for the better, the sector could grow quickly.

Civil Society in Armenia: Free to Operate but Undeveloped

In Armenia, the sphere of civil society is under fewer constraints. Alexander Iskandaryan, director of the Caucasus Institute think tank, wrote last year that Armenian NGOs operate in “a generally favorable legislative climate and are respected in society” (Iskandaryan

2012). The constitution of Armenia explicitly protects fundamental democratic freedoms, which are generally upheld. Furthermore, legislation regulating the work of NGOs “does not have provisions that would explicitly restrict the capacities (including resources and independence) and potential for the development of organizations” (Transparency International 2011, 5). Yet these generally favorable conditions have not translated into a particularly strong or effective civil society sector. In our meeting with Mr. Iskandaryan in Yerevan, he said that only some 10% of NGOs in Armenia really function with any degree of operational effectiveness.

The reason for this is not immediately clear. A research project by Transparency International (2011) written up in a report entitled “Risks and Opportunities for the NGO Sector in Armenia,” suggests that a number of factors help explain the stunted evolution of civil society, including a lack of experience, weak governance, strategic mismanagement, limited funding (especially domestically), and the lack of a “culture” of civil society whereby citizens are aware about their rights, freedoms and the political processes that shape their lives.

Any analysis of civil society in the Caucasus must acknowledge the fact that a culture of civil society has existed in the region for only a little over two decades. Before the breakup of the Soviet Union, “civil society” barely existed. “Developing civil society is a process,” Mr. Iskandaryan said, underlining that “time is needed in order to establish a culture of civil society” in Armenia. This, of course, is a consideration equally pertinent to civil society in Azerbaijan, but it carries greater significance in Armenia, where civil society *could* be more vibrant and effective, if only it were better organized and more efficient. Transparency International, while refraining from formal recommendations, notes that the key to the solution “lies within the jurisdiction and capacity of the NGOs themselves” (2011, 22).

This is not to say that the government does not or cannot play an important role in the evolution of Civil Society. Cooperation with government actors is a major enabling factor for NGOs. The inverse is also true: a lack of government cooperation can be a disabling factor for NGOs. Many NGO leaders do cite this as a factor stymieing their effectiveness and impact (Transparency International 2011, 17). Armenia is also by no means free of allegations of trying to control the civil society sector. In November 2012,

NGOs reacted strongly to a newly published strategy for developing the NGO sector, released by the Public Council, an ostensibly non-partisan advisory body set up by the President. Whilst it was touted by the Council as providing an efficient mechanism for the government to allocate money to NGOs, a number of NGO leaders reacted angrily, claiming that the plan is “part of a whole process of controlling civil society” (IWPR 2012). Avetik Ishkhanyan, head of the Armenian Helsinki Committee, which does extensive reporting on human rights issues, noted with concern that the preamble to the plan “says that the state provides freedoms to society – a formulation characteristic of authoritarian systems, since democracy presupposes freedom” (IWPR 2012).

As with Azerbaijan, the well-publicized negative NGO response to such government moves is itself a sign of life in the civil society sector. Protection, monitoring and advocacy are all functions that Armenia’s some 4000 NGOs do fulfill, albeit in a rather ineffective manner. Two organizations that we met with, the Caucasus Institute and the Center of Regional Studies both publish and disseminate reports which present findings of various monitoring activities and advocate specific agendas. Some advocacy is related to the NK conflict. For example, Richard Giragosian, an American of Armenian descent and Director of the Center of Regional Studies, told us that he was advocating for a “freezing” of all issues related to the NK conflict in order to refocus on democratization.

In-group socialization and social cohesion in Armenia mirrors that of Azerbaijan. Negative in-group socialization dominates: hate narratives are much more easily perpetuated than calls for understanding and tolerance. Although this volume contains a paper dealing specifically with religion’s role in the NK conflict, it is apt to note here that there is little evidence of the Armenian Apostolic Church conducting any major initiatives aimed at transforming attitudes, beliefs and perceptions in relation to the NK conflict. Unfortunately, this is a forum where negative in-group socialization is more prone to occur, with the Church functioning to consolidate the Armenian ethnic identity, so often defined in negative relation to the “Turkic” identity of the Turkish and Azerbaijani people.

But our field research revealed positive in-group socialization also. Students and graduates that we met at the Caucasus Institute clearly represented a more objective and

enlightened tranche of Armenian society, with many working on initiatives aimed at building a culture of tolerance and understanding towards their eastern neighbors. One of the graduate students was actively searching for Azerbaijani counterparts to help participate in track two diplomacy projects. Hence, there is by no means a complete absence of motivation for Armenian-Azerbaijani social cohesion from the Armenian perspective.

Civil Society in Nagorno Karabakh

Civil society in Nagorno Karabakh is an especially interesting topic, since in the absence of the NKR's participation in top-level negotiations; the only forum for dialogue available to Nagorno Karabakhis is – at present – in the civil society sector. This, at least, is how civil society representatives in NK talked about their role when we met with them on 23 January 2013. Civil society is certainly alive in NK, but the NK government makes worryingly little effort to engage with them. There are reportedly some restrictions placed upon civil liberties such as freedom of assembly and association (Freedom House, 2012).

The number of representatives of various NGOs and civil associations that we met indicates that the Armenian people of NK ascribe an important role to civil society. They want to participate, as citizens, to the processes by which the future of Nagorno Karabakh will be determined. While the official position of NKR is that an independent NKR is the final and consummating goal, we heard a very different story from the civil society representatives that we met. The people of NK are Armenian, we were told, and as such they would like to NKR to become part of a greater Armenia or – as one journalist put it jokingly – a “United States of Armenia.” Independence, for them, was a goal only in so far as it might lead to this end.⁹ The main agenda for civil society as for the NK government seems to be the preservation of Nagorno Karabakh – or “Artsakh” as they refer to their country – as the Armenian homeland. We were told on more than one occasion that NK was a “Holy Land” for Armenians as Jerusalem is for Jews. While some expressed openness for the possibility of living side-by-side with Azerbaijanis

⁹ The NKR government says that its polling shows that 87-88% of Karabakhis want independence, and only some 10% want reunification with Armenia (Meeting with the NKR Minister for Information).

again in NK, security concerns came to the fore, and the general view was that they wanted to preserve the status quo. Arman Melikyan, former minister of foreign affairs of NKR put it bluntly in an interview: “The truth is that no one wants Azerbaijanis there. And no one expects them.”

As with Azerbaijan and Armenia, the citizenry of NK tend to be at least as hard line as their government. The Armenian Revolutionary Council was an archetype of “uncivil society” in the context of peacebuilding. It is a small student group with little by way of practical agenda, but a startling expansionist vision for a greater Armenia extending down to the Mediterranean. The academic community in NK was also radical, if perhaps to a lesser extent. At Artsakh University, a professor talked about Armenia as the only buffer preventing a complete Turkic empire from spreading from Northwest China down the eastern Mediterranean coast. This geopolitical analysis was followed by a defiant defense of continued Armenian possession of NK, with the professor declaring exuberantly “We are not afraid of war.” Fortunately, greater objectivity and forward-mindedness was to be found in the student body and in other professors, one of which did speak about creating the conditions for Azerbaijani or Turkish students to visit the university on exchanges. A young English teacher talked publicly about her readiness to have dialogue and relayed anecdotes of some contact that a Karabakhi Armenian friend had had in a peacebuilding project with Azerbaijanis, yielding positive results. Civil society is clearly not monolithic in NK.

Our conclusion of civil society in NK is not dissimilar to that of Armenia. The sector is alive; it monitors government activity and is allowed to express itself through limited media outlets (which are, however, mostly government controlled). But it has very limited, if any, impact on government policy. NK’s civil society is generally more hard-line on the question of NK’s status and its expansion into the surrounding “liberated” territories. But it does not speak with one voice. There are instances of positive in-group socialization and social cohesion initiatives have been piloted.

The Potential of Civil Society to Have a Positive Impact on the Nagorno Karabakh Conflict

This chapter has diagnosed the civil society sectors in each republic with various ailments and weaknesses. In each case, the sector is alive but not vibrant, functioning though struggling to be effective, and generally sharing a hard-line government-propagated position on the question of the NK conflict. We should not hold our breath for fast progress in civil society initiatives. Conditions in each republic are not presently conducive to a flourishing civil society that might be able to have a positive transformational effect on the conflict. In a recent edited volume on *Civil Society and Peacebuilding*, based on research in 11 conflict areas, Thania Paffenholz (2010, 405) underlines four core “enabling” or “disabling” factors for civil society peacebuilding: 1) state behavior; 2) media freedom and role; 3) civil society diversity; and 4) the role of external political and civil actors. Let us explore each in turn.

State Behavior

The state sets the parameters for civil society activity. In Azerbaijan especially, these parameters are very constraining. With civil society struggling to develop and operate, it is hard to be optimistic about the sector having a positive impact in relation to the NK conflict. But Azerbaijan is, at least ostensibly, a democratic state with democratic institutions whose presence provides a crucial enabling condition for civil society, despite the misuse of democratic processes by the government (Paffenholz 2010, 407). In Armenia and NK, state behavior vis-à-vis civil society is less restricting, but neither is it particularly proactive about engaging civil society. Lacking this, the largely ineffective civil society sector in Armenia also holds little promise for having a positive influence on the conflict.

From the perspective of conflict resolution, one of the most important aspects of state behavior impacting civil society is the manner in which civil society is conditioned by inflammatory government rhetoric over the NK conflict. All sides are guilty on this charge. Government personnel routinely appeal to fears and hatreds of “the other” to garner support. The rhetoric used is extremely damaging in how it shapes public opinion

on all sides. With Azerbaijani government officials vilifying “Armenians,” and Armenian officials doing likewise regarding “Azerbaijanis” or “Turks,” civil society becomes further radicalized, hate narratives become cemented, and fears are stoked. The worst part is that often the rhetoric is directed against “Azerbaijanis or “Armenians” rather than political actors, meaning that the “innocent civilian” on the other side of the conflict is easily forgotten – that person is the “enemy”. This is one reason why the very idea of young Azerbaijanis’ and Armenians’ meeting is often considered taboo on all sides.

Perceptions and attitudes will not change in any significant measure as long as politicians appeal to their citizen’s base fears and identity mechanisms with fiery rhetoric. Two decades of such rhetoric has created citizenries that are very hard-line on NK. This has created a structural quagmire whereby political elites have become prisoners to their own rhetoric. Even if they wanted to make concessions to resolve the conflict, governments would then have a tricky time selling those concessions to a public and electorate that they have radicalized. The all-important challenge, in hope and preparation for a future negotiated settlement of some kind, is to de-radicalize citizens on all sides. The importance of de-radicalization cannot be overstated. Recent history shows that leaders on both sides have gotten close to striking a deal before getting cold feet when faced with having to explain concessions to their domestic audience.

Media Freedom and Role

The role of the media has its own chapter in this volume, but it must be mentioned here as a crucial enabler of civil society activity. It is through media outlets that civil society actors can fulfill their functions, particularly monitoring, protection and advocacy. Online forums are key media through which in-group socialization happens and through which social cohesion can take place. The media and civil society are very much interlinked, with the former giving much potential to the latter, especially in the form of “new media” such as social networking sites, blogs and internet forums.

Civil Society Diversity

Diversity within civil society is an important determinant of the strength of identity mechanisms and the presence or absence of a culture of tolerance and openness. In most conflict areas, Paffenholz (2010, 414) notes, “High emotional salience is attached to group identity.” This is most certainly the case in the South Caucasus, where civil society really lacks diversity: Azerbaijan and Armenia have been ethnically homogenous since the forced migrations two decades ago. Many young Armenians have never seen an Azerbaijani and vice versa. This situation undoubtedly hinders the potential for civil society social cohesion initiatives. But it also might mean they can achieve a lot with a little. Students who had been part of Tbilisi-based initiatives said that despite the apprehension of meeting people from the other “enemy” state, they were quick to establish common humanity. A problem is that participants in these meetings usually “self-select” meaning that they generally are more empathetic and cosmopolitan than most in their societies. Involving a wider range of participants in these events will be a challenge moving forward.

Role of External Political and Civil Actors

The role of external political and civil actors is another important enabling factor of civil society activity. There has been a lack of political pressure on Azerbaijan to democratize and liberalize. But external civil actors in the form of international NGOs are working on civil society initiatives in relation to the NK conflict. UK-based NGO Safer World (2012), for example, has undertaken a comprehensive study to identify fruitful Confidence Building Measures (CBMs) which include working with civilian administrations. They identified the Armenian-Azerbaijani border (excluding NK) as an area to focus CBMs, arguing that local NGOs and civil administrations could play an important role in agreeing on a number of locally-important cross-border issues such as the terms of water-sharing and the reconstruction of irrigation canals. These are small steps, maybe, but this is the nature of CBMs – they are small parts of a bigger and complex picture, which can hopefully come together to induce changes in perception and trust.

Conclusion

Despite the weaknesses of civil society in each republic and generally unfavorable conditions to Civil Society peacebuilding initiatives, there are some reasons to be cautiously optimistic looking forward. Perhaps the main reason is demographic. In Armenia especially, but arguably in Azerbaijan as well, the younger generation seems to be generally less hard line than the older, which is often not the case in enduring conflicts. Time, therefore, in and of itself, may work in favor of positive civil society development, as people tire of the conflict and it no longer serves a purpose. As a new generation takes up leadership positions in government and civil society over the next decade, fresh ideas and different attitudes may come to alter conditions for the better.

Civil society initiatives should not be given up. The positive efforts of civil society, whether fulfilling functions that impact the NK conflict directly or indirectly, should be supported. Bottom-up processes are certainly not sufficient by themselves for a lasting peace. But they are necessary. To only focus on top-down efforts would be to commit a grave error. After all, a negotiated political agreement is only a success if it sticks and is implemented. Civil society will have a key role in determining the sustainability of any potential future deal.

Recommendations

To the Government of Azerbaijan

- Recognizing that public legitimacy is what keeps any party in power, **engage with civil society ahead of forthcoming presidential elections**, and ensure citizens' right to freedom of expression, association and assembly.
- **Encourage the development of a vibrant and cosmopolitan civil society sector.**
- **Cease using threatening, virulent and overly-hostile rhetoric directed at Armenia.** If vitriolic rhetoric is to be used, it should be directed against the Armenian Government rather than against "Armenians."
- Recognizing that NK is legally part of Azerbaijan, **seek to engage with the civil society in NK and recognize their stake in the conflict.**

- **Revise legislation preventing Armenians from entering Azerbaijan** and address security issues associated with travel.

To the Government of Armenia

- **Encourage the development of a vibrant and cosmopolitan civil society sector.**
- **Cease using threatening, virulent and overly-hostile rhetoric directed at Azerbaijan.** If vitriolic rhetoric is to be used, it should be directed against the Azerbaijani Government rather than against “Azerbaijanis.”
- **Revise legislation preventing Azerbaijanis from entering Armenia** and address security issues associated with travel.
- Recognizing that the state is the guarantor rather than the provider of freedom, **ensure the un-impinged autonomy of civil society groups** whilst seeking to engage with them constructively.

To the Government of NKR

- **Encourage the development of a vibrant and cosmopolitan civil society sector.**
- **Cease using threatening, virulent and overly-hostile rhetoric directed at Azerbaijan.** If vitriolic rhetoric is to be used, it should be directed against the Azerbaijani Government rather than against “Azerbaijanis.”
- **Engage NK civil society further in the formulation of government policy.**

To Civil Society Representatives in Azerbaijan, Armenia and NKR

- **Seek to develop the entire Civil Society sector further**, creating a network of complimentary, cross-cutting and cosmopolitan organizations.
- **Continue to explore new initiatives aimed at building a culture of peace, tolerance and mutual understanding, especially with new media outlets.**
- **Seek opportunities to engage in dialogue with civil society representatives on the other side of the conflict.**

- **Explore and advocate for student exchange programs** to be set up by universities, providing that legal and security guarantees are in place.

To International NGOs and Donors

- **Seek to engage greater numbers of people in your projects**, including through electronic media and online forums.
- **Focus on changing attitudes and (mis)perceptions within the citizenries of each republic.** Work with traditional and new media outlets to promote a culture of peace, tolerance and understanding.
- **Be judicious in selecting NGO partners and recipients of funding;** demand accountability and ensure effective oversight of operations.

To the Minsk Group and other Third-Party States with Strategic Relations with Azerbaijan, Armenia and NKR

- **Take a more hard-line stance and exert pressure on Azerbaijan to uphold the principles of freedom and democracy.**
- **Put pressure on all three governments to engage meaningfully with civil society and ensure their autonomy.**

Domestic Politics in Armenia, Azerbaijan and Nagorno Karabakh and the Peace Process

Sarah Cooper

An analysis of any conflict must take into consideration the domestic political constraints under which the parties to the conflict operate. Although charismatic leaders are sometimes willing to make unpopular concessions for the sake of peace or greater long-term strategic interests, international negotiations are generally unlikely to yield outcomes that would prove unacceptable to the electorate back home. In the field of conflict resolution, scholars Peter Evans, Harold K. Jacobson and Robert Putnam advanced the idea that all peace negotiations must therefore be treated as linked, two-level processes such that an international agreement will only succeed when it accords with domestic political interests (Evans, Jacobson and Putnam 1993). This framework is particularly applicable in the case of the Nagorno Karabakh (NK) conflict. Its outbreak corresponded with the decline and fall of the Soviet Union and, as a result, with the development of new political institutions professing a more democratic orientation in both Armenia and Azerbaijan. The history of political transition in both countries is therefore intimately linked to the history of the NK conflict. Actors on both sides of the line of contact have, at times, used the conflict to bolster their political legitimacy or broaden their base of support. All sides to the conflict are consequently aware that any concessions made in international negotiations would have political ramifications at home, and that their counterparts at the negotiating table face similar constraints.

This chapter seeks to elucidate certain salient features of the political landscape in Armenia, Azerbaijan and the territory of Nagorno Karabakh, which latter has established its own distinctive but internationally unrecognized organs of government. The chapter then proceeds to outline how these conditions may serve to obstruct negotiations. It concludes with recommendations for domestic reforms that could change the constraints under which negotiators from all parties to the conflict operate and thereby increase prospects for a successful peace process.

Azerbaijan

Restrictions on political space and media freedom in Azerbaijan in addition to the preponderance of political parties with unclear platforms and structures pose a challenge to the peace process. Feedback mechanisms between the general population and the political elite – whether in power or in the opposition – are only weakly institutionalized, making it difficult to predict how potential concessions over Nagorno Karabakh would be perceived by the public. Antigovernment protests taking place in 2011, which culminated in the “Great People’s Day” demonstration on 11 March 2011 and the convening of unsanctioned political rallies in Baku, arguably took the government by surprise. The national police used force to break up the protests and detained hundreds of individuals in an effort to contain them (Freedom House 2012). Although these protests did not take place on a large enough scale to pose any serious challenge to President Ilham Aliyev’s regime, they raise the specter of popular discontent. They provide an added disincentive for Azerbaijani policymakers to engage in actions that risk tapping into popular unrest. The protests also underscore the utility, from a governmental perspective, of gathering regular accurate information about public opinion.

Representatives of the Azerbaijani government believe that the Nagorno Karabakh conflict is extremely important to the public, and have even called it the single most important issue for Azerbaijani voters. The conflict is deeply embedded in modern Azerbaijani conceptions of national identity and traditions of political activism. With independence in 1991, the NK conflict and narratives of Armenian aggression served as potent rallying symbols that helped to unify the nation under Azerbaijan’s third post-independence president, Heydar Aliyev,¹⁰ who assumed power in June 1993. Instability plagued Azerbaijani politics during the early post-independence years. Heydar Aliyev took power after a coup d’état and his predecessor Ayaz Mütallibov was forced out by a military coup. After weathering a second coup attempt in 1995, Heydar Aliyev’s primary strategic priorities were to solidify his presidency and develop a cohesive national body. Mobilizing popular sentiment around the common experience of the NK conflict helped achieve both objectives.

¹⁰Heydar Aliyev is the father of the current president, Ilham Aliyev.

In recent times, the Deputy Minister of Foreign Affairs Araz Azimov has referred to the Nagorno Karabakh conflict as the one issue on which there is complete consensus amongst Azerbaijanis. Indeed, nearly all of the Azerbaijanis with whom the SAIS delegation met voiced general satisfaction with the government's handling of the conflict. It should be noted, however, that in the context of restricted media access and political expression it is difficult to determine whether these views reflect a lack of access to other information and dissenting viewpoints or a genuine convergence of views. The government continues to persecute bloggers and journalists who express dissenting opinions with near impunity, making particularly liberal use of the criminal statute on libel (Freedom House: Freedom of the Press 2012). Such tactics doubtless also serve to dissuade private citizens from expressing dissenting views on government policy. Nevertheless, with presidential elections slated for October 2013, it is unlikely that the incumbent government will risk what is predicted to be an easy reelection victory on controversial negotiations or confidence building measures, particularly with the memory of the 2011 protests still fresh.

The international community could and should facilitate further Track Two diplomacy initiatives to bring together prominent Armenian and Azerbaijani intellectuals, students, religious leaders and civic representatives for conflict resolution workshops and cultural exchanges between now and October 2013. In both Armenia and Azerbaijan, the SAIS delegation heard many stakeholders express concern that the younger generations have very little contact with individuals from the other country. There is, however, a perception amongst some Azerbaijanis that Armenia will engage in confidence building measures and negotiations to improve its standing within the international community, but cannot offer substantive concessions because the current president, Serzh Sargsyan, relies on the continuation of the conflict for his legitimacy. Nonetheless, official government-to-government negotiations under the Minsk Group are unlikely to yield dividends unless they are organized in the window of time after the presidential election results are announced and before political space closes again in preparation for the 2015 legislative elections.

Opening political space presents an ongoing challenge in Azerbaijan even outside of the election cycle, but one with the potential to reap dividends for the peace process as

well if greater diversity of opinion on substantive political issues and priorities can be brought into the public sphere. Although there are more than 50 registered parties in Azerbaijan at present (Allahyarova 2010, 11), the president and his New Azerbaijan Party (NAP) exercise a near hegemony on political discourse. The NAP captured a significant number of seats in Azerbaijan's unicameral parliament, the Milli Mejlis or National Assembly, during legislative elections last held on 7 November 2010 winning 71 out of 125 seats. By way of comparison, the Civic Solidarity Party captured three seats, the Motherland Party secured two seats, the Democratic Reform Party and the United People's Party each one won seat, and independent candidates took 41 seats (IFES 2011). According to a 2010 report by Azerbaijan's governmental think tank, the Center for Strategic Studies under the President of Azerbaijan (SAM), the NAP has come to dominate the political spectrum through superior organization and financing structures (Allahyarova 2010, 13).

Indeed, the entire political spectrum is defined in relation to the NAP. Opposition parties largely fail to present competing visions for the political or ideological direction of the country and instead articulate their platform in terms of the level of support given to the NAP and its policies, which ranges from wholly uncritical to extreme opposition.¹¹ The preponderance of the NAP can also be explained by Azerbaijan's use of a first past the post or "winner takes all" system of voting at the legislative level, which empirically favors large majoritarian parties over parties representing smaller constituencies or minority interests. Furthermore, the NAP dominates the electoral commission and Azerbaijan's long-standing opposition parties have not been represented on the commission since 2005. Outside of the prescribed campaign period, opposition parties are rarely permitted to take part in rallies or public assemblies or to hold meetings. These restrictions and international observer groups' findings that electoral processes in

¹¹ A representative platform, for the Clearness Party, as cited by the Center for Strategic Studies under the President of Azerbaijan is as follows: "The authorities and opposition can't get along well now. Under such circumstances, political relations do not stay within legal and moral bounds. Therefore, society is at an impasse. As a result, there is no confidence in political forces. To regain this confidence, we intend to pursue different policies. We will try to regain the confidence in both the authorities and opposition... Our objective is to resolve the Nagorno Karabakh conflict and update the election law in cooperation with all political forces. Our goal for the near future is to stand in the 2009 local and 2010 parliamentary elections, while the long-term objective is to run for presidency in 2013" (Allahyarova 2010, 19 -20).

Azerbaijan have been marred by extensive irregularities¹² contributed to parties' motivations for participating in a partial election boycott in 2008 and 2009. The Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights has also released observer statements criticizing Azerbaijan's electoral processes for failing to adhere to internationally recognized norms and best practices (OSCE 2010).

Registering discontent with the status quo through election boycotts is ultimately an unproductive strategy for Azerbaijan's opposition forces. In the last parliamentary election, only 50.14% of the population of Azerbaijan is estimated to have turned out to vote (IPU Parline 2011). More effective strategies could focus on outreach to those neglected voters who have historically not participated in Azerbaijan's electoral process. Public opinion polling, if conducted in areas such as the Nakhchivan Autonomous Republic – which must receive goods from Azerbaijan via airlift due to the lack of normal relations with bordering Armenia – may even reveal surprising divergences of opinion about governmental priorities and preferred outcomes to the Nagorno Karabakh conflict. Potential opposition candidates would still face restrictive registration processes. During the November 2010 elections, for example, nearly one half of all would-be opposition candidates were barred from standing. Nevertheless, opposition candidates are more likely to affect political change within Azerbaijan if they can articulate a policy-based platform and draw upon a clear constituency.

The political landscape is unlikely to be ripe for significant changes until after the October 2013 presidential elections. New data about public opinion in Azerbaijan suggesting that the NK conflict is less able to galvanize the masses as a voting issue than the government currently believes might change political calculations. However, there is a widespread conception amongst Azerbaijani governing circles that the party exists as an instrument to channel state policies to the masses rather than to integrate public opinion into legislation. SAM, for example, critiques many of the Azerbaijani political parties for having, “either limited or no opportunity to affect the formation of public opinion”

¹² These practices included voter intimidation, vote buying, use of governmental resources to mount campaigns, ballot box stuffing, flawed voter registration lists, irregular vote tabulation, and casting of multiple ballots through so-called carousel voting practices (Freedom House 2012).

(Allahyarova 2010, 16). Similarly, Article 12 of the Azerbaijani Political Party Law notes that, “Political parties may not interfere with the activities of State bodies and officials” (Venice Commission 2003). These statements are in tension with established democratic norms on interactions between the governing body, the general public and political party representatives. Until political parties in Azerbaijan begin to more systematically integrate information about citizen preferences and priorities into their platforms and policies, the NAP and its agenda is likely to predominate.

Armenia

The Nagorno Karabakh conflict also played a formative role in developing political consciousness and national identity in Armenia. The Karabakh Committee of Armenia (later renamed the Armenian National Movement) mobilized individuals around Nagorno Karabakh’s 1988 request for the Soviet Union to redraft boundaries between the Soviet Socialist Republic of Azerbaijan and the Soviet Socialist Republic of Armenia. Historians in Armenia today remember this event as the first stirrings of Armenian political activism outside the aegis of the Communist Party (Libaridian 2004, 201-202, 206). The Karabakh Committee argued for Armenian independence on the grounds that ethnic violence against Armenians in Azerbaijan from 1988 to 1990, particularly in Sumgait, proved that the Russians of the Soviet Union were unable to protect Armenians from their historic enemies, “the Turks.” The independence struggle in Armenia thus became linked to the question of Nagorno Karabakh’s status, and nascent national identity emerged around themes of historical victimization and a permanent siege mentality. Armenia’s first post-Soviet president Levon Ter-Petrossian recruited many individuals from Nagorno Karabakh for top posts in his government to keep the conflict at center stage and consolidate his authority. President Robert Kocharian – a native of Nagorno Karabakh – and current President Sargsyan – also from Nagorno Karabakh – have instrumentalized their connections with the region and with Armenia’s and Nagorno Karabakh’s defense communities to bolster their credibility. Particularly after controversial post-election violence marred the February 2008 presidential elections, exposing the fragility of President Sargsyan’s base of support, the president increasingly

relied on his Karabakh connections to retain control of the government, making it all the more difficult to make concessions on Nagorno Karabakh (ICG 2011, 11).

The preponderance of the Karabakh clan in Armenian politics arguably contributes to Azerbaijani distrust of Track Two diplomacy, such as interactive problem-solving workshops or cultural exchanges organized outside the framework of official government to government negotiations. Thomas de Waal makes the further point that Armenia can afford to take a more tolerant approach towards people-to-people contacts at a grassroots level, because these contacts do not contradict their state's position that the conflict is already resolved and Armenia won. Azerbaijan, by contrast, fears that these contacts legitimate an unacceptable status quo in which Armenia continues to occupy Azerbaijani land (de Waal 2010, 169).

Perceptions that the Karabakh clan and President Sargsyan in particular derive some benefit from the perpetuation of the conflict are perhaps not entirely unfounded. According to public opinion polling conducted by the European Friends of Armenia, TNS Opinion and the Institute for Political and Sociological Consulting in February 2013, voters perceived President Sargsyan to be the candidate best able to address the external security of the country (36% of voters polled preferred his leadership on the issue as opposed to 13% of voters expressing the same preference for presidential candidate Raffi Hovhannisyan) and foreign affairs (22% of voters polled as opposed to 19% of voters polled who expressed a preference for Hovhannisyan in this area). By contrast, Hovhannisyan scored most highly for his ability to address questions of migration (30% of voters polled supported him as opposed to 11% of voters polled expressing greater confidence in Sargsyan) and to tackle unemployment (27% of voters polled preferred Hovhannisyan's leadership on this issue while only 20% preferred Sargsyan). Candidate Paryur Hayrikyan scored most highly for his ability to address human rights issues and the lack of democracy in Armenia with 28% of voters polled preferring his leadership on the issue to Hovhannisyan's (26%) or Sargsyan's (13%) (EuFoA 2013,13). In some sense, then, Sargsyan's re-election in February 2013 signals that Armenian voters continue to prioritize questions of national security over socio-economic or human rights issues, and that these voters helped maintain Sargsyan in power.

However, international observers of the February 2013 elections concluded that they were predominantly characterized by a lack of vibrant competition, and President Sargsyan's re-election with 58.64% of the vote may reflect the weakness of opposition campaigns rather than an explicit endorsement of his policy on the NK conflict (GNDEM 2013). The International Crisis Group (2012, 4) contends that questions of unemployment, inflation and corruption are far more important to Armenians today than the conflict in Nagorno Karabakh and Richard Giragosian of the Centre of Regional Studies in Armenia concurred that rhetoric regarding the conflict did not feature as prominently in the May 2012 legislative election campaign as in previous elections. This suggests that, from the Armenian perspective, a settlement would perhaps be domestically acceptable even if some unpalatable concessions had to be made, especially if a settlement would result in an opening of borders with Azerbaijan and Turkey. However, Hovhannisyanyan, who campaigned on a foreign policy platform of recognizing Nagorno Karabakh and rejecting any rapprochement between Armenia and Turkey, surpassed expectations in the election, garnering 36.74% of the vote. Supporters of Hovhannisyanyan's Heritage Party claimed victory and organized rallies to annul the election results, including one on 22 February in Yerevan that attracted thousands. The OSCE's Post-Election Interim Report released on 2 March noted that votes for Sargsyan were higher in areas with higher voter turnout, which may indeed suggest some irregularities in the conduct of the polls (OSCE 2013, 2). Although political analysts suggest that most voters who cast a ballot for Hovhannisyanyan did so to register discontent with the country's economic situation (IWPR 2013), his strong showing and suspicions of rigging may make it harder for Sargsyan to distance himself from the Karabakh clan in coming months.

One political issue with the potential to change short-run political calculations in Armenia would be a rapprochement with Turkey, which has been percolating since October 2010 when Turkey and Armenia signed two protocols "Establishment of Diplomatic Relations" and "Development of Relations." The protocols languished in parliament after agreements broke down when Turkish representatives, under pressure from Azerbaijani allies, sought to condition ratification on a withdrawal of Armenian forces from the territories surrounding Nagorno Karabakh proper. President Sargsyan

suffered a blow to his credibility with the Armenian parliament and general public after the reconciliation efforts failed and both the Armenian and Turkish parliaments declined to ratify the protocols (ICG 2011, 11). Throughout 2010, hard-line opposition groups spoke out against the protocols as an attempt to push Armenia into making untimely unilateral concessions in the Nagorno Karabakh conflict and to prevent the passage of resolutions on the Armenian genocide (ICG 2011, 11). Nevertheless, there are indications that some Armenian members of parliament would be willing to re-open talks with Turkey and that the de facto authorities of Nagorno Karabakh would welcome such a rapprochement to end their international isolation. A rapprochement between Turkey and Armenia could defuse some of the pan-Turkic fears undergirding the conflict on the Armenian side and might provide Armenia with added incentives – in the form of trade and diplomatic exchanges with Turkey – to proceed with troop withdrawal or other unpopular measures even without crystal clear security guarantees.

Another incident that has recently changed the domestic political landscape and must be taken into consideration is the so-called Safarov Affair. After eight years in a Hungarian prison for murdering an Armenian fellow student in a series of NATO-sponsored English classes, Ramil Safarov was released into Azerbaijani custody and awarded the title of major. Although Azerbaijanis believe that this was nothing more than the latest incident in a series of reciprocal provocations, Armenians from all stakeholder groups and political orientations who spoke with the SAIS delegation perceived this act to be extremely threatening and a sign of Azerbaijan's tacit consent for acts of ethnic cleansing.

The Territory of Nagorno Karabakh

A consideration of the political constraints to the NK conflict cannot fail to take into account the situation in the territory of Nagorno Karabakh, which has exercised a form of de facto self-rule for twenty years. The interests of its appointed authorities diverge from those of both Armenia and Azerbaijan. The de facto authorities of Nagorno Karabakh have recently embarked on a project of nation or state building and, consequently, are no longer so concerned with merely promoting national liberation. This has increasingly introduced new challenges for relations between Armenia and Nagorno Karabakh. De

Waal notes that Armenia and Nagorno Karabakh no longer share views about the conflict and peace process, and concludes that the government of Nagorno Karabakh is more willing to engage in negotiations with the Azerbaijanis than the Armenians. The prospect of gaining international recognition is a more compelling carrot for the de facto authorities of the territory than it is for Armenia, which latter is arguably the most satisfied of all parties to the conflict with the status quo. However, the de facto authorities of Nagorno Karabakh may be less willing to entertain ideas about a territorial swap for peace (deWaal 2012).

Although Nagorno Karabakh has yet to secure recognition as an independent entity from any states – including from the government of Armenia, which finances half of the territory’s yearly operating budget through loans – its de facto authorities have not only developed independent institutions including a police force, electoral commission and civic organizations, but also a sense of their own identity and interests that must be taken into account for any successful peace agreement to stick. This identity is not uniformly shared by inhabitants of the territory itself, many of whom expressed a preference to the SAIS delegation for eventual unification with Armenia. The de facto authorities of Nagorno Karabakh, however, would prefer to be recognized as a third party to the conflict and invited to send an official delegate to future Minsk Group negotiations as such. Azerbaijanis are likely to perceive this as a forceful move to recognize Nagorno Karabakh’s independence, and status negotiations, from the Azerbaijani perspective, cannot be decoupled from negotiations about the broader settlement. Nevertheless, the Minsk Group co-chairs must explore ways to better integrate the viewpoints of Nagorno Karabakh’s de facto authorities and population into the negotiation process through more formalized mechanisms. Any mediation process that fails to do so risks agreeing on a series of concessions that are palatable to Armenians and Azerbaijanis, but not to inhabitants of Nagorno Karabakh, thereby actually increasing chances for a renewed outbreak of violence or of non-implementation of the agreement.

Recommendations

To the International Community

- **Provide sustained financial, technical and logistical support to political party development in Armenia and Azerbaijan.** Such support should be offered on the basis of a comprehensive assessment to be undertaken by a neutral third party in consultation with local governments and stakeholders. Particular attention should be paid to internal party structures and finances, platform development, strategies for communication, and constituent outreach including knowledge and use of public opinion polling.
- **Provide adequate numbers of long-term and short-term election observers during the October 2013 presidential election cycle in Azerbaijan.** Observers should also be trained to monitor the media environment in the lead up to the elections and to report instances of journalist intimidation or harassment to the proper authorities.
- **Provide technical, logistical and financial support to civil society groups and think tanks in Armenia and Azerbaijan** that conduct outreach activities and raise political awareness amongst rural groups, refugees/internally displaced persons, minorities and other individuals at risk for political marginalization. Training should also be provided to such groups on how to conduct public opinion polls.
- **Provide support to Track Two diplomacy between Armenia and Azerbaijan.** Select Track Two initiatives should focus on strengthening contacts between Armenian and Azerbaijani youth. Preliminary consultations between the governments of Armenia, Azerbaijan, and the convening body should ensure that participation in the initiatives is attractive for participants from both sides, considering Azerbaijan's historic distrust of such forums.
- **Explore ways to better integrate the viewpoints of the Nagorno Karabakh de facto authorities and population into the negotiation process through more formalized mechanisms.** Any mediation process that fails to do so risks brokering an agreement palatable to Armenians and Azerbaijanis, but that would not be implemented or would spark renewed violence in Nagorno Karabakh,

To the Government of Armenia

- **Participate in high-level discussions with the government of Azerbaijan to agree on common protocols for handling terrorists or criminals** in both countries with an eye to assuaging mutual fears of ethnic cleansing and preventing an escalation of the NK conflict.
- **Revive discussions with Turkey to normalize diplomatic relations.** The October 2010 protocols “Establishment of Diplomatic Relations” and “Development of Relations” could serve as a basis for preliminary talks. If ratification of the protocols is to be made contingent on progress in the Nagorno Karabakh conflict, Turkey and Armenia should agree upon clear, measurable and realistic definitions of progress and should consider involving the Minsk Group Co-Chairs or other neutral third parties as guarantors.
- **Convene a post-elections stakeholder forum to develop a strategic action plan for government, civil society, the election management body, security forces, the press and international observers to combat instances of electoral fraud,** such as bribing, intimidation, ballot box stuffing, inflating voter turnout and using outdated electoral lists, which international experts contend have had a largely outcome neutral impact on Armenia’s elections (Policy Forum Armenia 2), but contribute to lower levels of voter turnout and decreased political activism.

To the Government of Azerbaijan

- **Strip Ramil Safarov of his recent promotion to the rank of major and participate in high-level discussions with the government of Armenia to agree on common protocols for handling terrorists or criminals in both countries** with an eye to assuaging mutual fears of ethnic cleansing and preventing an escalation of the NK conflict.
- **Recognize that issuing travel bans to individuals who have spent time in Nagorno Karabakh is unwarranted unless those individuals have directly threatened the national security interests of Azerbaijan.** Dissuading groups with an academic interest in the region or a peace-building agenda from learning

about conditions on the ground at the heart of the conflict calls into question Azerbaijan's stated commitment to advancing the peace process. This policy should be reversed.

- **Establish a multiparty commission to oversee implementation of the 2000 Mass Media Law with an independent ombudsperson** charged with the authority to investigate complaints and ensure their prosecution through proper legal channels as needed.

Invoking Religious Diplomacy to Transcend Political Constraints

Mary Boyer

The post-Cold War period has witnessed a number of secessionist movements in the former Soviet republics in the form of ethnically-motivated discrepancies over borders or separatist movements for independence or autonomy. While many of these conflicts were not ignited by religion, many fell along religious lines, like Abkhazia, Chechnya, Tatarstan, Bosnia and Ajaria which all involved Muslim majority enclaves within Christian majority states. The Nagorno Karabakh conflict certainly follows the post-Soviet trend of secessionist movements along religious lines, but it is unique in the fact that it involves a Christian majority enclave inside a Muslim majority state.

Nagorno Karabakh is not a religious conflict, rather it is an inter-ethnic conflict in which religion plays a critical role in shaping the identities and historical narratives of each parties' claims in the conflict. On several occasions during SAIS' visits in each region, the group was reminded that the Soviet Union had a long history of state atheism and that any public expression of faith was suppressed, sometimes violently. Under these conditions, our hosts noted that combatants, non-combatants and supporting governments were not motivated by their respective religious beliefs or a desire to preserve their religious institutions and traditions. Propositions that a path towards a peaceful settlement could spawn from the collective conscious of a religious identity were largely regarded as improbable, as faith-based political action was not manifest during Soviet rule and has not emerged as a prominent force in post-Soviet Azerbaijan, Armenia or Nagorno Karabakh.

Any visitor to these three regions, however, will note the presence of religion manifested through national holidays and days of rest, preservation of religious monuments, and invocations in political speech and historical narrative. On average, 20% of the population in former Soviet states practiced some form of religion since 1970 (Table 1). These statistics that were taken in the form of years of covert polling of religious leaders also demonstrate a dramatic growth in religion and drop in atheism over

the period after the dissolution of the Soviet Union. In most cases, religious growth did not correlate with religious pluralism. In a religious economies approach, the lessening of religious regulation allowed for religious monopolies to manifest in several countries, Armenia being a prime example due to the revival of the Armenian Apostolic church (Froese, 2001).

Table 1 Percent of Religious Affiliations and Atheists in 1970 and 1995

| Country | Percent of the population who are religiously affiliated | | Percent of the population who are atheists | |
|--------------------|--|------|--|------|
| | 1970 | 1995 | 1970 | 1995 |
| Armenia | 39 | 81 | 23 | 7 |
| Azerbaijan | 66 | 88 | 15 | 0 |
| Belarus | 60 | 70 | 15 | 6 |
| Estonia | 47 | 62 | 23 | 11 |
| Georgia | 47 | 80 | 17 | 4 |
| Kazakhstan | 46 | 57 | 23 | 12 |
| Latvia | 52 | 66 | 17 | 6 |
| Lithuania | 71 | 87 | 10 | 1 |
| Moldova | 48 | 73 | 22 | 6 |
| Russian Federation | 49 | 66 | 23 | 5 |
| Tajikistan | 66 | 85 | 14 | 2 |
| Turkmenistan | 65 | 88 | 15 | 2 |
| Ukraine | 62 | 84 | 16 | 5 |
| Uzbekistan | 58 | 78 | 17 | 4 |

Source: Barret et al (2001)

Nagorno Karabakh has also evolved into a regional conflict that involves neighboring states, each projecting their own interests upon the political and military aspects of the struggle. According to the Minister of Foreign Affairs of Azerbaijan, some of these players have used religion to manipulate hostilities, such as incorrectly connecting the recent actions of Muslim-affiliated terrorist organizations to Azerbaijan's own secular Muslim state government. Supporters of Azerbaijan's position have also associated rogue Armenian terrorist organizations with the position of the Armenian government. These accusations only serve to complicate the situation, conflating tensions and confusing the activities of non-state actors with the official government position.

This chapter seeks to elucidate the role that religion has played in framing the conflict, and how it can play a constructive role moving forward in the search for a peaceful settlement on the status of the Nagorno Karabakh region.

Religion in Azerbaijan

While almost all major political forces in the country are secular nationalist and the Constitution of Azerbaijan does not declare an official state religion, the majority of Azerbaijan citizens and some opposition movements adhere to Shi'a Islam (Cornell 2010). According to official figures in 2012, approximately 95% of Azerbaijan's population of 9.2 million is Muslim, of which approximately 85% is Shi'a and 15% is Sunni. According to the State Committee on Work with Religious Associations, religious observance is not high, and the Muslim identity tends to be based more on culture and ethnicity than dogma.

The remaining 4% of the total population consists of Russian Orthodox, Armenian Orthodox, Jewish and nonbelievers. Almost all of the Russian and Armenian Orthodox populations lived in Nagorno Karabakh. The vast majority of Christians have identities, like that of Azeri Muslims, that tend to be based as much on culture and ethnicity as religion. Of a total Jewish population of approximately 15,000, most live in Baku. There are five to six rabbis and six synagogues in the country.

Shi'a, Sunni, Russian Orthodox, and Jews are considered to be the country's "traditional" religious groups. However, small congregations of Lutherans, Roman Catholics, Baptists, Molokans, Seventh-day Adventists, and Baha'is have been present for over a century. In the last decade, a number of religious groups considered foreign or "nontraditional" have established a presence, including "Wahhabi" Muslims, Pentecostal Christians, Jehovah's Witnesses, and Hare Krishnas. (AZ Presidential Library 2013)

Azerbaijan, a quasi-democratic Muslim republic with an open appreciation for the arts and trends toward Western systems and culture, is certainly among the most progressive and secular Islamic societies. These developments, and relatively low infiltration of radical ideologies, have not been a natural occurrence. The territory on which the state of Azerbaijan currently sits was invaded repeatedly by Arabian Muslims

from the 7th century onward, including its conquering by Ismael I in the 1502 who was also responsible for making Shi'a Islam the state religion of Iran.

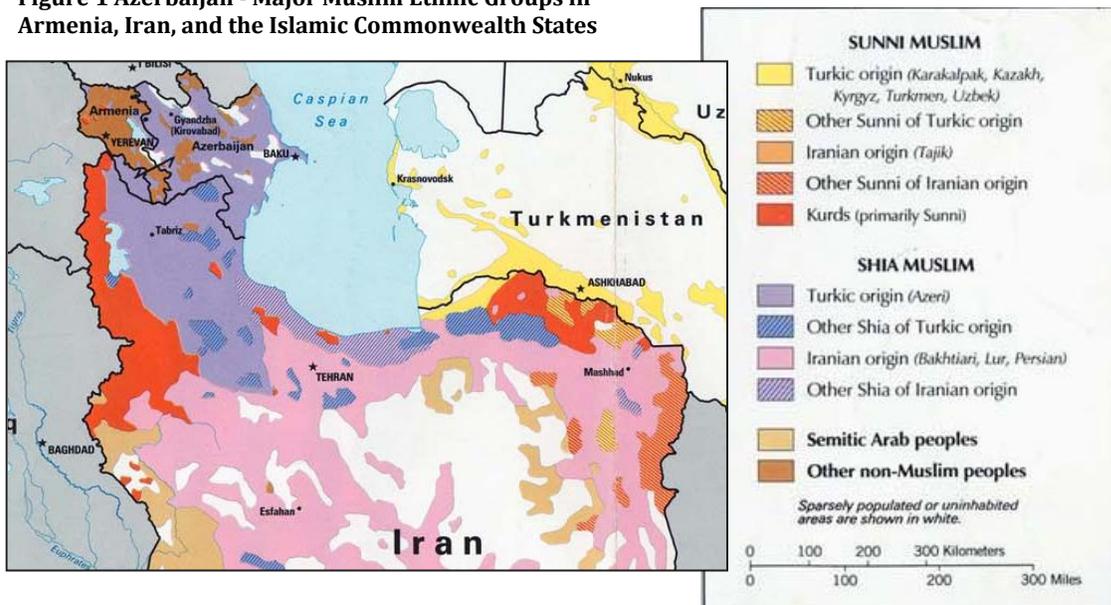
A key progression in Azeri secularism was the rise of a secular intelligentsia in Azerbaijan that saw little use for religion other than cultural expression. When Soviet atheism was introduced to the country, these scholars were not stifled. Their beliefs and consequently their students were ultimately the ideological leaders of post-Soviet Azerbaijan's culture and foreign relations. This positioning and ideological separation from more fundamentalist Islamic states has helped Azerbaijan to gain Western support.

Since the dissolution of the Soviet Union, Azerbaijan has followed a general regional trend and a natural re-emergence of previously oppressed religious identity. As such, Islamic religious tenets have increasingly presented themselves as a popular ideological basis for political objectives. The government has remained supportive of these sentiments by building mosques and observing Islamic values. While it remains committed to secularism and a nationalist agenda, the government of Azerbaijan has also found itself somewhat challenged by not having the 'powerful ideological legacy of secularism' one would find in Turkey, as imposed by Attatürk, that may be more culturally appropriate than the one-size-fits-all Soviet model of secularism (Cornell 2010). Some marginal Islamic groups sought to invoke a combination of Islam and nationalism to mobilize the population in its response to the Nagorno Karabakh conflict and establish the foundations for a future political struggle.

Scholars point to several factors for this re-emergence. First, the younger generation is beginning to embrace traditional values as a response to increasing frustration with the conflict. These sentiments have arisen partly out of disillusionment with the West after U.S. sanctions on Azerbaijan as part of the Freedom Support Act that created the Armenia School Connectivity Program, which provides U.S.-funded training, resources and internet access for schools in Armenia, and other institutions that fostered economic growth in the states that emerged from the Soviet Union (Cornell 2006). Section 907 of this act specifically prohibited Azerbaijan from taking part in these programs. Compounded by dissatisfaction with the U.S. war in Iraq, the anti-western sentiment in Azerbaijan has grown.

Domestically, leaders of the radical Islam movement in Azerbaijan have cited problems of continued dissatisfaction with the semi-authoritarian political system, rife with poverty and corruption. These opposition groups have been supported and trained abroad by regional partner like Iran, Saudi Arabia and Turkey. The most significant support has come from Iran in training radical Shi'a groups along the Iran-Azerbaijan border in the South and from the Arab Middle East in supporting Salafi Sunni groups in the North of Azerbaijan.

Figure 1 Azerbaijan - Major Muslim Ethnic Groups in Armenia, Iran, and the Islamic Commonwealth States



Source: University of Texas Libraries, Perry-Castañeda Library Maps Collection

An effort in countering these groups, though inadequate to date, has been the government creation of the State Committee for Work with Religious Organizations. This body is unfortunately in acrimonious competition with existing religious authority, the State Committee and Supreme Board, leading to a failure in regulating the tense religious atmosphere in Azerbaijan. These tensions have been further compounded by a lack of modern and relevant curriculum on humanities in the public education system that provides Azerbaijani youth with the history and tenets of major religions that could dissuade youth from being drawn to radical groups.

Religion in Armenia

In 301 AD Armenia allegedly became the first nation to adopt Christianity as a state religion, establishing a church independent of both the Eastern Orthodox and Roman Catholic churches, known as the Armenian Apostolic Church. While the Armenian Apostolic Church remains the most prominent church in Armenia and the Armenian diaspora, many Armenians subscribe to various other Christian denominations, including the Armenian Catholic Church, the Armenian Evangelical Church, a reformation group that broke away from the Armenian Apostolic Church, and the Armenian Brotherhood Church, which broke away from the Armenian Evangelical Church.

The Armenian Apostolic Church was pushed into the shadows during Soviet rule, when priests were persecuted and religious institutions were closed. However, in the last decade it has received at least USD 50 million to fund operating expenses and reconstruction and building of new churches and monasteries (Christian Science Monitor 2007). Accusations of corruption and misuse of funds have divided the population of Armenia in their support of the church (Khachatourian 2011).

It should be noted that only about 8% of Armenians regularly attend church, and its congregations are primarily comprised of the elderly and youth who take part in a robust youth program of the Armenia Apostolic Church (World Values Report 2004). However, the Church also has a strong role in public education and prepares curriculum for a subject on the History of the Armenian Church. According to Article 4 of Section 3 of the Republic of Armenia (RA) Law on Education: *“The RA educational system is aimed at strengthening the spiritual and intellectual potential of the Armenian nation as well as maintaining and promoting universal human values. The Armenian Church contributes greatly to this work.”*

The Collaboration for Democracy Centre has conducted a “Religious Tolerance in Armenia” project for the last three years in collaboration with the Armenian branch of the Open Society Institute Assistance Foundation and the Dutch Government. This study finds that incidents of religious intolerance have allegedly occurred since the introduction of the subject into schools. Sometimes classes take place in churches or will be conducted by priests, which violates another principle of the “Law on Education,” which states that education in Armenia must be of a secular nature (Danielyan 2010).

Religion in Nagorno Karabakh

On 24 December 2008, the Nagorno Karabakh's President Bako Sahakyan signed a new Religion Law that included a ban on unregistered religious activity, highly constrictive requirements for gaining legal recognition for religious activity, state censorship of literature, and an allowance given to the Armenian Apostolic Church to evangelize while restricting other faiths from practicing publicly. The law also does not resolve a longstanding issue of disallowing conscientious objection to military service (Corley 2009). Nagorno Karabakh's new law also gives a place of primacy to the Armenian Church in the restitution of religious property and control over the production, distribution and import of religious literature and objects.

Despite the apparent existence of a state-sponsored religious monopoly in union with Armenia, civil society organizations in Nagorno Karabakh, of which many are connected to the Church, seems to be active and unstilted in promoting a goal of peacefully seeking recognition as an independent state. Opinions vary on whether independence is the ultimate goal, or rather a pragmatically necessary step on the road to unification with Armenia. Nonetheless, various organizations in Nagorno Karabakh explained to the SAIS group that youth involvement is high in political activism. In the Artsakh diocese of the church, the youth section is particularly active in calling for reconciliation and confidence building measures with their Azerbaijani youth counterparts. However, as remains the chorus of each party to the conflict when questioned on efforts to promote confidence building measures, an elderly woman in the group spoke up and accused Azeri Muslim clerics of not attending an inter-faith meeting arranged to bring together leaders of the Russian Orthodox, Armenian Apostolic and Azeri Muslim community in sustained dialogue. These meeting, as described in the next section, did in fact happen with all invited guests in attendance. These false accusations of non-cooperation serve to further narratives of blame towards "the other."

Presence of Religion in the War

Within a few short minutes of entering Nagorno Karabakh, one will notice a military tank perched in the hills along the road. This tank is prominently displayed with a white cross painted on the side, a mark that Armenian soldiers added to that tank and many others

that were confiscated from the Azerbaijani army and added to the Armenian arsenal. Azerbaijan responded by painting a crescent moon on their tanks to distinguish between the now two identical fleets of armored vehicles.



Source: Armenian TS News Agency



Source: Pulitzercenter.org

During the “liberation” of Shushi/a, Armenians stitched white crosses on their uniform and used the main church in Shushi, St. Ghazanchetsots, as a weapon warehouse to raise morale and encourage solidarity. The Armenian soldiers were encouraged by military officers using rhetoric to become crusaders to liberate one of the cradles of Christianity (Hovhannisyan 2009). Several thousand mujahedeen joined Azerbaijan’s military in the war but did not associate with Azerbaijani soldiers who did not follow the norms of Sharia law. The Azerbaijani military attempted to conceal the participation of mujahedeen in military action and often did not count their bodies among the dead (Demoyan 2003).

Both sides suffered damage to religious buildings and sites during the war. Azerbaijan totals that roughly 55 temples and mosques were destroyed by Armenia, (Ministry of Foreign Affairs 2012) mostly in Nagorno Karabakh, and Armenia counts hundreds of churches and cemeteries destroyed or desecrated in Azerbaijan. During interviews, representatives from both parties pointed to restoration efforts underway, including an Armenian-led restoration, reportedly funded by both Iran and the Karabakh diocese of the Armenian Apostolic Church, of the Upper Govhar Agha Mosque in Shushi, and an Azeri-led preservation effort of an Armenian Apostolic Church in Baku.

Verbal accounts in Armenia also described the continued looting and destruction of Christian cemeteries in Azerbaijani territory.

The government of Nagorno Karabakh claims it has done major renovation works to the Shushi mosque since 2008. However, members of an Azerbaijani visiting delegation to Nagorno Karabakh claim that the mosque is still in a state of destruction and no renovation works are being done. Upon SAIS's visit, the mosque remains largely unrepaired, except for the installation of a few windows. The Armenian Apostolic Church in Baku, the Church of St. Gregory the Illuminator has been renovated and is currently used as the Archives Department of the Department of Administration Affairs of the Presidential Administration of Azerbaijan.

Religious intolerance at its very primal level has never presented itself as a root cause of any sources of conflict in Azerbaijan or Armenia, and perhaps a mutual respect for pluralism that existed when Azerbaijanis and Armenians were neighbors in Nagorno Karabakh will allow further confidence building measures to reveal themselves through interactions based on respect for cultural and religious heritage. As evidenced by the role of religious symbols in war and its presence in education, religion plays a significant role in the cultural identity of both parties, whether or not it is practiced.

Religious Leadership

Muslim clerics have historically influenced policy in the Caucasus through the Muslim Spiritual Board of Transcaucasia in Baku, created by Soviet mandate during World War Two, which later evolved into the Supreme Religious Council of the Caucasus Peoples in 1993. Allashukur Humatogly Pashazade was appointed sheikh ul-Islam, head of the Muslim Board in the early 1980s and holds this position today. He is also the world's only Sunni-Shi'a Grand Mufti and gives each sect fatwas according to their respective madhabs, reflecting Azerbaijan's Sunni and Shi'a diversity. In late 1993, the sheikh blessed Heydar Aliyev at his swearing-in ceremony as president of Azerbaijan. Current president Ilham Aliyev also holds Pashazade in high regard.

Armenian President Sargsyan has less warm relations with the Catolico Garegin II, the patriarch of the Armenian Apostolic Church. Garegin appealed to Sargsyan to hand over to Azerbaijan the body of Azerbaijani soldier Ibrahimov and set off a church-

state debate in Yerevan (Grigoryan 2010). A year earlier, Sargsyan said “The state should not interfere with church affairs and vice versa. It’s not easy to employ this formula in everyday life. It’s hard for us, Armenians, to draw the border between spiritual and political cultures. But we are determined to continue cooperation, which already yields results” (Panarmenian.net 2009).

The Role of Religious Diplomacy

During times of war, religion can be used to deepen hostilities, but during the peaceful periods, religion, its structures, and leaders may play a constructive role in bringing the parties around the table. Religious diplomacy in this sense can be based around four general tenets that have proven successful in fostering peaceful resolutions (ICRD, 2012).

The first is decreasing religion’s role as a driver of conflict. In the case of Nagorno Karabakh, religion does not necessarily play a primary role, but it plays a secondary role in both Azerbaijan and Armenia through the education system and the media in promoting ethnocentrism and the kind of speech that will perpetuate narrative of hate between the two sides. For instance, many popular media outlets on both sides invoke terminology from the Crusades, recalling (positively for Armenians and negatively for Azerbaijanis) the Christian effort to destroy the Muslim “infidels” in the Middle Ages.

The second tenet of religious diplomacy is to increase the role clergy and laity have in peacemaking. Monumental steps have already been taken in this direction. In April 2010, Garegin II and Pashazade met in Baku, facilitated by Kirill I, the Russian Orthodox patriarch, to discuss steps towards a peaceful settlement. The meeting appears to have produced some positive results by establishing several confidence building measures. President Aliyev reportedly agreed to assist Armenia with reconstructing the church of St. Gregory, and Garegin II promised to support the continued restoration of a mosque in Shusha, already underway at the time of the meeting. Catholicos Garegin II also invited Pashazade to visit Armenia, and both urged political and religious leaders to increase efforts to release prisoners detained in connection with the conflict, as well as to protect religious monuments (Krikorian 2011).

This meeting, at the very least, created grounds for re-building trust and tolerance among Armenians and Azerbaijanis. Pashazade has continued this advocacy for peace by speaking out in May 2012 about his vision of using inter-faith dialogue to reach a settlement: “I consider it expedient to settle Karabakh problem not only by means of bilateral negotiations, but also at the level of interfaith dialogue,” Pashazade said to the IV Congress of World and Traditional Religions in Astana, noting that the Karabakh issue stalls the economic development of the entire region. “Heads of States through international mediation continue talks on this protracted conflict, which hinders the overall development of the region. A constructive spirit and interfaith dialogue are needed for peaceful resolution of the conflict” (Panarmenian.net 2012).

The governments of either side must also increase the capacity of religious peacemakers, according to the third tenet of religious diplomacy, by legitimizing their role as a negotiating or mediating party in the conflict. And finally, the last tenet is almost the most important. Policy-makers must be receptive to the potential contributions of religious peacemakers. As of yet, Aliyev and Sargsyan have both acknowledged and met with these leaders, but have not regarded them as key players in negotiations.

Recommendations

Inter religious dialogue should avoid invoking absolute truths and dogmas of respective religions, but rather **emphasize the essential values shared by the world’s religions such as love, compassion, equality, empathy and honesty** (Hovhannisyan 2010). The following proposed actions, guided by the four tenets of religious diplomacy, are tangible steps for the governments of Azerbaijan, Armenia and Nagorno Karabakh to implement to encourage sustained dialogue towards a lasting, peaceful settlement.

Short-Term

In the short term, in order to promote a climate for healthy dialogue between religious and political leaders, **the governments of Azerbaijan and Armenia must also formally invite Garegin II and Pashazade to serve as official observers of the Minsk Group.** This invitation must also be extended by the U.S., French and Russian co-chairs. Support from the international community may come more readily if outsiders can see the

presence of moderate religious leaders involved in mediation. Tensions have grown from accusations of hostilities fueled by terrorist groups and the fear that these groups may use violent means. **Serzh Sargsyan, Ilham Aliyev and Bako Sahakian must also meet these religious leaders individually.** These meetings should be made public by state and international media, but press releases from respective governments should highlight the fact that this is not a case of the Church interfering with state business. Rather, a milestone in public diplomacy could occur if the media reports that each state has witnessed success in past meetings of religious figures and will be looking to them for guidance. By publicly setting a tone of cooperation, religious leaders may be able to begin to shift public opinion. If local religious figures can mirror the actions of Garegin II and Pashazade by reinforcing the message of peace in their congregations and communities, more Track 2 diplomacy can occur, and the public will be much more willing to accept the results of any negotiated settlement without violence.

Medium-Term

Following that, **Azerbaijan, Armenia and Nagorno Karabakh would benefit from revisiting their public education curriculum and amend their religious studies component to include lessons on world religions,** most notably each other's, and minimize instances of hate speech towards peoples of different faiths. **The government of Nagorno Karabakh is encouraged to revisit their national constitution and amend language to allow for deeper appreciation of religious freedom and freedom of expression** of its citizens. If, as echoed by government officials of Nagorno Karabakh, the region is truly seeking independence, either as a final status or until unity with Armenia, international recognition may come more easily if the government outwardly called for and practiced religious tolerance.

In order to prevent further politicization of Islam and the growth of radical groups, **Azerbaijan must encourage a Muslim clergy that can foster sound appreciation for both the Islamic faith and secularism within the State,** in addition a reformed education sector. **The U.S. must also play an active role in quelling skepticism of Western interests,** which includes abolishing section 907, expanding an

already robust open education exchange with the U.S. and making education a priority in development cooperation.

Long-Term

In the long term, **one of the most important roles religious diplomacy can play is to ensure a lasting peaceful settlement and reconciliation in whatever form it will come.** Post-conflict efforts to prevent a recurrence of violence and to encourage the safe return of refugees or IDPs will only be sustained if the climate of tolerance and acceptance is upheld. Thus, the legal and political atmosphere must not only condone, but promote freedom of expression (and opportunities to engage in religious practice) through ensuring that churches and/or mosques are appropriately repaired or constructed in areas where there are few places of worship. Thus, **involvement of religious leaders at all stages of mediation is paramount to ensure that terms of the settlement are in the interests of the respective identities of the populations that will be effected.**

Competing Narratives, Competing Space: Media and the Nagorno Karabakh Conflict

Sarah Gardiner

The media environment in Armenia, Azerbaijan, and Nagorno Karabakh plays a critical role in shaping perceptions of the Nagorno Karabach (NK) conflict trajectory and prospects for peace. In the absence of opportunities for direct cross-border people-to-people contact, media serves as a primary means by which populations gain information and form opinions about each other. Within Armenia, Azerbaijan, and NK, at various levels of government and civil society, a hostile media environment is cited as a key factor impeding progress toward a peace settlement. In both official and non-official media outlets, the NK conflict is frequently presented in zero-sum terms. Specific events are utilized as media flashpoints and occasion for perpetuation of negative stereotypes, violent perspectives, and hate speech. While traditional media has historically dominated coverage of the conflict, new media – via blogs, online publications, and social media platforms – are rising in importance within the media landscapes of NK, Armenia, and Azerbaijan, particularly among youth.

While the negative impacts of a hostile media environment are broadly acknowledged, ways in which media coverage of the conflict can instead serve as a source of objective, balanced dialogue remain under-examined. Despite significant challenges regarding institutional capacity and political and economic pressures, media outlets within Azerbaijan, Armenia, and NK have the potential to serve as a positive force for peace. In exploring this theme, I will first provide a general overview of the media landscapes within Azerbaijan, Armenia, and NK. Then, I analyze coverage of the conflict within the spheres of both traditional and new media, utilizing coverage of Ramil Safarov's pardon and return to Azerbaijan as a case study. Finally, I will explore challenges and opportunities moving forward.

Overview of Media Environment in Azerbaijan, Armenia, and Nagorno Karabach

Azerbaijan

The media landscape in Azerbaijan is shaped by a high degree of government control in both public and private media outlets. Television is the most influential vehicle for information sharing and opinion forming.¹³ There are 29 television stations operating within Azerbaijan. Of these, nine have national broadcast capabilities and 19 are regional in broadcast range. There is greater pluralism of sources within print media, including 36 daily publications, 100 weeklies, and 85 monthlies. Radio has comparatively smaller influence within Azerbaijan's media landscape. There are only two Azerbaijani radio frequencies in operation and access is restricted to some external radio stations, including Voice of America and Radio Free Europe. Azerbaijan's new media landscape is large and growing. Approximately 1/3 of the Azerbaijani population has access to the internet. The Azerbaijani blogosphere contains approximately 27,000 blogs, primarily operating through Live Journal, Word press, and Blogger (Geybullayeva 2012). Of these blogs, the majority are written in Azerbaijani, and those that are written in English are more likely to explore issues of democratization, human rights, and conflict resolution (Geybullayeva 2013).

The Azerbaijani government exercises a high degree of control of traditional and new media outlets. Although censorship was officially abolished in 1993, the Main Administration for the Protection of State Secrets in the Press continues to exert pressure toward journalists (Karasteva 2010). Access to public information is uneven between government and private media outlets. Licensing for electronic media is non-transparent and often politically motivated. Crimes against journalists are poorly investigated, and journalists may find themselves under legal pressure to divulge their sources when touching upon controversial subject matter. Self-censorship is common among both private and publically owned media outlets, and anti-government protests or reform activities are rarely reported upon within traditional media outlets (Geybullayeva 2013). The OSCE Special Representative for Media Freedom in Baku recently issued a

¹³ Facts on Azerbaijani media outlets and legal framework obtained from 2012 IREX Media Sustainability Index, unless otherwise noted.

statement condemning excessive use of force against journalists and encouraging more equitable access to information (OSCE 2013).

While traditional media in Azerbaijan is broadly judged to be highly restricted, the internet is generally regarded as partly free (Geybullayeva 2013). However, while the Azerbaijani government has not blocked or banned any online platforms, the government does monitor them, and repressive actions have been taken against online activists. Anti-government or pro-reform social media activists may find themselves the target of government smear campaigns through fake social media accounts run by Azerbaijani government officials (Geybullayeva 2013). In 2010, democratization bloggers and activists Adanna Hajizade and Emin Milli were sentenced for two and a half years on grounds of hooliganism following severe police beatings (Donkey Bloggers 2009). Although the charges were eventually dismissed, it is clear that opposition bloggers and activists, like independent journalists operating in traditional media outlets, assume a considerable risk when reporting on opposition or politically controversial issues.

Armenia

The press freedom environment within Armenia is significantly less restrictive than that of Azerbaijan. A higher degree of plurality of sources exists than found in Azerbaijan, including 36 print media publications; 21 radio stations; 19 Yerevan-based television stations; and 23 regional television stations.¹⁴ The influence of new media is strong and growing. Approximately 45% of the population has access to the internet. The Armenian blogosphere consists of approximately 10,000 blogs (Freedom House 2012). Access to information is significantly more limited outside of Yerevan.

There are clear provisions for freedom of speech within the Armenian constitution. However, economic and political limitations within the media spectrum remain. Although libel and defamation were de-criminalized in 2010, civil libel cases remain legal, and politicians are frequently the plaintiff when a civil case goes to court (Freedom House 2012). Although there is a high level of pluralism within the Armenian media, the majority of medium are financially dependent on external sources of funding

¹⁴ All facts on Armenian media outlets and legal framework obtained from 2012IREX Media Sustainability Index unless otherwise noted.

(Karasteva 2010). Print medium tend to derive their funding from political parties and are restricted to small readerships of approximately 5,000-6,000 readers. Broadcast licensing, particularly for television outlets, is subject to a non-transparent judicial process, facilitating a high degree of censorship among broadcast journalists (Freedom House 2012). As a result, broadcast media are generally viewed as aligned with the government. These economic and political pressures have created an environment where journalists are free to say anything, but only within outlets which share their perspectives and are willing to finance their views (Iskandaryan 2013). New media is increasingly viewed as a more objective source than traditional media outlets (Kurkchiyan 2006).

Nagorno Karabakh

Press freedom in NK is shaped by government control and relative lack of access to information infrastructure. The majority of media outlets are controlled by the government of NK, and journalists practice self-censorship even within independent outlets.¹⁵ There is no local competition for the one public television station available, which only broadcasts for three hours a day. There over forty small print publications in distribution within NK. During a conversation with civil society leaders in Stepanakert, the leaders confirmed that residents of NK do have access to Azerbaijani and Armenian broadcast media, and, while internet access is limited, they also participate in new media activities. Due to the small size of the un-recognized republic, much information passes through word of mouth.

Points of Commonality

Although the media landscapes of NK, Armenia, and Azerbaijan are shaped by their particular political and economic constraints, an important point of commonality is the impact of the Soviet legacy and the post-communist transition on media objectivity and independence. While there were differences in media environments between Soviet republics, media throughout the Soviet Union was subject to strict control by the Communist party and predominantly utilized as a vessel for government propaganda and

¹⁵ All facts on Nagorno Karabakh media outlets and legal framework obtained from Freedom House unless otherwise noted.

a means of shaping public morality (Kurkchian 2006). During the post-communist transition, independent Azerbaijani and Armenian media outlets first gained a foothold through coverage of the NK conflict, as publics in both republics grew increasingly dissatisfied with the divergence between official Soviet reports of the conflict and the reality on the ground (Grigoryan 2005). However, in the post-war period, the cultivation of an objective media, as with other aspects of civil society in all three territories, has faced a ground-up development process. Independent media which challenged Soviet authority during the transition period came to be viewed as a threat to fledgling political regimes, and media outlets faced restrictive pressures from a new set of political actors (Grigoryan 2005). In addition, newly formed media outlets often faced significant capacity deficits (Grigoryan 2005). Post-Soviet media consumers, conditioned by decades of Communist Party propaganda, may not expect objectivity of the press, particularly when reporting on sensitive issues such as the NK conflict (Kurkchian 2005).

Coverage of the Nagorno Karabakh Conflict in Traditional and New Media

Information warfare within traditional and new media platforms is acknowledged as a critical driver of the NK conflict across domestic and cross-border divisions. Stagnation within the peace process is viewed as the result of a cyclical process in which lack of political will is informed by public opinion, which is shaped by polarizing rhetoric broadcast through the media (Karesteva 2010). During our travels through Azerbaijan, Armenia, and NK, while we encountered a diversity of opinions regarding domestic governance and regional politics, we did not encounter any significant alternative narratives to overarching conflict narratives. In both Armenia and Azerbaijan, coverage of the NK conflict in government and opposition medium has gradually converged around a common conception of national interests vis-à-vis the peace process (Grigoryan 2005). This convergence of opinion crowds out space for alternative discourse concerning conceptualization of the other and political prospects for peace (Grigoryan 2005). In Azerbaijan, Armenia, and NK we encountered a general sense that youth were adopting even more nationalistic positions vis-à-vis the conflict than their parents' generation, attitudes which are easily shared via new media platforms.

Within traditional media outlets in Azerbaijan, media coverage regarding the conflict reflects a nation which views itself to have lost the battle but not the war (Grigoryan 2005). In the post-cease fire period, Azerbaijani media coverage of the conflict has demonstrated an increasing trend toward war rhetoric. ANS, Azerbaijan's leading private TV and radio station, refers to the conflict as the "first Karabakh war," and media outlets across the spectrum have referenced the possibility of a military solution to the continued stalemate (Grigoryan 2005). State-sponsored nightly news programming opens with the slogan "The war is our destiny" and routinely reports about "the situation on the front line." Richard Giragosian, an international relations analyst currently based in Armenia, describes Azerbaijani official rhetoric about the conflict as a zero-sum position in which no space for compromise is allowed.

Increased radicalization of dialogue regarding the NK conflict can also be seen in traditional media outlets within Armenia. Tatl Hakobyan, an Armenian journalist and researcher with the Yerevan-based Caucasus Institute, described a gradual shift in terminology within the Armenian press with regards to Azerbaijani territory currently occupied by Armenian forces. In the immediate post-war period, this area was commonly referred to as "occupied territories," before shifting to "security zone." These areas are now commonly referred to as "liberated territory." This shift in terminology reflects a hardening of public opinion toward the conflict and growing acceptance with the status quo (Grigoryan 2005). Caucasus Institute Director Iskandaryan cites President Sargsyan's New Year's Address as another example of problematic shift in rhetoric. In his opening remark, Sargsyan used a term which roughly translates to "Dear ethnic Armenians" as opposed to "Dear Armenian nationals," a differential in terms which highlights Armenian national identity as a mono-ethnic society and has troubling implications for the prospect of coexistence with Azerbaijani nationals should a peace agreement come to fruition (Grigoryan 2005).

In Nagorno Karabakh, traditional media outlets and official government communication regarding the conflict focus on recognition of NK as an autonomous republic. Representatives from government and civil society we spoke to throughout our time in NK emphasized the republic's efforts to open itself to the outside world. Media

coverage of NK's political and economic development and relative openness in contrast to Azerbaijan is one way to accomplish this.

New Media

By nature, new media is more dynamic than traditional media outlets. A greater range of voices can access publishing platforms. There is also a greater range of opportunities for feedback via commenting pages and social media message boards. This dynamism opens both opportunities and dangers with regards to conflict resolution. In an overview of the potential for new media to foster peace building, Azerbaijani blogger and academic Arzu Geybullayeva cautions, "...new media and social networks do not necessarily generate positive outcomes ... While some would argue that new media and social networks allow their users to "humanize" one another, it would also be argued that they can just as successfully "de-humanize" and instill further pain, hatred, and much more, given its fast outreach capacity" (Geybullayeva 2012). New media outlets are also more susceptible to influence by outsiders, particularly members of the Armenian and Azerbaijani Diaspora, who can post controversial positions toward the conflict without fear of immediate consequences (Cornell 2011). These competing dynamics are present within the new media spheres of Azerbaijan, Armenia, and Nagorno Karabakh (Geybullayeva 2012).

Social media groups and sites set up to facilitate cross-border communication between Armenian, Azerbaijani, and Karabachi youth illustrate these competing dynamics. A survey of the Facebook pages and groups dedicated to discussion of the NK conflict demonstrates a relative parity between the number and popularity (demonstrated by virtual 'likes') of groups and pages espousing nationalistic Azerbaijani and Armenian positions toward the NK conflict (Cornell 2011). Pages dedicated to exploring alternative conflict narratives, compromise, and prospects for peace are dramatically fewer in number and popularity (Cornell 2011). The most popular pro-peace page has 469 'likes,' which is fewer than the 18th most popular page dedicated to hard line nationalism (Cornell 2011). While the number of 'likes' is a limited way to measure the online community's willingness to engage in conflict resolution, it does illustrate the comparative lack of space for alternative narratives even within media outlets less subject to overt government control.

Youth I spoke with who had attempted to engage with their cross-border counterparts via online platforms expressed a sense of limitation to the possible range of dialogue via new media outlets. Youth at a settlement for internally displaced persons in Agdam, Azerbaijan told me they make an effort to contact their Armenian peers via Facebook. While they experienced success in initial stages of dialogue, conversation repeatedly stagnated when discussion turned to control of the occupied territories. Said one youth, “It gets to the point where we say ... you have to return the land.” During our visit to Artsakh University, a student cited online social media engagement efforts which had disintegrated into hate-speech and ethnic slurs. Geybullayeva also references several incidents in which social media initiatives designed to facilitate positive dialogue and peace building degenerated into name calling and perpetuation of hate speech (Geybullayeva 2013). During our meetings with civil society representatives in Armenia and NK, we also received several accounts of Azerbaijani youth refusing to accept virtual friend requests for fear of negative retaliation within Azerbaijan.

Media Coverage of Flashpoint Events: the Case of Ramil Safarov

Government officials and civil society representatives within Armenia, Azerbaijan, and Nagorno Karabakh engage in cross-border media monitoring, and work to counter the claims of the other around key flashpoint issues within the conflict trajectory, including the Khojaly killings, violations of cease fire, drafts of the NK constitution, and NK presidential elections (Karasteva 2010). Media coverage of these flashpoint events facilitates hate speech, historical finger-pointing, and perpetuation of the us versus them binary that has dominated conflict discourse.

These dynamics are well-illustrated by media coverage of the pardon and return to Azerbaijan of Ramil Safarov, an Azerbaijani military officer convicted of the axe-murder of Armenian Army Officer Gurgen Margaryan in 2004 during a NATO training exercise. After serving six years of his sentence in Hungary, Safarov returned to Azerbaijan in September 2012, where he received a presidential pardon and full back pay for his time in prison (Kendzior 2012). Margaryan’s murder and Safarov’s pardon became major media events in Armenia, Azerbaijan, and NK. At virtually every meeting we had

throughout the course of our study trip, the case and its treatment in media outlets were cited as a significant factor escalating cross-border tensions.

In Azerbaijani press coverage of the murder of Margaryan and Safarov's subsequent return, the Azerbaijani government adopted a defensive posture. In official statements, Azerbaijani officials encouraged international observers to consider Safarov's mental state as an internally displaced person who had lost family members during the conflict (Pearce 2012). Official statements given by the Azerbaijani government asserted that Margaryan had exerted "extreme psychological pressure" on Safarov by playing tapes of the voices of suffering Azerbaijani women and girls and cleaning his shoes with an Azerbaijani flag in front of Safarov (Pearce 2012). In an official statement to the press given in 2004, an Azerbaijani government spokesperson stated, "...Ramil defended his national honor and reasoned immediately and correctly ... I think the world community should accept this" (Pearce 2012). The alleged insults levied by Margaryan against Safarov were not substantiated with any publically available fact checking (Pearce 2012). Statements issued by official media sources were subsequently circulated throughout Azerbaijani social media outlets as if they were fact (Pearce 2012). Upon Safarov's return to Azerbaijan, these same narratives were resurrected (Pearce 2012). While the Azerbaijani government did not make official statements validating Safarov as a hero, official news and TV outlets praised President Aliyev for his work in bringing about the pardon (Ismayil 2013). News outlets covered Safarov's procession, accompanied by two MPs, through Martyr's Alley (Ismayil 2013). In addition, Safarov was glorified as a hero via Facebook, Twitter, and other online platforms (Ismayil 2013). Azerbaijani government officials we spoke with accused the Armenian media of distorting the national importance of the event.

Armenian and Karabakhi coverage of the Safarov murder and pardon focused on the incident as an example of the Azerbaijani hatred, inability to reach a peaceful solution, and justification for a continued hard line stance on the part of Armenian negotiators. Azerbaijani reactions to Safarov's return were the topic of Armenian media discourse. Hakobyan described Safarov's return as a "gift for the Armenians. We don't ... have to persuade the international community that NK cannot be part of Azerbaijan." In a statement to the AFP, President Sargsyan stated, "We don't want a war, but if we

have to, we will fight and win. We are not afraid of killers, even if they enjoy the protection of the head of state.” This message was amplified across media outlets. Across new media outlets, responses escalated into anti-Azerbaijani hate speech. One Facebook Group, written in Armenian and titled “Anti Ramil Safarov” depicted a picture of Ramil Safarov received by a crowd in Baku, with photo-shopped sniper targets on the heads of those photographed.

In Azerbaijan and Armenia, civil society representatives interpreted the media fallout from Safarov’s return as proof of lack of readiness for peace. Media coverage across borders shaped the event to the contours of the status quo – Azerbaijan is misunderstood and continues to be victimized on the one hand; Armenia and Nagorno Karabakh must defend themselves against a blood-thirsty neighbor on the other. In both instances, the onus is on the other side to make the first move, and the status quo continues to maintain primacy.

Moving Forward: Positive Initiatives, Missed Opportunities

While the negative impact of media coverage of the conflict is well-established, there is little discussion of steps that can be taken to de-escalate war rhetoric and hate speech within traditional and social media outlets. While the challenges facing journalists who would like to advance an alternative conflict narrative are substantial, several existing initiatives demonstrate the capacity for media programming to serve as a tool for peace building.

Global Voices Online, serves as an online citizen media platform for neutral voices from the Southern Caucasus region. The Imagine Center for Conflict Transformation¹⁶ works to create cross-border dialogue in societies affected by the NK conflict via journalism training, social media engagement, and the publication of neutral commentary on issues related to the NK peace process. Skills-based workshops for journalists from Azerbaijan and Armenia have also been convened with the goal of improving reporting on bilateral relations. *Kids Crossroads*, a program operated through Internews, provides journalism training and resources for citizen journalism initiatives in

¹⁶ <http://www.imagedialogue.com/>

Armenia, NK, and, Azerbaijan. Over the course of nearly eight years, the program has trained over 200 to use media as a ways to explore challenges within their own societies as well as points of commonality between their cultures.

Press clubs in Baku and Yerevan work to strengthen media independence in their respective countries. The two groups have collaborated on public opinion polling, information sharing, and cross-border media monitoring. This media analysis includes depictions of the Other in official and non-official media outlets and coverage of key aspects of conflict (Yerevan Press Club 2009). As a result of these studies, the Yerevan Press Club has offered to identify and publicize a list of neutral terminology to replace commonly used stereotypes and misinformation across the Azerbaijani and Armenian media landscapes. This includes misinformation on numbers of refugees and minorities within both societies; the use of the term “Artsakh” and opposed to “Mountainous Karabakh,” and frequent characterizations of the opposing side as aggressive or militaristic.

There is significant potential for third party actors to play a larger role in encouraging a more positive media environment, particularly within the realm of social media. An example of third party efforts to harness the power of social media for conflict resolution is the Soliya Connect Program. Participants in the Soliya Connect Program engage in a series of web-chat conversation mediated by a trained facilitator. Students from across the Middle East, North Africa, South Asia, Europe, and North America engage in conversation about a series of political and cultural issues. Participants are asked to reflect on their experience and are invited to submit articles within Soliya web fora. A program such as Soliya, applied within the context of the NK conflict, including participants from Azerbaijan, Armenia, and NK, and moderated by a neutral third party could provide an online space less susceptible to external manipulation or spiraling into hate speech than twitter, Facebook, or private blogging.

While the initiatives profiled in this section demonstrate the potential for media to break the cycle of nationalistic and extremist rhetoric, and create space for alternative narratives, there is ultimately a limitation to the success of these initiatives in having a substantive impact on resolution of the NK conflict, given capacity restraints and state pressure toward journalists, particularly within Azerbaijan.

Conclusion

Media discourse surrounding the Nagorno Karabakh conflict has exacerbated tensions between all parties. Media coverage of the conflict within a context of high levels of political control, economic pressures, evolving conceptions of civil society, and limited cross-border contact has focused on specific events, resulting in polarized rhetoric and escalating tensions. While new media has expanded opportunities for participation in discourse around the conflict, dialogue within these platforms is not without its own set of challenges and risks. Despite these challenges, positive initiatives geared toward harnessing the potential of new media and bolstering the capacity of journalists across parties to the conflict demonstrate willingness to work toward change. Increased third party support for these initiatives should be further explored and incorporated into the framework of the broader peace process.

Recommendations

To the Government of Azerbaijan

- **Take steps to adhere to OSCE commitments regarding Freedom of the Media.**
 - **Increase frequency of trainings for police and security forces regarding the rights of journalists**, particularly when reporting on anti-government or pro-democratization protests.
 - **Increase ease of access to public information, particularly for non-official media outlets.**
- **De-escalate use of war rhetoric in official media outlets**, particularly references to a “Nation at War” and “the First Karabakh War.”

To the Government of Armenia

- **Increase transparency of broadcast licensing distribution.**
- **Discontinue references to “liberated territories”** within official broadcasts regarding the NK conflict.

To the OSCE

- **Continue to monitor and issue statements regarding media freedom in Azerbaijan and Armenia.**
- **Include de-escalation of war rhetoric as a key issue of on-going Minsk Group negotiations.**
- **OSCE Minsk Group Chairs should coordinate bilateral public diplomacy initiatives regarding capacity deficits within media outlets.** These initiatives should focus on:
 - **Basic media trainings**, conflict reporting training, neutrality in the media.
 - **Increasing funding flows for outlets** prioritizing objective reporting on the peace process or amplifying the voices of alternative perspectives.
 - **Trainings on the history of the peace process, roles of international mediators, and future of the peace process.**

To the Yerevan, Baku, and Stepanakart Press Clubs

- **Collaborate on and publicize a list of neutral terminology to replace commonly used stereotypes and misinformation.**

To civil society organizations

- **Take steps to institutionalize the role of third party mediators within online platforms.**
- **Moderate online web forums resulting from person-to-person contact, discouraging or deleting nationalistic or ethnically-based rhetoric.**

Ending Twenty Years in Limbo: An Assessment of Forced Migrants' Living Conditions and Policy Recommendations in the Short- and Long-Term

Tara Seethaler

In Nagorno Karabakh, a mother told our group of researchers that she has a message for mothers in Azerbaijan. She believes mothers across the conflict want peace. But if they do not, they should be willing to send their children to the front lines of war. She has already lost her son to this conflict.

While mothers may want peace, the decision-makers of this conflict benefit from maintaining hard-lined, bellicose positions. Zartman's concept of "mutually hurting stalemate" suggests that when conflicting parties perceive a conflict to be in *painful* deadlock, they will search for a way out (Zartman 2000, 228). The conflict surrounding Nagorno Karabakh (NK) is not facing a mutually hurting stalemate. Instead, the political regimes in both Armenia and Azerbaijan profit from aggressive opposition to the other, while the government in NK grows stronger each day that the conflict remains unresolved.

Yet, some parties are hurting: those whose statuses remain in limbo as long as this conflict endures. Well over one million people have been displaced by this conflict. These forced migrants face varying conditions, but they share a sense of loss over their homeland and an uncertain future. The greatest ethical driver to resolve this conflict is the fates of these people.

This chapter will begin with a short sketch of the waves of migration for the three main groups of involuntary migrants stemming from the NK conflict. Next, it will present the conditions facing these groups, as well as the government motivations that reinforce these conditions. It will then outline recommendations to improve the welfare of these peoples, focusing on meeting basic needs and promoting integration in the short term while ultimately supporting the right to return in the long term. After reviewing the challenges facing the successful implementation of these recommendations, this paper

will conclude by discussing how the roots and perpetuation of this conflict undermine the possibility of a safe and peaceful return for these refugees.

Waves of Migration

There were two primary waves of forced migration. The first wave came between 1988 and 1991. In 1988, the parliament of the Nagorno Karabakh Autonomous Oblast voted to separate from Azerbaijan and join with Armenia, spurring massive violence in Azerbaijan and Armenia. Pogroms in Sumgait, Azerbaijan (1988) and Baku, Azerbaijan (1989) led to massive flows of ethnically Armenian refugees into Armenia. Meanwhile, ethnic Azerbaijanis sought refuge in Azerbaijan from violence in Vartan (1988) and other parts of Armenia. Operation Ring (1991), a military operation between Armenians on one side and the Soviet 4th Army and Azerbaijani OMON¹⁷ special operations on the other, continued this exchange of ethnic groups. In total, the United Nations High Commissioner for Refugees (UNHCR) estimates that 188,000 left Armenia for Azerbaijan, and approximately 360,000 Armenians left Azerbaijan to settle in Armenia (UNHCR 2003, 5; UNHCR April 2011).

The second wave of forced migration commenced with the full-scale conflict that began in 1991. By this point, most of the exchange of populations outside of NK and the disputed territories had already taken place. Instead, the ramped up violence in the spring of 1991 and NK's declaration of independence in December 1991–January 1992 ushered in a period of enormous displacement from the warring territories. This second wave is therefore marked by masses of ethnic Azerbaijanis fleeing to conflict-free zones of Azerbaijan. The number of Azerbaijani displaced persons¹⁸ during this period totals

¹⁷ OMON is a special operations unit. The acronym is in Russian (Otryad Mobilniy Osobovo Naznacheniya).

¹⁸ To refrain from making a political comment on the validity of claims, I will not use the terms “internally displaced person” (IDP) and “refugee” in reference to those displaced from the conflict regions into undisputed Azerbaijani territory or vice versa. Instead, I will use the more general terms, “involuntary migrant,” “forced migrant,” or “displaced person” to refer to these individuals. I will use the term “refugee” to describe the population exchanges between undisputed Armenia and Azerbaijan that occurred between 1988 and 1991.

somewhere between a half million and 650,000 people (de Waal 2003, 218; UNHCR 2003, 5).¹⁹

From these waves of forced migration, three enduring displaced groups emerged. The largest group is comprised of the Azerbaijanis who had lived in NK or the seven bordering territories that are currently under dispute. Thirty percent of these displaced persons live in the Baku district, and the rest live across Azerbaijan (World Bank 2011, 19). The refugees who fled Azerbaijan and currently live in Armenia make up a second group. The settlement and level of integration of this group remain unclear, as official figures indicate much lower levels of integration than field observations and interviews suggest. A third group of involuntary migrants is comprised of ethnic Armenians from Azerbaijan who settled in NK during the first wave of conflict. This group has a unique host of challenges, largely stemming from the absence of international recognition for NK. A fourth group is that of ethnically Azerbaijani refugees who left Armenia for Azerbaijan in the first wave of conflict. Because official reports and field research suggest this group has already integrated into Azerbaijani society (ICG 2012), this chapter will not focus on present conditions and policy recommendations for this group.

Conditions

Conditions facing refugees and involuntary migrants vary widely across the different groups. Much of this variation appears to stem from political objectives, which in turn have an impact on the level of assistance major international organizations are able to provide.

Azerbaijan

While the government strives to meet the basic human needs of displaced persons from NK and the disputed territories, this population still struggles compared with the rest of the population. According to the International Crisis Group (ICG), 400,000 displaced

¹⁹ Estimates on the numbers of displaced persons vary widely. UNHCR estimates 300,000 Armenians fled Azerbaijan (UNHCR 2003, 5), while officials and refugee lobby groups in Armenia cite closer to a half million (Interview with Melikyan 2013).

persons in Azerbaijan live in sub-standard housing, and 128,000 still live in close proximity to the Line of Contact (LoC) (ICG 2012). On average, these involuntary migrants have less than half the living space of non-displaced persons (World Bank 2011, 9). Economically, this population is on unequal footing with the rest of the population. Poverty rates are 25% higher for these displaced persons than they are for non-displaced people, and the employment rate of this population is much lower, sitting at 40% (compared to 57% for non-displaced) (World Bank 2011, 9).

Perhaps most importantly, these involuntary migrants suffer psychologically from their reliance on the state, their isolation, and most of all, their forced separation from their homeland. Over 70% of displaced Azerbaijanis report relying on cash transfers from the state (World Bank 2011, 10). This dependence undermines their push for self-reliance. While dependence on the state impairs their present and future conditions, the greatest suffering of this population stem from their deep desire to return to NK and the disputed regions. Our interviews with displaced Azerbaijanis in Baku and Agdam showed a wide consensus to return to the region. Remarkably, even those who were born in the settlements expressed a need to return “home,” although this wish for return was especially pronounced among the older population.²⁰

For better or for worse, the political motivations of the Azerbaijani government have shaped the present conditions facing Azerbaijani forced migrants. One of the most significant issues reinforcing the low employment levels and high poverty rates of this population is their lack of integration into greater Azerbaijani society. The stand-alone settlement communities of these forced migrants present a conspicuous, living scar of the NK conflict across Azerbaijan that the government may point to in order to support hard-lined policies. While some of their isolation is by choice,²¹ the relative inaccessibility of migrant settlements and the provision of “subsistence aid” create significant barriers for integration (Gureyeva-Aliyeva & Huseynov 2011, 44). According to a report by the Brookings Institution, “unlike its policy of naturalization and integration of the refugees

²⁰ Interviews were conducted with the assistance of a translator from the Center for Strategic Studies in Baku, Azerbaijan.

²¹ See Jennifer Wistrand’s concept of “neighborhood” and her description of the displaced persons’ expected payoff for abandoning personal relationships in order to seek higher education.

from Armenia, who had no realistic prospects for return, the Azerbaijani government has been reluctant to promote local integration as a long-term solution for IDPs” (Gureyeva-Aliyeva & Huseynov 2011, 9). Integrating the forced migrants from NK and the disputed territories would create serious challenges to the eventual return of this population. The return of this population is necessary, according to Azerbaijan’s Deputy Minister of Foreign Affairs, in order to condemn the “ethnic cleansing and mono-ethnicity” that now comprise the region.

While the policies of the Azerbaijani government may contribute to the isolation of forced migrants from the disputed regions, it is important to recognize that the government’s assistance programs are critical to meeting a baseline of needs for this population. The Azerbaijani government devotes 3% of the country’s GDP to assisting this displaced population (World Bank 2011, 10). Government assistance includes subsidized utilities, exemption from income tax payments, and free access to health and education services, including higher education. In addition, the government has established job quotas to increase employment of this population, and it provides each person from these regions a monthly cash transfer that amounts to 25% of the poverty line (World Bank 2011, 10). To help address the inadequate housing of this population, the government moved over 100,000 displaced persons into new housing between 2010 and 2012, and it has plans to create housing for 115,000 more by 2015 (ICG 2012).

Compared with the two other migrant groups impacted by this conflict, the displaced Azerbaijani population from NK and the disputed territories has drawn considerable, albeit declining, international attention. Many principal international aid and humanitarian agencies have come to Azerbaijan to assist the large numbers of forced migrants from NK and its border territories. Such organizations include UNHCR, the International Organization for Migration, the United Nations Development Program, the United Nations Children Fund, the World Health Organization, and the International Monetary Fund (UNHCR 2009, 19). Organizations like the World Bank maintain a continued presence: as recently as 2011, the World Bank signed a USD 50 million loan with Azerbaijan for the “Internally Displaced Persons Living Standard and Livelihood Project” (“World Bank Approves Loan” 2011). Nevertheless, international assistance has declined from the high levels of early emergency assistance. Interviews with refugees

suggest that organizations like UNHCR provided considerable assistance initially, but their presence has not been felt for a number of years. The decline in international support for this population is due, in part, to the Azerbaijani government's increased financial resources that are available to dedicate to this vulnerable population, as well as to donor fatigue (UNHCR 2009, 19).

Armenia

The Netherlands Interdisciplinary Demographic Institute identifies four main policy phases in addressing the refugee issue in Armenia. During the first phase, which lasted from 1988 until Armenia became independent in September 1991, the primary focus of the government was to provide shelter to those who came to Armenia from Azerbaijan and NK. In the second phase, which spanned the rest of 1991 through 1995, integration policies were undermined by deleterious economic consequences stemming from the breakup of the Soviet Union. Domestic and international aid programs shifted to social programs, while many refugees left Armenia to find better opportunities elsewhere (Groonewold & Schoorl 2006, 4). In the third phase (1996-1998), poor living conditions around the country prompted the expansion of social programs to the entire population, including non-refugees. Since 1999, the fourth phase has been marked by policy focusing on integration and naturalization. This includes providing Armenian passports to refugees and granting them access to rights bestowed upon citizens, such as the right to vote (Groonewold & Schoorl 2006, 5).

In our field interviews with local experts and government officials, the common perception was that these refugees – originally totaling around 360,000 – had already integrated into Armenian society. However, our meetings with refugees in Yerevan in January 2013 revealed this situation is far from resolved. The refugees we interviewed suggested that many had been encouraged to accept Armenian citizenship prematurely. Since accepting Armenian citizenship, they lost access to what limited international assistance was available. The living conditions of these refugees are dire. Multiple families share a single, unsanitary bathroom, and the families claimed to have access to water for only a few hours per day. They reported not having received any help from the

Armenian government in the last several years.²² Finding employment is an issue, particularly for the older generations who are unable to speak Armenian.

Though the government claims to be making progress on many issues surrounding refugees, the refugees complain that the government is actively ignoring persistent problems in the provision of basic services. One reason for this is the government may have a political interest in not drawing attention to a group of people who has borne the brunt of failed integration policies. In multiple interviews, Armenian government officials touted their success in integrating the refugees who came to their country during the conflict, contrasting this response from the Azerbaijani government's response to isolate displaced persons from the greater community. However, our observations show that many refugees are still not integrated, and rather that these efforts to minimize the refugee question have led to the severe neglect of a vulnerable segment of the population.

Similarly, while UNHCR spent USD 32 million on providing refugee services in Armenia between 1994 and 2010 (UNHCR 2011), the refugees we interviewed complained of a general sense of abandonment by the international community. The coordinator of a local non-governmental organization (NGO) on refugees said she tried multiple times to solicit meetings with UNHCR as well as their observations of current refugee conditions, but the organization refused to meet. We met multiple refugees who perceived the lack of attention by the international community to be not just an issue of resources, but of respect. As one refugee stated, the international community has refused to observe their conditions because "they think it is beneath their dignity, that it will dirty their suits. If they saw how we lived before, they would know to receive them hurts our dignity. We wore suits too."

Nagorno Karabakh

In NK, the issue facing involuntary migrants is less one of inequitable conditions than one of feeling a strong sense of injustice for remaining unrecognized. NK authorities

²² According to the local PanArmenian.net, the Armenian government acknowledges shutting off aid for refugee housing in 2010 due to the global financial crisis ("Armenia Involves International Community," 2011).

maintain that one-third of its population can be called “refugees” (ICG, 2005, 5). Beyond a moral incentive to welcome forced migrants, the NK government has an incentive to repopulate the region after most ethnic Azerbaijanis fled. Reflecting this incentive, the NK government has issued special programming to promote a “return to homeland,” seeking to repopulate the region with forced migrants from Azerbaijan. The NK government policies on housing for forced migrants are particularly generous. The NK government has provided special funding for constructing new homes for these forced migrants, and these migrants may legally own a home at no cost after three years of living in it (ICG 2005, 6). Other reported economic incentives include direct payments to the migrant population for farming and agricultural goods, as well as land and discounted utilities (ICG 2005, 6). Furthermore, since 2004, this population has been granted all the rights of NK citizens (ICG 2005, 6). Likely a result of such policies, the ICG and our own field research saw no significant differences in the conditions for forced migrants in NK and those of the general population (ICG 2005, 6).

Despite the relatively equitable living conditions, the refugees we met in NK complain of abandonment and invisibility. Their grievances with the international community begin with the conflict’s nascence: if the international community had recognized NK in the beginning, they feel there would never have been an issue of forced migration in any direction. Further, the international community has provided virtually no aid to this population, with the exception of the Red Cross, Doctors without Borders, the Armenian Diaspora, and the United States (Office of the Nagorno Karabakh Republic 2006).

The lack of international recognition of this group appears to stem from their legal status. Because NK is unrecognized by any UN member state, agencies like UNHCR are fettered in their ability to assist in the conflict. Without legal statehood, the displaced persons from Azerbaijan who live in NK do not qualify as refugees, normally defined as people who have to move from one state to another. Instead, they are considered by the international community to be IDPs within the state of Azerbaijan. UNHCR’s mandate does not technically cover IDPs, and in cases where they intervene to support IDPs, it is typically with strong support of the host state’s government. Because the host state is

legally recognized to be Azerbaijan, and Azerbaijan strictly prohibited entry into this region, international organizations are unable to play a substantive role.

Conclusion

The Director of the Caucasus Institute in Yerevan described this conflict to be one of modernity and identity, with issues of ethnic cleansing and the homogenization of territories. The parties involved are new nations with very old cultures, history, and ethnic identities. During the Soviet era, the state units were “ethnicized” – they were defined and named by their ethnic composition. Georgia was named for the Georgians, Ukraine for the Ukrainians, Armenia for the Armenians, and Azerbaijan for the Azerbaijanis. In 1988, the Parliament of Nagorno Karabakh decided their ethnic identity superseded territorial integrity, and voted to secede from Azerbaijan.

The psychological merging of ethnicity, land, and statehood is both the cause of forced migration in this region and the central challenge to finding a viable resolution for these migrants. The dominant role of ethnicity and identity in this conflict shaped the process of forced migration from 1988 to 1994, as ethnic Armenians in Azerbaijan and ethnic Azerbaijanis in Armenia who had no relation to NK nonetheless found their security threatened because of their ethnicity. Ethnic Azerbaijanis, who had historically lived peacefully with their neighbors in NK, were forced to move on account of their ethnicity.

The short-term treatment of refugees and IDPs requires improving their present welfare. Promoting migrants’ welfare necessitates meeting these people’s fundamental needs while supporting their livelihoods through integration into the host community. A successful long-term resolution to the migration issue revolves around the *option* of safe return for those migrants who wish to go back to their native land. Inherently, the return of these populations requires the movement of a population of one ethnicity into communities of a different ethnic majority. Groups who have historically lived together without conflict now have endured over twenty years of displacement and separation from the very ethnic groups with whom they will need to live again.

Thus far, the governments of the conflicting parties have benefitted from maintaining a hard stance in the conflict. The conditions and livelihoods of these populations have been shaped by their governments' interests, and particularly in their governments' roles in protracting the conflict. There is a moral imperative for these governments to not only end the conflict but to create an environment that supports safe return, ultimately allowing for the resolution of these migrants' twenty years in limbo.

Recommendations

Short-Term

To meet the interests of the refugees and IDPs in the conflict, governments, international bodies, and NGOs need to consider both short-term and long-term lenses. By “short-term,” these groups need to assess how to best meet the interests of forced migrants until a peaceful resolution to the conflict is reached. This “short-term” period may, in fact, take years or decades. Particularly because the duration of this period is uncertain, it is critical that not only should refugees' and IDPs' basic needs be met, but their host governments should support their integration. The “long-term” proposals relate to the treatment of forced migrants after the conflict is resolved. These recommendations should be considered part of the negotiations process, since effective implementation requires clear understanding and agreement from conflicting parties and the international community.

- **Meet the migrants' fundamental human needs, including access to shelter, food, water, heating, and basic services such as healthcare, job training, and education.** In the short-term, the first prerogative is to meet the basic needs of forced migrants. This responsibility falls first and foremost on the host government, but there is also a role for international organizations and NGOs. Meeting basic needs for refugees in this conflict involves providing means to access sanitary shelter, heating, food, and water, as well as access to services such as adequate healthcare, job training, and education. The group of refugees whose basic needs are least met are Armenian refugees who fled from Azerbaijan to Armenia. The Armenian government needs to ensure the fundamental needs of this population are met, regardless of whether they have already accepted Armenian citizenship. To support this, the international community and local

NGOs should implement observation missions to clarify the number of refugees living in sub-standard conditions, calling attention to this population and identifying the gaps in services that need to be provided.

- **Integrate migrants into the host community through greater proximity to relevant industrial or agrarian markets; access to education; health and psychological assistance; and access to credit.** Once basic needs are met, the host government should focus on integrating forced migrants into the local community. Integration should involve improved access to relevant urban markets – through better transportation or more incorporated housing units – or access to land in agrarian regions; increasing access to credit; providing health and psychological assistance to facilitate adjustment into their present situations; and promoting human capital through professional skills courses and advanced education (World Bank 2011, 58-60). These recommendations are particularly relevant for the government of Azerbaijan, where communities of displaced persons lie largely in distinct, separated areas. Such separation hinders both the displaced community and the greater economy: the physical separation of forced migrant communities means forced migrants are less able to find work and realize opportunities outside their communities, thereby perpetuating a reliance on the state while undercutting these people’s contributions to the larger economy.

Long-Term

Throughout our field research, multiple proposals for long-term solutions for the involuntary migrants emerged. Three primary trends surfaced in our discourse. First, ethnically Azerbaijani displaced persons living in Azerbaijan were eager to go back to their native lands, but only if NK and the disputed territories were returned to Azerbaijan. The Azerbaijani displaced persons we interviewed viewed the idea of returning to an independent NK politically dominated by Armenians as anathema, even if it were safe to do so. Second, all migrant groups felt they were owed reparations, at a minimum for the homes they abandoned. Finally, all migrant groups expressed feeling a grave sense of injustice.

It is likely that a relatively small portion of the over one million persons displaced by this conflict will actually return. Twenty years have passed, and some, particularly from the first wave of migration, have already integrated into their host societies. Displaced persons on all sides have expressed concern about living with people from the other party again, though fewer of those we interviewed in Azerbaijan raised this concern than in Armenia and NK. All of the Azerbaijanis we interviewed indicated they would not be willing to return to a state if it were not considered part of Azerbaijan, so depending on the final resolution, this sentiment could further cut down the number who return. Approximately 7% of the displaced persons in Azerbaijan come from NK, with the other 93% originating from the seven disputed territories (ICG 2012). Given the Azerbaijanis' unwillingness to live in a non-Azerbaijani state, a final resolution that results in an independent Artsakh (NK plus the seven disputed territories) would likely reduce the number of returnees by far greater than an independent NK alone. Finally, even if NK and the surrounding territories were returned to Azerbaijan, many may ultimately decide not to leave the lives they have built over twenty years in order to move a fairly isolated region with limited infrastructure. It is likely that even if there were a wave of returnees, many would be intimidated by the lack of infrastructure and go back to their host communities.

- **Uphold the *right to return*, while letting refugees and forced migrants decide *whether to return*.** Even if it is unlikely that many will want to return to their countries and regions of origin, it is paramount that refugees' and IDPs' *right to return* be upheld. This principle has already been incorporated in the OSCE's Madrid Principles (2007-2010). Supporting the right to return entails a host of security challenges. After more than twenty years of frozen conflict, both sides have adopted a strong war mentality. Older generations remember the terrible acts of violence that led to their migration, and younger generations have heard stories of these horrors. Two decades of bellicose rhetoric from those in power in Armenia and Azerbaijan have exacerbated these fears, setting the stage for intolerance against the other party. Youths who were born in their host settlements have never met people of the other party's ethnic background. This

fosters more hard-lined positions among youth, an aspect that was observed by some researchers in the field in Azerbaijan (Wistrand 2013).

- **For those who wish to return, ensure *safe* return under international supervision.** With these threats to security, it is all the more critical that the international community establish an environment that facilitates safe return *and* integration into their new societies. Missteps in the return of refugees and displaced populations could easily lead to the resumption of war. The authorities and forced migrants that we interviewed on all sides of the conflict agreed an international presence would be necessary to ensure migrants' safety. Because of a general distrust of Russia's political objectives in Azerbaijan, it would be essential that the Russians not comprise a large portion of the international peace force. The area would need to be cleared of all mines, and demilitarization would need to be carried out by all parties.
- **Promote quick integration into the new communities through providing resources and services.** It is also critical that these populations must not only be given safe passage to their lands of origin, but that they must also be given the support and resources necessary to reintegrate into society. Creating opportunities for employment will be critical, particularly in areas where jobs are already scarce. Finding housing and allotting property also pose a tremendous threat to the return of displaced migrants. All parties should agree on a detailed plan on housing and land allocation plan before facilitating the return of migrants. Many forced migrants whom we interviewed in Azerbaijan expressed a vague hope of being able to return to their former homes. Because many homes have been destroyed or have new occupants, contention over housing and property could cause profound tension and threaten the security of returning migrants. Competition for land could ignite an already incendiary situation, which would lead to severe insecurity for these populations and potentially a resumption of full-scale fighting.

The Role of Diasporas in the Nagorno Karabakh Conflict

Aanchal Anand

The role of diasporas, or “mobilized transnational ethnic groups,” (Tölölyan 2007) in conflict and peace-building cannot be underestimated. The scholarship on the topic is diverse and rich. Collier and Hoeffler (2000) conducted a statistical analysis showing that the involvement of large diasporas impedes the resolution of civil wars. Koinova (2011) shows that large diasporas engage in “conflict spirals” in secessionist conflicts. Shain’s (2002) research shows how diasporas can build their own interests, which may diverge from those of the local elites in their homelands.

Moreover, diasporas engage in political activities in their host countries that bring direct benefits to their homelands. Some of the most visible diaspora activities in this regard are: a) lobbying host governments for policies favorable towards their homeland; b) influencing media and public debate to present their homeland in a favorable light; c) appealing to multilateral organization for aid and investment in their homeland; and d) shaping the political discourse and policies in their homeland (Tölölyan 2007, 107-108).

This paper analyzes the role of the diasporas in the Nagorno Karabakh (NK) conflict between Armenia and Azerbaijan. This paper intentionally uses the word “diasporas” in plural. This is because the paper discusses both the well-established Armenian diaspora, as well as the newly-emerging Azerbaijani diaspora. To be fair, the Armenian “diaspora” alone could well be called “diasporas” because it is not a monolith in terms of history, or priorities and approach in relation to the conflict. However, to avoid confusion, this paper uses “diaspora” when speaking of the *mobilized* ethnically Armenian or Azerbaijani people that live outside their respective *homelands*. The author would like to note two more points. First, mobilization is a very important factor when it comes to defining a diaspora. Tölölyan (2007 109-110) argues that “diasporic ethnic Armenians” are different from “other ethnic Armenians” because they actively engage with their ethnic kin through cultural, social, and political actions. By the same token, it is interesting to note that roughly twice as many ethnic Azeris live in Iran than in Azerbaijan itself. However, since Iran’s 18 million strong ethnic Azeri population is not

mobilized, it is not considered a part of the Azerbaijani diaspora. Second, “homeland” means different things to different people. For the purpose of this paper, the author defines the Armenian homeland to be the real and ‘perceived’ homeland to include both Armenia proper (internationally-recognized borders) and NK. The Azerbaijani homeland is defined as the internationally-recognized borders of Azerbaijan.

The first section of this paper will first look at the Armenian diaspora and its role in the conflict. More specifically, the diaspora’s history and influence will be discussed. The second section will look at the newly-emerging Azerbaijani diaspora and its role. The final section will identify policy recommendations that can help with the peace process.

The Armenian Diaspora

One can immediately feel the strength of the Armenian diaspora simply by comparing its size to the population of Armenia: four million “diasporic” Armenians vs. three million in the homeland (Tölölyan 2007, 109). During the trip, the SAIS Conflict Management group met with an NK representative, who said that Armenia has three pillars: Armenia proper, NK, and the diaspora. In fact, without the Armenian diaspora’s military expertise, “Azerbaijan’s better-financed armed forces” may have won the NK civil war (Tölölyan 2007, 116). The Armenian army benefited greatly from the command of four senior Soviet military officers – Major General Arkady Ter-Tatevosian, Colonel-General Gurgen Dalibaltayan, Colonel-General Norad Ter-Grigoriants, and Colonel-General Mikayel Haroutunian – who had served in Afghanistan. Their leadership was crucial in changing the outcome of the war in Armenians’ favor (Tölölyan 2007, 116).

The Armenian diaspora has a complex history, and plays an important role in both international affairs as well as the domestic politics of Armenia. This section examines all three issues.

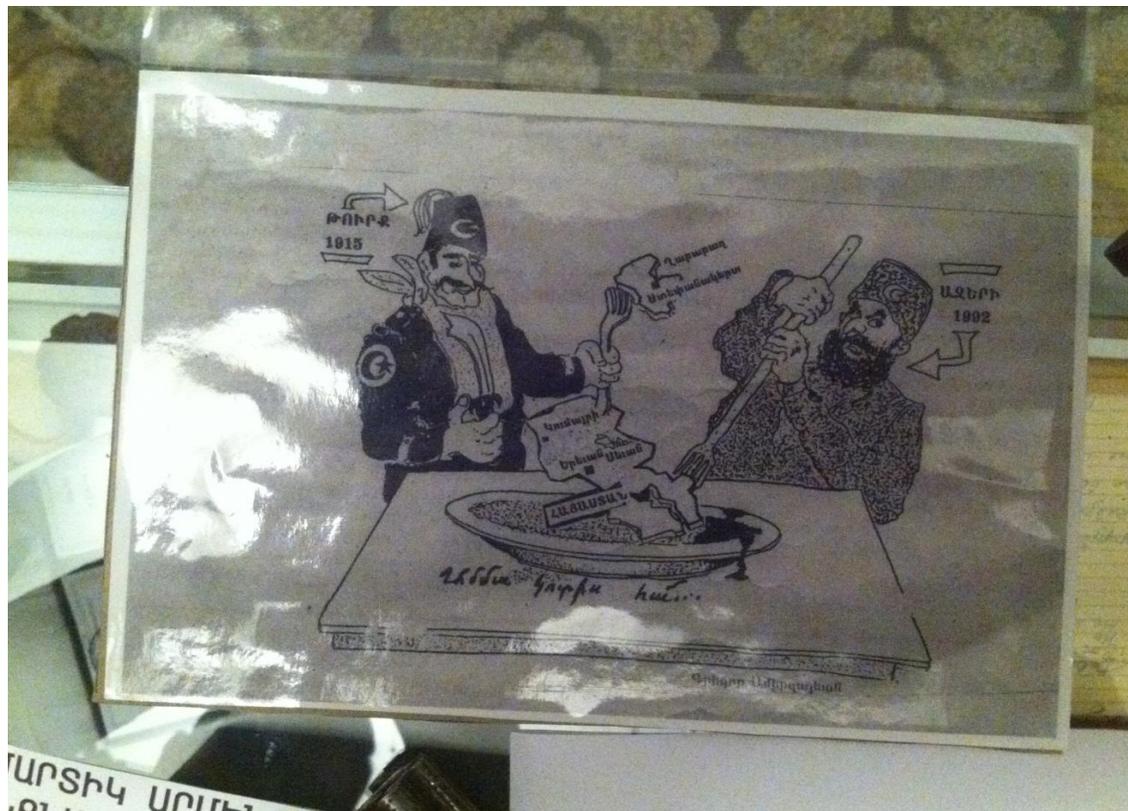
History of the Armenian Diaspora

As mentioned, the Armenian diaspora is not a monolith. It is one of the oldest in the world; it existed prior to the modern period and Armenia’s “diasporization” was

acknowledged as early as 1165 AD (Tölölyan 2007, 112).²³ However, the biggest migration started in April 1915 with the Armenian genocide under the Ottoman Empire. In fact, more than half of the diaspora today is comprised of the descendants of those who survived the genocide. This is essentially the “Western Armenian” diaspora and comes from erstwhile West Armenia (modern-day Eastern Anatolia in Turkey). The genocide is a part of Armenians’ “collective trauma,” and is an important factor in understanding the nature of the NK conflict (Koinova 2011).

Since the Azeris are Turkic people, Armenians view the NK conflict as an extension of the anti-Armenian sentiments in Turkic people (de Waal 2003). The SAIS group met several Armenian officials and citizens who echoed these same sentiments.

A Cartoon Depicting the Armenian Fear of Turkic People²⁴



²³ In the year 1165, Nersess Shenorhali, the head of the Armenian Church, spoke of an Armenian nation both in the homeland and abroad.

²⁴ Photo taken by author during the trip in January 2013.

The cartoon shown here is on display at an Armenian museum, and clearly illustrates the Armenian fear of the Turkic people. Both Turkey and Azerbaijan are shown as murderers torturing a helpless Armenia. The man representing Turkey bears the date 1915 marking the start of the genocide, and the Azerbaijani man bears the date 1992 when the NK conflict escalated to a full-scale civil war. This sentiment of collective trauma and fear of Turkic people is so highly ingrained in Armenians' mind that they are unable to distinguish between Turks and Azerbaijanis. The NK conflict is seen as merely an extension of the 1915 genocide.

The diaspora that was formed as a result of the 1915 genocide is called the “Western Armenian” diaspora, and it settled in Syria, Lebanon, Cyprus, Argentina, and the United States (Tölölyan 2000; Tölölyan 2007). It is the part of the diaspora that is most engaged politically and economically with the Armenian homeland. This part of the diaspora also spearheads infrastructure investment in Armenia and NK. A portion of the Goris-Stepanakert highway was funded by Argentine Armenians. NK's main telecom operator – Karabakh Telecom – has ties with Lebanese Armenians.

Roughly a quarter of the Armenian diaspora is comprised of “economic refugees” that left Armenia after 1991 in the aftermath of the Soviet collapse. This part of the diaspora is also called the “Eastern Armenian” diaspora to distinguish it from the “Western Armenian” diaspora discussed above.

The Eastern Armenian diaspora is also divided. One group consists of oligarchs who became wealthy under the Boris Yelstin administration and are very powerful in Russia today. In 2011, five Armenian businessmen made it to the list of the 200 richest businessmen in Russia: Nikolay Sarkisov of RESO Garantiya ranked 68th with USD 1.5 billion; Sergey Sarkisov, also of RESO Garantiya, ranked 69th with USD 1.5 billion; Daniil Khachaturov of Rosgosstrakh ranked 71st with USD 1.5 billion; Samvel Karapetyan of Tashir Group ranked 73rd with USD 1.4 billion; and Ruben Vardanyan of Troika Dialog ranked 180th with USD 500 million (News.am 2011). In 2012, Khachaturov surpassed Sarkisov, becoming the richest Armenian businessman in Russia with assets worth USD 2.0 billion (Tert.am 2012).

The other group consists of ordinary Armenians who tend to be poorer, and migrate to Russia and other nearby post-Soviet states in search of employment

opportunities. Conversations with taxi drivers in Yerevan revealed that today the typical route is for Karabakhi Armenians to migrate from Stepanakert to Yerevan, and then from Yerevan to Moscow and other parts of Russia. This part of the diaspora is most engaged in sending smaller remittances directly to their families, and these remittances are used to pay monthly household bills. However, when taken altogether these “smaller” remittances add up to 20% of the Armenian GDP and 16% of the NK GDP. This 16% represents only indirect transfers from Armenia to NK, and excludes any direct remittances to NK (conversations with NK representatives).

Continuing emigration – due to Armenia’s economic blockade²⁵ and lackluster economic growth – is increasing the size of the Armenian diaspora. One senior Azerbaijani official in DC quipped that the reason the Azerbaijani diaspora is small and continues to stay small relative to its Armenian counterpart is because “Azerbaijanis do not want to leave Azerbaijan whereas Armenians do not want to live in Armenia.”

International Influence of the Armenian Diaspora

In the absence of countervailing Azerbaijani (and Turkish) interests groups, the Armenian American diaspora became a powerful actor, able to influence decisions in the United States Congress. The crowning achievements of the Armenian diaspora were the passage of two acts in 1992 by the U.S. Congress – the Humanitarian Aid Corridor Act and Section 907 of the Freedom Support Act – both of which prevent the United States from giving aid and assistance to Azerbaijan due to its blockade on Armenia and NK (Koinova 2011). The Armenian Assembly of America (AAA) was able to achieve this despite the strong U.S. interest in Azerbaijani oil (Tölölyan 2007; Koinova 2011). In 1997, UK officials criticized a senior American diplomat for not repealing Section 907 in spite of the fact that it was harming American interests. The U.S. diplomat replied, “If you had to deal with a million Armenian citizens, you’d behave [this way], too” (Tölölyan 2007, 118-119). Section 907 is perhaps the biggest sore point with the Azerbaijanis, and many

²⁵ The economic blockade is a result of Armenia’s closed borders with Azerbaijan and Turkey due to the poor relations Armenia has with the two countries.

representatives we met on the trip personally commented about the power and influence of the Armenian diaspora citing this Section.

Aside from political lobbying, wealthy members of the Armenian diaspora have been active in sending funds to the Armenian homeland. The Armenian-American billionaire Kirk Kerkorian donated USD 170 million to Armenia between 1988 and 2007 (Tölölyan 2007, 114). French-Armenian entertainer Charles Aznavour rallies thousands of Euros through his benefit concerts (Tölölyan 2007, 114). Since the early 1990s, the Armenia Fund (AF or Haiastan) has been raising several million dollars every year to finance strategic infrastructure projects like the Goris-Stepanakert highway discussed earlier. Since 1991, the Armenian lobby in Washington DC alone has been successful in securing over USD 1 billion for the homeland. This amounts to roughly USD 86.5 million a year for crucial for Armenia whose budget sank to less than USD 200 million in 1994 and whose current GDP is just over USD 10 billion (Tölölyan 2007, 122).

The Dashnak Party (which has both transnational and Armenian roots) has been instrumental in lobbying for Armenian interests in the United States. The Party has also started political efforts in Brussels to lobby the European Union (EU). This provides Armenia very privileged access to international officers and representatives in charge of the NK peace process.

The OSCE Minsk Group is looked at suspiciously by Azerbaijan. The presence of a large and influential Armenian diaspora in United States, France, and Russia – the Minsk Group co-chairs – creates the perception amongst the Azerbaijanis that the behind-the-scenes shots are called by Armenia. Perhaps, with a different set of co-chairs Azerbaijan could have a more trusting attitude towards the Minsk Group. It must be noted that despite these suspicions, Azerbaijani officials expressed their willingness to work with the Minsk Group and carry on the peace process.

Finally, the Armenian diaspora has also been influential in forming public opinion in their host countries. Russian-Azerbaijani writer Chingiz Guseynov recently noted that “the Armenian diaspora around the globe is very influential. That is why [Azerbaijan] lost the information war” (Lyukimson 2013).

Domestic Influence of the Armenian Diaspora

The Armenian diaspora is unique in one way. Most diasporas involved in conflict situations are active internationally but not as much domestically. But the Armenian diaspora has roots both inside and outside the country. This has negative consequences on the peace process and the paper will discuss this point later.

Koinova (2011) makes an interesting point that the Armenian diaspora was not engaged in the NK conflict until 1991. In the last years of the Soviet Union (1988-1991), the diaspora did not support secessionist attempts because it saw Moscow as an important arbiter in Yerevan's disputes with Baku and Istanbul. The diaspora did not want to lose Moscow's support for the Armenian Soviet Socialist Republic (ASSR) because of Nagorno Karabakh Autonomous Oblast's (NKAO) secessionist ambitions. This is the first example of Armenian diaspora and local elite interests diverging.

The Armenian people in ASSR and NKAO were keen to connect with members of the diaspora, especially after years of imposed isolation under Soviet rule. "Together with the *Spyruk*"²⁶ was a popular slogan during the NK independence rallies in the late Soviet period (Melkonian 2011, 79). However, it was only in 1991 when NK proclaimed independence that the Armenian diaspora was mobilized for this cause (Koinova 2011). Until then their focus had been the recognition of the 1915 genocide.

Since this mobilization, the Armenian diaspora has been increasingly involved in domestic politics. The most organized group of this nature is the Dashnak Party whose international influence was discussed earlier. Typically, the Party wins 4-8% of the seats in the Armenian parliament. While this is too trivial for the Dashnak Party to form a government, it does give the Party enough leverage to enter into coalition with other parties, and served as a junior partner in former President Kocharian's government.

This participation also leads to competing interests and priorities. For instance, Raffi Hovhannisian, foreign minister in the Petrosyan administration, resigned due to disagreement on the need for Turkish-Armenian reconciliation (Shorgen 1992). This is a really big problem for the NK conflict resolution. As long as Armenian psyche is tied to the notion that Azerbaijanis are Turks, and as long as the genocide is not recognized by

²⁶ *Spyruk* is the Armenian word for diaspora.

Turkey, the NK conflict will remain a struggle for Armenian survival and Armenia's victory in the face of the "collective trauma" inflicted by "the Turks."

This also explains why certain Azerbaijani officials feel frustrated because they "do not know which Armenia they are talking to: the Armenian state, the Armenian diaspora, or the Armenia which is Russia's puppet?" Some of these claims may be exaggerated, but given the different priorities of the Armenian diaspora and local elites, some of this frustration can be understood.

The Azerbaijani Diaspora

Compared to the Armenian diaspora, the Azerbaijani variant can be thought of as "the new kid on the block." But the Azerbaijani diaspora is not naïve. On the contrary, it has already achieved some impressive results in the short time of its existence.

Compared to Armenians, there are not many Azerbaijanis living in the United States, France, and Russia. As a result, the Azerbaijani effort is less people-to-people diplomacy and more direct lobbying government agencies in host countries, organizing protests, and signing petitions. From a conflict resolution perspective, this is a much easier entity to deal with since it is small and its interests are fully aligned with those of the Azerbaijani state and the Ilham Aliyev administration.

While the Armenians have many institutions to boast of, the Azerbaijani effort is concentrated on the U.S. Azeris Network (USAN). At the moment, USAN is engaged in getting signatures for a petition that calls for the recognition by U.S. states of the Armenian-led Khojaly massacre of 1992 when hundreds of Azerbaijanis were killed in NK. To raise awareness about the massacre, USAN is also running ads on the public transport system in Washington, DC. Most importantly, USAN managed to get a petition calling for the recognition of the Khojaly massacre on the White House website. The petition secured over 126,000 signatures (News.az 26 February 2013) compared to the 100,000 signatures that USAN had sought (News.az 21 February 2013).

Even though the White House did not issue "a Presidential Proclamation [commemorating and recognizing the war crime of the Khojaly Massacre]," it issued a statement saying that "the United States deeply regrets the tragic losses of life in the war

between Azerbaijan and Armenia” (White House website 2013). While this is hardly a victory for USAN, it does show the lobby is an emerging actor in U.S. domestic politics.

Bedir Memmedli, the co-founder and financial officer of USAN, said in an interview that the Azerbaijani diaspora is growing and making good inroads. He also mentioned the influence of the Armenian diaspora is on the decline citing the Khojaly petition, and the waiver on Section 907 granted by the U.S. Presidents George W. Bush and Barack Obama in lieu of Azerbaijan committing troops to the U.S.-led war in Afghanistan.

Policy Recommendations

Understanding the nature and priorities of the Armenian and Azerbaijani diasporas is critical for conflict resolution. The Armenian side is more established, institutionalized, and wields greater influence in its host countries. The Azerbaijani variant is a relatively new actor but is growing fast in terms of its influence. The Armenian diaspora has competing priorities (genocide recognition vs. NK conflict) both internationally and domestically, making it more difficult for the international community to propose solutions that would be acceptable to the Armenian diaspora. The Azerbaijani diaspora, on the other hand, has the same priorities and agenda of the Azerbaijani state.

The Armenian diaspora enjoys greater legitimacy both internationally and domestically because of participation in a democratic society. The Azerbaijani diaspora does not have the same democratic legitimacy simply because the Azerbaijani state lacks it. Democratic legitimacy is important because it gives the respective heads of state the mandate to agree to conflict resolution proposals that would be acceptable to their wider publics. Haider Aliyev is reported to have agreed to a resolution from which he later retracted because he did not believe he had the legitimacy to drive a solution that could be perceived as ‘too conciliatory’ by the Azerbaijanis and feared that such a solution could have triggered a coup against him. While legitimacy is important, it can also be an impediment. For instance, when the Dashnak Party wins seats in the Armenian parliament and becomes a part of the ruling coalition, it becomes difficult to disagree with its policies because the Party supposedly represents ‘the will of the people.’

Given this scenario, the paper proposes the following recommendations for the resolution of the NK conflict:

In the short-term, **the Azerbaijani diaspora should continue to lobby and raise awareness about the crimes committed against Azerbaijanis by Armenians.** This may help create a more balanced public opinion in relation to the NK conflict in host countries.

A more medium-term step is to **step up efforts in the Turkish-Armenian reconciliation process.** Major international actors should step in to draw out a “double deal” wherein Armenia recognizes Turkey’s territorial integrity and Turkey recognizes the genocide committed under the Ottoman Empire. While these efforts are underway, Azerbaijan should not feel threatened that it is losing an ally in Turkey.

One prominent member of the Armenian-American diaspora went as far as to say that “1915 is the bread and butter for many Armenians and many of them would prefer no recognition to recognition [of the genocide].” Significant progress in the Turkish-Armenian reconciliation process will, therefore, weaken the Armenian diaspora.

A weaker Armenian diaspora whose interests do not overshadow those of the Armenian state will help the alignment of Armenian interests into one agenda that can be discussed. At the same time, a more democratic Azerbaijan would have the mandate to conclude a peace deal that is acceptable to the Azerbaijani people. Both factors will create greater room for negotiation in the long-run. This paper hopes that in such a scenario, Armenia and Azerbaijan will be able to find a solution to the NK conflict and bring peace, stability, and economic growth to the South Caucasus.

Aid and Development: Humanitarian, Social and Economic Action

Shahin Badkoubei

Under the Soviet Union's authority, the vast Eurasian sub-continent has submerged into a regional dilemma of insecurity, tension, and inter-ethnic conflict, which has erupted into frequent violent conflicts since the Soviet Union's collapse. A particularly topical and pressing conflict in the region, as of yet with no end in sight to the ensuing tension, is the escalated conflict concerning the de facto state of Nagorno Karabakh.

Hostility between the Azerbaijanis and the Armenians of the Nagorno Karabakh region stems early on since the 1920s and even earlier because of land disputes and ethnic discord over economic and class divisions. The Transcaucasia politburo voted for an Armenian Karabakh in 1921, but was quickly prevented from doing so by Stalin. The clashing "realities" surrounding historical rights to the land, and desires for self-determination coupled with territorial integrity culminated into intense violence from 1988-94. Prior to the war's commencement in 1992, both sides cite heinous acts of violence and ethnic cleansing performed by the other, according to different accounts from ordinary civilians who experienced the events. Access to the recently fallen Soviet Union's military armaments, either through sale or theft, provided the Armenians access to munitions to set off military offensive (Migdalovitz 2001). A ceasefire was not imposed until 1994. In the time spanning from 1988 to 1994, the region witnessed some 25,000 deaths, as well as the forced displacement and expulsion of Armenian and Azerbaijani populations as Internally Displaced Peoples and refugees fleeing for safety or through a program of forced migration. As a result, the social and psychological dynamic of the situation has become a substantial element in amplifying the conflict to the extent witnessed today – at an impasse in the prospects of achieving peace.

The emotional torment of a conflict fresh in the minds of society has come to shape their identity and state of mind, bearing a lasting imprint or (worse) scar that creates an obstacle towards achieving peace. The conflict has disrupted many lives and has left some in a state of limbo. Uncertainty of when, or if ever, they will return to their

homes has not resulted in a robust determination to resolve the conflict. Instead, a dark cloud has been cast as fear of the “other” permeates through society and the media. While interacting with the Azerbaijani and Armenian officials and citizens in addition to Karabakhi representatives, the impression of a benign fear and a willingness to engage in combat sadly exists. Supporting my view, Thomas de Waal comments on recognizing a similar willingness in his time interviewing society (de Waal 2). For all parties’ directly involved, Nagorno Karabakh is more than a mountainous landmass, but rather a symbol and political platform.

Besides the social damages, both psychological and interpersonal, imparted upon the Armenians, Azerbaijanis, and Nagorno Karabakhis as a result of gratuitous violence, war and hate-inspiring propaganda; the need for humanitarian and economic aid is imperative for the daily functioning of a society and government. In times of conflict and especially one as prolonged as this one, attention is naturally placed on the needs of resolving the conflict whereas the elements of quotidian life taken for granted are ignored. Humanitarian action is important as one must continue to live, no matter the presence of a conflict. Humanitarian aid entails a breadth of actions that extend to include protection, reconstruction and rehabilitation, health relief, and infrastructure. The international dynamic of the conflict draws humanitarian participation from world governments, particularly Russia, the United States and Iran. Moreover, a host of non-governmental organizations in tandem with Diaspora community-led organizations have been steadfastly involved in the provision of developmental assistance.

The Dynamic of Aid in the Conflict

Russia, the United States and Iran are three key state players within the dynamics of the providing aid assistance in the sectors of economic and infrastructural development, security, humanitarian, and social. However, their involvement has aroused mixed reactions.

The Russians have repositioned their presence in the region in light of their former sovereignty as the Soviet Union. Russia has drawn animosity among the Azerbaijani public for its broad support to Armenia and Nagorno Karabakh. The

economic instability of Armenia and Nagorno Karabakh – in contrast to the rapid wealth continually being generated by energy-rich Azerbaijan energy reserves – makes them a vulnerable and dependent target. The Russian government has made it fairly clear through rhetoric and action that it wants to regain its influence in the region (MacFarlane and Minear 1997).

In essence, Russia is present in the conflict on two fronts, through the Minsk Group, and through supporting Armenia and Nagorno Karabakh with aid and security. In 2010, Russia provided Armenia with food aid by supplying grain and cooking oil when prices for these two goods were greatly inflated as a result of a shortage in the international market (on account of an export ban Russia placed on these provisions). Further, Russia provides security aid to Nagorno Karabakh. A Russian military unit provides security at the border of the buffer zone in the event of an Azerbaijani attack, and it will receive Russia's support in the unlikely event of an attack by Turkey or Azerbaijan. Interestingly, Russia synchronously capitalizes on the threat of war by selling Azerbaijan S-300 missiles. This has not gone unnoticed in Armenia, where concern has been expressed (Shirinyan 2013).

Since an end to the conflict would diminish Russian influence in the Caucasus, it is less inclined to achieve such a goal. Humanitarian aid, private investment and control of key sectors in Armenia and Nagorno Karabakh implants them further into Russian dependency when their economy still struggles, all the while Russia improves its relations with Turkey and Azerbaijan.

Like Russia, complaints have been lodged against the United States for playing a similar hand but of a much lesser degree, from Azerbaijan. Through interactions with Azerbaijanis on the trip, it became apparent that a hint of resentment lingers from the U.S. Congress' 1992 decision to pass Section 907 of the Freedom Support Act – whereby, any support by the United States to Azerbaijan is banned until they make the necessary changes to stop all blockades and acts of “aggression” against Armenia and Nagorno Karabakh. This decision is cited as prejudicial on account of the Armenian-American Diaspora, in light of the fact that the United States provided relief aid to Armenia and Nagorno Karabakh at the time. Currently, the United States is again criticized, by the Karabakh Liberation Organization, for disrespecting the territorial

integrity of Azerbaijan by providing monetary aid to Nagorno Karabakh through Armenia. In the purview of the Karabakh Liberation Organization, “They [the United States] patronize terrorist and occupation regime” (Hajiyev 2010).

Nevertheless, humanitarian assistance is being provided in Armenia, Azerbaijan and Nagorno Karabakh through the United States Agency for International Development (USAID). Current support in Azerbaijan emphasizes promoting democratization and fair governance, diversification of the private sector outside the oil industry and investment participation, in addition to health care – projects outside the sphere of the conflict. Initially following their independence, humanitarian support for internally displaced people was the key issue. Comparably, in Armenia projects are outside the sphere of the conflict; focusing on health, improving relations with Turkey, economic challenges and governance. The one exception, they provide direct assistance (up to USD 4 million) to Nagorno Karabakh to address rural issues such as the portable water supply.

Amidst all the expected international aid providers in the region, Iran is an unexpected participant. The position of the Iran government has changed drastically since the beginning of the conflict. After initially criticizing Armenia’s decision to attack Azerbaijan (Migdalovitz 2001), Iran now maintains a supportive stance, despite a religious affinity with Azerbaijan as Shi’a Muslims. The Iranians have been helpful in providing infrastructural aid by constructing hydroelectric power plants and building a highway connecting Armenia to Iran, which will be followed by a railway project (Sargsyan 2013).

Azerbaijan’s growing oil wealth was definitely a threat and motivation to garner an active presence (Cornell 1998). However, a more enriching benefit for Iran has been the formation of a stronger relationship with Russia (Moradi 2006). The relationship has proven itself by creating a passage for Iran to purchase arms from Russia. Also, Iran has so far been provided the opportunity to bypass sanctions by selling Armenia oil through an Armenian-Iranian pipeline (OxResearch Daily Brief 2012).

The nature of conflict, at times, subordinates humanitarian relief to petty politics. On 7-12 October 2010, along with the OSCE, the United Nations High Commissioner for Refugees visited the seven occupied territories on an assessment mission, for the first time in 18 years (“Report of the OSCE Minsk Group Co-Chairs”). The field mission

provided insight to the deplorable humanitarian conditions in the territories. The small number that live there are resettled Armenians from Azerbaijan, who are living in an environment with “poor infrastructure, little economic activity, and limited access to public services,” according to the report provided the Minsk Group (“Report of the OSCE Minsk Group Co-Chairs”).

In both Azerbaijan and Armenia, the case of displaced people and refugees is a plaguing issue in the resolution of the conflict, especially the return of displaced Azerbaijanis who are being provided “temporary” housing in Azerbaijan. In contrast to the support provided by the Azerbaijani government, Armenia virtually ignores the existence of Armenian refugees who fled from Azerbaijan to Yerevan. It is purported by some that the Azerbaijanis use housing camps with schools and other basic necessities to ostracize the displaced community from transitioning into Azerbaijani society, in order to thwart any motivations of not returning to Nagorno Karabakh. Azerbaijan’s economic stability places them in a position to be independent of external help. However, Ali Hasanov, Azerbaijan’s Deputy Prime Minister and Chairman of the State Committee for Refugees and Internally Displaced Persons, commented that it would be best for Azerbaijan to cooperate with international humanitarian organizations like the United Nations Food and Agriculture Organization until the conflict ceases (Aliyev, 2011).

However, non-governmental support is the only source of help refugees in Armenia have. Speaking to “Refugees and International Right,” an Armenian non-governmental organization advocating and providing support for refugees, and refugees desperate for help, one is shocked by their situation. They have not received any support from the United Nations High Commissioner for Refugees, despite non-governmental agencies and refugees reaching out to them. The living conditions of the refugees are deplorable, with multi-family dwelling, limited water supply, in addition to a lack of enforcement of government subsidies, which are supposed to exist. Buildings are now being purchased slowly by private investors, so refugees are suffering the stress of evictions and high utility bills, especially in light of the fact that subsidies and welfare are not being consistently provided. The government is even forcing Armenian citizenship upon some refugees as a means of removing their refugee status, ergo their right to receive financial support.

While enhancing safety in Nagorno Karabakh, the HALO Foundation produces sustainability and economic development. HALO is committed to clearing mines and disposing of explosive remnants of war in hopes of reducing Nagorno Karabakh's position as one of the world's highest per capita rates of accidents (HALO Trust). They have provided desperate poor farmers in the Martuni region the ability to develop irrigation systems and continue farming once again, thus, affording them with economic independence and stability. Similarly, the Armenia Fund USA and Heifer International began a project to improve the economic conditions of rural villages in the Mardakert region by improving technical skills and practices in agriculture. This project stems from the Armenia Fund's Regional Development program, where seeds, fertilizer, cows, and technical skills in animal husbandry are provided, in addition to constructing eight schools, a hospital, and a water-pipeline (Armenia Fund USA 2006).

As one of the largest Diasporas in the world, the Armenia diaspora is important both in financially supporting Armenia and Nagorno Karabakh, and as a vehicle for lobbying. Armenian-American organization, like the Armenian National committee of American, is a well-organized and funded organization that monitors the United States policies and action regarding the region.

The implementation of remittances and direct investment have dramatically improved the economy and drawn privatization of companies. The financial support provided by the Diaspora has been useful in economic and social development. The Armenia Fund, a diaspora funded organization, collaborates with other non-governmental and state agencies to meet the economic, social and humanitarian needs of Nagorno Karabakh by pooling contributions from Armenians in the United States, Lebanon, France, Russia, Argentina and throughout the world. They assisted in the construction of the Goris-Stepanakert "Lifeline" Highway that passes through the Lachin Corridor, vital for economic and social development of Nagorno Karabakh since this highway connects it with Armenia and other countries. Subsequently, the North-South "Backbone" Highway was constructed providing access to touristic locations, schools, and the farmers to markets. Close to 105 miles, the highway passes through 20 towns and nearly 100 villages, providing clear indication as to its importance in connecting a great network of localities throughout Nagorno Karabakh. In addition to highways, local streets in Shushi

were recently reconstructed from damages due to the war: Proshyan, Hakhumyan, Garegin Nzhdeh, Aram Manougian and Ghazanchetsots Streets. Infrastructural improvements regarding sewage, drinking water and others were mended while refurbishing the streets. Along with these efforts to modernize; water pipelines, electric substations, gas mains, and radio-television transmission stations in remote villages have been and continue to be constructed.

In addition to health care facilities and residential units, multi-million (US) dollar projects for the repair and construction of schools have been done. Additionally, the development and modernization of Stepanakert from the financing of Diaspora organizations works hand-in-hand with the private sector developments taking place, as well. Nagorno Karabakh is a tourist haven for Armenians, providing a helpful source of funding.

Funding and development in the region is a source of contention. The small but significant case of Syrian Armenians fleeing for refuge in the Nagorno Karabakh elucidates this point. Overall, humanitarian organizations in Nagorno Karabakh and Armenia, like Help Your Brother, provide financial assistance for newly settled Armenians in the region as well as housing construction and resettlement needs. However, the settling and development projects on the land are capable of causing the conflict to be even more precarious since it is still at a stalemate. Azerbaijani officials are concerned over the matter of resettlement and development, while the conflict is still unsettled (EurasiaNet 2013).

Since 1988 and 1989, Médecins Sans Frontières/Doctors Without Borders has been present in the Armenia, Azerbaijan and Nagorno Karabakh to provide humanitarian aid in the health sector. The organization was one of the first – the other being the Red Cross – to respond to the medical needs of victims during the war and displaced individuals. Though armed conflict is not a chief concern currently, Doctors Without Borders continues its programs in the treatment and prevention of tuberculosis, and reproductive health. In both Armenia and Nagorno Karabakh (since 2003), Doctors Without Borders has been integral in providing psychiatric assistance. They responded to the medical and psychosocial needs of Armenian refugees who fled from Azerbaijan by

providing direct care and medicine, in addition to training staff at six health centers, two clinics and two hospitals.

The damages to the field of health care in Nagorno Karabakh due to the conflict resulted in a collaboration between USAID, the Fund for Armenian Relief and the American University of Armenia to implement a health care project through the Humanitarian Assistance Project in Armenia. The project financed providing first aid and emergency care skills training, as well as refurbishing health care facilities to 300 participants. These skills and the quality of the environment of care are important. The project was a success, where health care providers tested first-aid care commensurate with international standards an addition to be better capable to tend for preventative care versus emergency (as was common).

The International Committee of the Red Cross (ICRC) responded to the conflict early on, taking a well-rounded focus on the social, humanitarian, and economic needs of victims and families of missing persons, mining accidents, prisoners of war, humanitarian advocacy and health concerns, in addition to the overall living concerns of those along the line of contact. Remaining neutral, the Red Cross continues to act as an intermediary between the two sides and monitors detainees. On 30 January 2012, the ICRC visited Prisoner of War Mammadbagir Akhundzade of the Azerbaijani military, who is being held in Nagorno Karabakh, to do a survey of his condition to report back to his family and their offices in Azerbaijan.

Their presence is seen working in collaboration with the Red Crescent to build 20 parks in Azerbaijan for children in designated mine-free zones in order to provide a sense of normalcy for the young. In Azerbaijan, psychiatric counseling and medical supplies are provided to treat victims with emotional and physical trauma as a result of the conflict, in addition to improving the overall quality of life by providing cash grants to 3,759 people, dietary provisions, and creating a water distribution system through joint efforts with other non-governmental organizations like the National British Society. Similar efforts are being taken in Armenia, with the unique exception of a series of workshops designed to bring 52 young people the space to express their feelings growing up with a missing father.

Policy Position

Achieving any resolution is ultimately in the hands of Armenia, Azerbaijan and Nagorno Karabakh. Besides taking the first step in including Nagorno Karabakh in the discussion, **confidence-building measures are essential in fostering** peace since they will lead to greater cooperation and the offering of concessions. At present, the parties involved suffer from a biased perception of the situation and events currently taking place. The lack of trust among the sides undermines efforts put forth. Conversing with each respective party, all expressed civility and trust from their end, but noted that the other party was mistrustful and hateful of them. The issue is deeply ingrained, Thomas de Waal calls it the “Karabakh Trap” in which the notion of the “other” is so engrained in their identity that it becomes a permanent image thus making it harder for political leaders to alter the current *status quo*, thus greater intractability (de Waal, 2). Dialogue will bring about constructive steps toward mending the psychological aspect of the conflict, which is a hindrance.

Although currently a “frozen” conflict with no progress achieving a resolution, the quality of daily life is still a pressing concern and demands the need for humanitarian intervention. Roads, schools, medical facilities and government entities must persist. Though humanitarian and economic aid have not been a catalyst in resolving the conflict they still play an important role. Amartya Sen’s framework for human development expresses that constructive modification in economic as well as political and social systems will result in friendly and improved environment. Social and economic developments are two closely linked components (Sen in Petrovsky [ed.], 2005). **Improving the economic and social environment are cogent steps in providing stability in the region**, thus providing a better atmosphere for the contemporaneous application of mediation and confidence building measures. **It is important for the aid agencies and governments providing assistance to be neutral**, it will avert any complications. Also remaining neutral will prevent any complications for the relief agencies in working in other conflicts. The Armenian Diaspora naturally has a proclivity to support Nagorno Karabakh; however, they should be more considerate in the extent of the projects they implement. Azerbaijan is concerned about the pace of development in

Nagorno Karabakh. Nevertheless, the people of Nagorno Karabakh require the tools to live for the interim.

Nagorno Karabakh: Economic Drivers, Origins and Solutions

Samuel Zief

Economics is one of the least studied, yet most important aspects of the Nagorno Karabakh conflict. Though likely not the immediate cause of the Armenian-Azerbaijani dispute, the economic dynamics of the conflict parties fundamentally shapes the negotiation process and helps to perpetuate the current stalemate. At the same time, however, economics may also be the area that best indicates the possibility for future compromise. This chapter examines the role of economics in the onset of the Nagorno Karabakh conflict and the perpetuation of the current deadlock, as well as the potential role economic dynamics can play in facilitating a future agreement.

Economic Origins?

When determining the root causes of the Karabakh conflict, economic neglect of the Nagorno Karabakh Autonomous Oblast (NKAO) is not typically considered as important as the Karabakh-Armenian desire for self-determination or fulfilling ethnic historical narratives. However, the argument that the economy of Nagorno Karabakh was deliberately neglected by Soviet Azerbaijani authorities to both “punish” and “root out” Armenians, and thus left no choice but for Armenian separatism and military action, does find voice in certain quarters of the Armenian narrative and accordingly deserves examination.

Independent data suggest, however, that the economy of the NKAO was in many ways more robust than the economies of Armenia or Azerbaijan, or even that of the USSR as a whole. At a March 1988 government meeting, Tigran S. Khachaturov, a prominent Armenian economist sent from Moscow, along with other ethnic Armenian high-level officials of the Azerbaijan SSR, reported that “During recent 5-year plans, regarding the activation of housing, preschool institutions, and public-health facilities, the indicators for the specific capital investments for the [Nagorno Karabakh] autonomous oblast were considerably higher than the average for the republic and for its regions”

(Baguirov 2012, 160). According to data produced by the meeting, prior to the outbreak of hostilities, the Nagorno Karabakh region was second in economic development only to Azerbaijan's Absheron region, which contained the capital city Baku. There were 26.3 motor vehicles per 1,000 inhabitants of the oblast, as compared with an average of 17.5 for the Azerbaijan SSR as a whole (Baguirov 2012). In addition, the NKAO outpaced both the Azerbaijan and Armenia SSRs in hospital beds per 1,000 inhabitants (101.7 in NKAO compared to 97.7 and 86.2 in Azerbaijan and Armenia, respectively), and outpaced both neighboring SSRs as well as the USSR as a whole in the number of medical workers per 10,000 persons (122.7 in NKAO compared to 93.5 in both SSRs and 114.7 in the USSR) and square meters of housing funding per inhabitant (14.6 in NKAO compared to 12.2 in Azerbaijan, 13.1 in Armenia and 14.3 in the USSR) (Baguirov 2012).

In other words, the NKAO was not only living better than most Soviet people, but received disproportionately more than its economic output. Objectively, therefore, economic origins of the conflict should be considered comparatively minor relative to nationalist, cultural or ethnic drivers.

Economic Effects

Despite the fact that the dispute largely did not arise due to economic mistreatment, the economic cost of the Nagorno Karabakh conflict is unquestionably catastrophic. Fought primarily on Azerbaijani soil, the war led to USD 40 billion in direct damage to Azerbaijani assets; when the potential future costs of reconstructing the territories currently controlled by the Nagorno Karabakh Republic is included, the estimated economic toll of the war on Azerbaijan reaches USD 60 billion according to the Ministry of Foreign Affairs (2011). Armenia, meanwhile, has seen 80 percent of its borders blockaded as a result of the conflict, with its trade routes to Azerbaijan and Turkey closed off completely. This leaves Armenia with only two routes to the outside world, Georgia to the north and Iran to the south, severely limiting the nation's economic growth potential.

Indeed, although the recent construction of pipelines and transport routes – such as the Baku-Tbilisi-Ceyhan (BTC) and Baku-Supsa oil pipelines, the Baku-Tbilisi-Erzurum (BTE) natural gas pipeline, and the soon-to-be-completed Kars-Tbilisi-Baku railway – have raised the importance of the South Caucasus as an energy supplier and transit region, Armenia has been excluded from benefitting from these ever-important East-West transportation and communication routes through the region. As a result, Yerevan has seen its national economy grow by an annual average of just 5.7% since 2005 compared to 16.0 % in Azerbaijan and a Caucasus and Central Asia (CCA) regional average of 8.3 % (World Bank).²⁷ This has led to significant population loss as Armenians relocate to Russia and the West in search of better economic prospects. After registering a steady increase all through the Soviet period, the population of Armenia declined from 3.604 million in 1991 to 3.100 million in 2011 (World Bank).

Figure 1: Existing and Planned Oil and Gas Pipelines from Baku



Source: Thomas Blomberg

However, the Armenian economic blockade does not only negatively affect Yerevan – it continues to prevent the entire region from reaching its full economic potential. As mentioned previously, the South Caucasus has the potential to be a key transportation and communications link between Europe and Asia, and it is increasingly becoming such (Papava 2006). However, the inability to connect Caspian-Black Sea

²⁷ CCA regional aggregate includes Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyz Republic, Tajikistan, Turkmenistan and Uzbekistan.

pipelines or Europe-Asia transport routes through Armenia adds to the cost of such projects, while uncertainty surrounding the Karabakh conflict and the potential for renewed hostilities suppresses foreign direct investment in the region (Khachatrian 2011). These added construction expenses and opportunity costs are a direct negative consequence of the Nagorno Karabakh War that both Azerbaijan and Armenia continue to bear.

Economics and The Negotiating Process: Making it Difficult to Compromise

The economic position of each conflict party – both actual and perceived – greatly influences the negotiating dynamics of the dispute by fundamentally shaping the respective bargaining positions of the participants. According to negotiation theorist I. William Zartman, conflicts can be considered “ripe” for resolution when both conflict parties perceive themselves to be facing a “mutually hurting stalemate” (MHS) – a deadlock that hurts them on an ongoing basis and is unlikely to bend to their advantage via confrontational or unilateral actions in the foreseeable future. In such a situation, an atmosphere of urgency strengthens both parties’ willingness to work towards a settlement (Zartman 2000). Unfortunately, in the case of Nagorno Karabakh, the perception of economic dynamics on all sides appears to indicate that the conflict is not ripe for solution at the present moment.

Armenia

While trade blockades impose costs on Armenia overall, the sanctions have also generated profitable import monopolies for politically connected actors, giving the political elite an economic incentive to oppose settlement. The war economy in Armenia in the 1990s effectively birthed the present-day oligarchy and commodity-based cartels that dominate most major sectors of the Armenian economy – from trade in commodities, like sugar, flour, alcoholic beverages and gasoline, to cement production and sales (International Crisis Group 2011). Projections estimate that over 55% of the Armenian GDP is controlled by just 44 families (Khachatrian 2008). Flexing its power in the political sphere through informal patronage networks, this economic elite undermines

economic growth and counteracts any political support for compromise as many of the benefits they enjoy derive from the market distortions created by sanctions and border closures associated with the conflict in Nagorno Karabakh (International Crisis Group 2011).

In addition, despite evidence that the conflict has given rise to an entrenched oligarchic class that prevents Armenian economic growth from translating into broad-based prosperity, the general view of Armenian political and civil society is that Armenia is not in a MHS with an alternative beneficial enough to warrant compromise. Yerevan sees the “positive” economic future everyone says is waiting for it as a false promise, with settlement unable to offer something better than what Armenia has now (Minasyan 2010). As evidence, political elites point to Georgia, an economy benefitting from open borders and regional pipeline integration but that has only outpaced Armenia’s annual GDP growth since 2005 by 0.4 percentage points on average (World Bank). In other words, the carrot the international community and Azerbaijan believe to be enticing enough to draw Armenia to compromise is actually viewed from Yerevan as surprisingly insignificant.

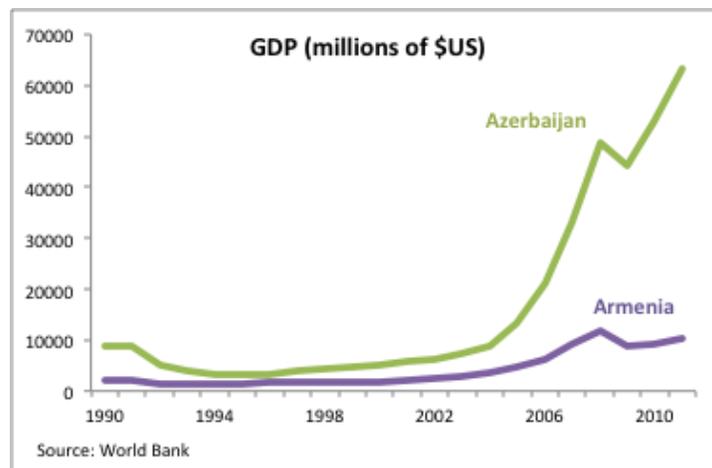
The final factor restricting Yerevan’s ability to compromise is Russia’s dominant role in the Armenian economy. With remittances accounting for 16% of Armenia’s GDP, and 89% of these coming from Russia, the Armenian economy is particularly reliant on the Russian construction sector and financial transfer system (IMF 2012a). In addition, a series of debt-for-equity deals signed with Russia since 2000, where Moscow forgives outstanding Armenian debt in exchange for ownership of strategic state-owned enterprises, has placed key sectors of the Armenian economy under Russian control. The largest swap deal was signed in November 2002, when Russia wrote off USD 100 million in Armenian debt in return for obtaining control of five state-run enterprises, including Armenia’s largest thermal power plant located in Hrazdan (Danielyan 2003). The result of these debt-for-equity swaps has been to place virtually Armenia’s entire energy sector, along with large parts of the banking, mining and airline industries, under direct Russian control (Danielyan 2003). With Armenia so reliant on Moscow for economic survival, Yerevan is likely unable to pursue compromise without the blessing of its largest benefactor. Thus, if one believes that Russia benefits from the status quo and works to

keep the conflict unsettled, Armenia's economic dependence on Russia is a major factor preventing Yerevan from negotiating a constructive settlement.

Azerbaijan

In contrast, while Armenia's bargaining ability is constrained by its entrenched oligarchy, Russia, and a relatively pessimistic view of the economic benefits of regional integration, Azerbaijan's negotiating stance has grown increasingly hardline due to the country's perception of its best alternative to a negotiated agreement (BATNA). With its economy fueled by a dramatic rise in hydrocarbon exports since 2005, Baku's political leadership believes its bargaining position strengthens more every day, reducing its interest in pursuing a compromise settlement with its Armenian neighbors. In other words, Baku refuses to make concessions or move away from its initial demands due to its belief that its BATNA – continued economic growth, military expenditure, and eventual military victory or Armenian capitulation in the face of a growing relative power imbalance – is more attractive than the compromise settlement currently being advocated by the Minsk Group.²⁸

Figure 2: Gross Domestic Product for Armenia and Azerbaijan, 1990-2011



²⁸ For more on how actors with attractive BATNAs do not move from their initial demands and make fewer concessions, see Fisher et al. 1991.

In 2013, Baku's military budget will increase to USD 3.7 billion (roughly 20% of total state expenditures) as opposed to USD 130 million in 2003 (World Bank; Associated Press 2013). Azerbaijan's military expenditure is larger than Armenia's whole state budget and eight times larger than Armenia's and the Nagorno Karabakh Republic's military budgets combined (Eastern Partnership Community 2011). Seeing this reality, Azerbaijan's political elite does not see itself as part of a MHS, believing instead the Armenian blockade and Baku's military and economic development serve as "environment shaping factors" that will, in time, force Yerevan and Nagorno Karabakh to make unilateral concessions toward Baku's baseline demands (Araz Azamov, SAIS Group Meeting, 17 January 2013).

However, this unfortunately creates a negative feedback loop for the negotiation process. From an Azerbaijani negotiating perspective, Baku's growth in relative economic and military power is unaccompanied by satisfactory progress in negotiations, which leads to the intensification of Azerbaijani militaristic propaganda. This in turn induces Armenia to become more intransigent, uncompromising and reliant on Russian economic and military assistance, further reducing the two sides' ability to compromise.

A final factor constraining Azerbaijan's willingness to compromise is Baku's perception of the value of its economic integration with the West. Baku officials describe the conflict as "the price it pays" for pursuing Euro-Atlantic integration at the expense of Eurasian integration, and argue the United States and Europe ought to stand up to Russia in Azerbaijan's defense (Araz Azamov, SAIS Group Meeting, 17 January 2013). However, while Azerbaijan continues to appeal to external actors rather than focus on potential compromises, the economic incentives for international intervention are simply not there.

International Community

Numerous analysts and experts believe the conflict will not be resolved until the major powers – the U.S., EU and Russia – marshal the full use of their resources to do so (Thomas de Waal, SAIS Group Meeting, 25 October 2012). However, the EU and U.S. have very little economic incentive at present to more fully involve themselves in the

peace process. There is no peacekeeping force bleeding lives and treasure that would compel them to act, nor is there any desire to commit heavy funding to the effort in the wake of the global and European economic crises. Moreover, the status quo, though preventing the South Caucasus from reaching its full economic potential, has not threatened the flow of Caspian oil and gas through the region that is so crucial to the West as an alternative energy transportation route to Russia.

In contrast to the West's passive interest in a permanent solution, for Russia, there is actually an economic and geopolitical incentive to maintain the current state of affairs. The perpetuation of the conflict keeps Armenia dependent on Russia, prevents a thriving alternative energy route from emerging in the South Caucasus, and allows Moscow to further its geopolitical objective of maintaining a foothold – or outright control – of the Black and Caspian Sea regional economies. However, it should be noted that there is a desire on behalf of Russian business leaders to see the conflict solved, as it poses a significant impediment to trade with Turkey, Iran and Armenia (Thomas de Waal, SAIS Group Meeting, 25 October 2012).

Economics and Possible Breakthroughs

Despite these forces working against a potential compromise, there are reasons to believe the economic dynamics of the conflict can in the near future lead the parties to move off of their maximalist positions. First, in this chapter I treat the Nagorno Karabakh Republic (NKR) as merely a part of the Armenian delegation. This is apt at the moment: fifty percent of the NKR's state budget comes directly from a line item in the Armenian state budget, meaning Stepanakert does not have much recourse (economically) to reject a settlement negotiated by its primary benefactor. However, five years ago, two-thirds of Nagorno Karabakh's state budget was provided directly by Armenia; in another ten years, officials project this number to be closer to ten percent as additional foreign investment, primarily from the Armenian diaspora, continues to build a self-sustaining economy in Nagorno Karabakh.²⁹ In addition, just ten years after importing 60% of its electricity

²⁹ According to the Ministry of Economy & Finance, the NK economy is growing by 10.4 percent annually, led by investment in the agriculture, energy, tourism, and mining and industry sectors.

from Armenia, the NKR is well on its way to becoming energy self-sufficient – or even an energy exporter (Petrosian 2000). Through its state-run energy company, Artsakh HEK, Stepanakert has completed four small-scale hydroelectric power plants since 2010 to go along with its existing Sarsang power station, allowing NKR to produce 133.2 million kWh of electricity in 2012 alone (Artsakh HEK). In other words, with the Nagorno Karabakh Republic growing stronger and more independent economically each year, Armenia has a limited amount of time when it will be able to force Stepanakert to accept a compromise negotiated by Yerevan. If Armenia (or Azerbaijan, for that matter) waits too much longer to negotiate a settlement, Stepanakert will become a true spoiler in the process and require its own seat at the negotiating table, presumably further limiting chances for agreement.

In addition, Yerevan is seeing significant economic resources being diverted from Armenia to Nagorno Karabakh, in the form of both investments from the diaspora as well as direct aid from Yerevan. As a result, the NK economy, on average, is growing by five percentage points more each year compared to Armenia, posing a potential threat to Yerevan should public opinion view their leaders as sacrificing too much economically for Nagorno Karabakh at their expense. Indeed, the “Karabakh factor” has been losing prevalence in Armenia’s political landscape as Armenian society gradually begins to pay less attention to the struggle for Nagorno Karabakh as they take for granted that Armenia already “owns” Nagorno Karabakh (Minasyan 2012). Thus, as Armenians continue to hurt economically while Karabakh-Armenians are buoyed by external aid that might otherwise find its way to Armenia proper, there is an additional incentive for Yerevan to seek a negotiated settlement that opens its borders with Turkey and Azerbaijan sooner rather than later.

From an Azerbaijani perspective, Baku’s oil revenues are forecasted to begin declining within the decade, meaning Azerbaijan has likely reached its maximum level of relative strength vis-à-vis Armenia (IMF 2012b). Thus, Baku is either going to have to choose war, an option all sides agree will be catastrophic, as it will never be stronger relative to Armenia as it is today, or pursue a compromise in an attempt to further diversify its economy. With the energy sector accounting for 92% of Azerbaijan’s total exports in the first half of 2012, and responsible for generating just under half the

country's GDP (Center for Economic and Social Development 2012), Azeri officials acknowledge that Baku's current case of "Dutch disease,"³⁰ or economic over-dependence on energy exports, must be replaced by a more broad-based, non-energy economy driven by regional tourism, transportation and communications. However, this alternate economic future can only be achieved with an end to the Nagorno Karabakh dispute, providing an economic incentive for Baku to move off of its maximalist position and consider revising its perceived BATNA. As Asim Mollazade, Chairman of the Azeri Party for Democratic Reforms, said, "only together can this region be transformed."

Recommendations

In sum, economic dynamics seem to be building to a tipping point. Though contributing to and reinforcing the current stalemate at the moment, economic realities point to several incentives for the parties to move past their baseline demands and seek to solve the conflict sooner rather than later. In order to seize an economic future in which the South Caucasus achieves its full economic potential, and to overcome the current economic dynamics limiting the ability of the conflict parties to negotiate a permanent settlement, the following recommendations are put forward:

Short-Term

- **Initiate expertise exchanges between Azerbaijan and Armenia, sending Azerbaijani energy and pipeline specialists to Armenia and NK while sending Armenian agriculture and tourism specialists to Azerbaijan.** The cutting of economic ties between Armenia and Azerbaijan ended cooperative economic relationships between actors across the border. At the root of the conflict in Nagorno Karabakh is the distrust of ethnic Armenians for Azerbaijani rule and of Azerbaijanis for Armenian authority. Economic cooperation and the daily interactions of trade and business represent one of the clearest channels through which these subjective preferences can be changed.

³⁰ A syndrome befalling economies with newfound resource wealth, where non-resource industries are hurt by the increase in income and foreign exchange generated by the resource-based industry. For more see Ebrahim-zadeh 2003.

- **Baku should cease its lobbied opposition to normalized Armenian-Turkish relations; Yerevan should restart diplomatic talks with Turkey and diligently work to normalize economic relations.** To be sure, Azerbaijani concerns alone did not doom 2009's football diplomacy; however, tacit Azerbaijani approval of de-linking the Nagorno Karabakh dispute from the Armenia-Turkey normalization process will remove a large stumbling block. Moreover, by rewarding Armenia for distancing itself from Russia economically and demonstrating the benefits of regional integration, Azerbaijan will be pursuing its economic interests by facilitating a negotiated agreement. At the moment, Yerevan does not view the economic benefits of settlement – regional integration and growth – as enough to warrant compromise. Restoring economic relations between Armenia and Turkey will be a first step in changing this perception (i.e., by showing Armenia what it's missing). In addition, restoring economic ties between Armenia and Turkey will loosen the political grip of economic elites that maintain their influence as a result of border closures and regional sanctions, counteracting one of the key restraints limiting Yerevan's ability to negotiate a settlement.

Medium-Term

- **Armenia should forego membership in the Russian-led EurAsEC Customs Union, which has a Russian-imposed deadline for joining of 2015. At the same time, the EU should provide more assistance to ongoing economic and democratic reforms in Armenia in an effort to reduce the amount of pressure Russia is able to exert and to ensure Yerevan's continued Euro-Atlantic integration.** This will instill confidence in Baku that Armenia is moving away from its Russian benefactor, while simultaneously helping to reform Armenia's oligarchic economy that poses a major barrier to compromise on the Karabakh issue. The EU's most recent National Indicative Program (NIP) for Armenia was adopted in March 2010, has a budget of EUR 157.3 million for 2011-2013, and supports reform in three key areas outlined in the EU-Armenia Eastern Partnership Action Plan: (1) democratic structures and good governance, (2) trade and investment; regulatory alignment and reform, and (3) socio-economic reform and sustainable development

(European Commission 2011). All of these priorities will help reform Armenia's economy and facilitate compromise in the negotiation process; however, an increase in the program's funding could have an outsized effect. It is clear that Armenia cannot pursue full EU-integration while the Nagorno Karabakh conflict persists due to its reliance on Russian security guarantees. An increase in EU funding will provide an additional incentive for Yerevan to seek a negotiated solution to the Karabakh issue in an effort to further pursue the economic benefits of EU-integration.

Part II: States in Conflict

The Role of Russia in the Nagorno Karabakh Conflict

Ivan Benovic

The conflict between Armenia and Azerbaijan over the Nagorno Karabakh province started in 1988, during the last years of the existence of the Soviet Union, when the province declared independence from Azerbaijan. Following its violent phase that started in 1992, a Russia-brokered ceasefire was reached in 1994. Since then, Armenia has been occupying the internationally recognized territory of Azerbaijan under the pretext of a right of the ethnic Armenians living in Nagorno Karabakh for national self-determination. Thus, this conflict is a classic example of a clash between the principle of territorial integrity within internationally recognized borders and the right to national self-determination up to, but not necessarily including, independence.

This conflict is considerably complex and includes many external actors. One of them is the Russian Federation. Russia has important foreign policy interests in the entire former Soviet Union, and also in both Armenia and Azerbaijan. The purpose of this paper is to shed some light on the role of Russia in the Nagorno Karabakh conflict. The paper is organized as follows. The first part describes how Russia and its contribution to the conflict are viewed in both Armenia and Azerbaijan. In many aspects the views overlap; therefore, there is no need to describe these two views separately. The next part analyzes the Russian interests in the conflict through a lens of costs and benefits and describes the Russian interests in the unilateral Russian mediation process during Medvedev's presidency. Finally, following the conclusion are some recommendations for Russia.

The importance of Russia in the South Caucasus

Armenia

Both Armenian and Azerbaijani speakers emphasized the high level of dependence of Armenia on Russia. Armenians admit the important role of Russia in the country. As a result of its isolation from Turkey and Azerbaijan, Armenia depends on Russia economically and in terms of security. Currently, the Russian state and Russian corporations own key sectors of the Armenian economy, such as mainly transportation

infrastructure, energy infrastructure, and telecommunications. Russian border guards help protect the closed Armenia-Turkey border. These troops were moved in after Turkey moved its tanks to the border and are likely to remain deployed until the conflict between Armenia and Turkey is resolved and the border reopened. Armenia will need Russian help until the relations with Turkey are normalized. The conflict has allowed Russia to manage to strike a deal with Armenia, according to which the Russian 102nd military base can be deployed in the country until 2044. The entire situation in which Armenia is right now benefits Russia and facilitates pursuing its national interests in the South Caucasus region.

Russia is also a significant source of income for Armenia. The largest part of the remittances of the Armenian diaspora comes from the diaspora in Russia. Russia is a source of short-term seasonal jobs, and Armenians leaving for Russia usually come back to their homeland, whereas the Armenian migration into Western countries is mostly permanent. Theoretically, this situation gives Russia a powerful leverage as it controls a significant fraction of Armenia's income. However, in practice, Russia seems unwilling to take advantage of this powerful tool even if Armenia conducts steps that apparently go against Russian interests in the country, such as joining the NATO Partnership for Peace Program. The reason for this may be that Russia is now (and has been since the break-up of the Soviet Union) in need of stabilizing the internal political situation. The Putin regime's lack of genuine political legitimacy makes it dangerous to alienate another segment of the Russian population. Throttling the supply of money into Armenia would arouse widespread discontent not only in Armenia itself, but also among their ethnic kin in Russia, which would add to the already tense relationship between the Russian government and many Russian people. Also, such a step could alienate Armenia and would ultimately be counterproductive. Therefore, I do not see the possibility of pressuring Armenia by means of adjusting the financial flows from Russia into Armenia as real.

According to our Armenian sources, the revised security treaty between Armenia and Russia now includes "all Armenian territories," meaning all Armenian-populated territories, Nagorno Karabakh included. This implies that Russia would be likely to take an active part in a potential new war in Nagorno Karabakh. This means that Russia has an

obligation and an interest to stand on the side of Armenia in case of a war. The Armenian membership in the Collective Security Treaty Organization (CSTO) is supposedly only a good gesture for Moscow and this fact does not have an influence on the potential Russian involvement in the conflict. A crucial element for this to be real is the presence of the 102nd Russian military base in Armenia. Our Armenian speakers also claim that it was Armenia that initiated the close ties with Russia. It was pushed into a corner by Azerbaijan and Turkey and had no other choice. Russia took advantage of the situation on the ground because it was in line with its national interest. Armenia has historically had a pro-Russian orientation, and at the time of the break-up of the Soviet Union it was unprepared for independence. Therefore, it should not be surprising that such tight relations between Russia and Armenia have evolved. There was a demand for them on both sides. However, Armenians do not seem to be happy about this situation and would likely prefer such a degree of independence which other countries with similar size and demographics enjoy in the West. Again, they seem to have chosen to build the close relations with Russia out of necessity, because it was (and still is) the least unfavorable solution.

However, despite the close ties between the two countries, Armenia still has some degree of independence. It is a member of the NATO Partnership for Peace program, and also the EU Eastern Neighborhood Program, which is not necessarily in the interest of Russia. The Russian leverage may be effective for pushing Armenia on smaller issues, but it is very difficult to use it to strike bigger deals. After all, both Russia and Armenia are mutually interested in the close ties; therefore, it would be unreasonable to think that one has complete power over the other.

Azerbaijan

Azerbaijan also feels constrained by Russia. Azerbaijan sees its current situation as a choice between independence without Nagorno Karabakh, and Russian constraints on its domestic and foreign policy, but with Nagorno Karabakh. Neither one of these two choices is acceptable for Azerbaijan. Azerbaijan is suspicious about the current political processes on the post-Soviet space, which are now leading to an increasingly stronger influence of the Kremlin in the former Soviet republics. Also, Azerbaijanis believe that

the incumbent Russian political elites have imperial ambitions on the post-Soviet space. The Nagorno Karabakh conflict is supposedly only a means for Russia to regain suzerainty over the South Caucasus.

There is also a nearly universal belief among Azerbaijanis that Armenia is not an independent country, and that Armenia is not able to make crucial decisions without the approval of the Kremlin. They identify Armenia proper as only one of three “Armenias,” the other two being the Armenian diaspora and the Russian influence over official Yerevan. If Armenia was not independent at all, it would not make any sense for Azerbaijani leaders to engage in negotiations with the Armenian government, because it would mean that they are negotiating with someone who does not have the necessary decision-making power. Instead, Azerbaijan should then negotiate directly with the Armenian Diaspora and the Kremlin. The Azerbaijani claims that it is in fact the Kremlin that is the “villain” of the peace process cannot thus be confirmed by the actions of the Azerbaijani government itself and does not seem to be founded on facts.

Also, given the large presence of Armenians in Russia, and also the fact that Foreign Minister Lavrov is half Armenian, one might assume that this can add to reasons for the close ties between Russia and Armenia. However, due to the way the Russian government functions, this is unlikely to influence Russian policy towards the South Caucasus. The current Russian policy towards the conflict seems to be fully in line with the Russian national interests, without regard of the ethnic composition of its government. So what are the Russian interests?

Russia’s Interests

Russia has two main interests in the conflict between Armenia and Azerbaijan, which may seem contradictory at first sight: keeping the conflict unresolved and maintaining stability in the region.

On the one hand, keeping the conflict unresolved is in line with the Russian geopolitical interests in the “near abroad” (countries of the former Soviet Union, excluding the three Baltic states). In particular, without the conflict Russia would enjoy a much lower leverage over both Armenia and Azerbaijan. Although there are some who

claim that there is now no way for Russia to lose Armenia, I find that difficult to believe. Although it was Armenia that was the initiator of the close ties between the two countries, it does not seem to be Armenia's preferred long-term state of affairs. Also, in the near abroad, Russia cannot rely on the other post-Soviet countries to respect all treaties and agreements that they have signed with Russia. The example of Kazakhstan's attempt to revise the lease agreement on the Baykonur rocket launch site that is scheduled to expire in 2050 can serve as a warning of what could happen in Armenia if it is no longer dependent on Russia for its security. Despite having signed the treaty on the Russian military base, it is unclear whether Armenia would not attempt to revise it and expel the military base from its territory. Removing the base would deprive Russia of its key instrument of influence in the South Caucasus. Therefore, if the conflict got solved, it would entail a risk for Russia of a significant weakening of its influence over Armenia and in the whole region.

On the other hand, Russia is interested in stability in the South Caucasus, given the already tense situation in the North Caucasus, which is part of Russia. The August 2008 wars in Abkhazia and South Ossetia were not as dangerous because these conflicts were of a short duration and were led by Russia. Conversely, a potential new violent conflict between Armenia and Azerbaijan would be presumably more violent and destructive (both sides would be likely to perceive the war as a "now or never" battle), which, unlike the Abkhaz and Ossetian conflicts, might destabilize the entire region. In the Abkhazia and Ossetia conflicts, only Russia and Georgia were directly involved. A potential new violent conflict between Armenia and Azerbaijan would be likely to include at least Turkey and Iran as important external parties, which might eventually lead to an increase in separatist activities in the North Caucasus. Therefore, in order to satisfy its interests in the region and in the world in general, Russia needs to keep the conflict unresolved but prevent any break-up of large-scale violent actions that could destabilize the situation in the South Caucasus and spill over to the Russian North Caucasus, as it did in the 1990s and early 2000s.

Although Russia seems not to be interested in solving the conflict, its solution might actually help some Russian companies owning key enterprises in Armenia, which would be allowed to prosper without constraints in case the borders with Turkey and

Azerbaijan were opened and economic ties renewed. Russian businesses that already operate in Armenia would largely profit if they could function in an open country with economic ties with all its neighbors. For instance, the Armenian railways could yield substantially higher profits for their Russian owners if they were allowed to operate without the political constraints that are in place today. The same can be true about the Armenian energy sector, which is also predominantly owned by Russian companies.

Russia cannot afford to allow Armenia to become de facto independent from Russia. In order to do that, Russia needs to make sure that the Nagorno Karabakh conflict is not resolved. Therefore, it must continue to provide Armenia sufficient security guarantees in order for the latter not to succumb to Azerbaijani threats of military action. If the conflict is resolved, Russia is unlikely to support a peace deal unless it fits Russia's interests in the region. A peace deal that would be based on unfavorable conditions for Russia would undermine the influence of Russia in the entire region. In other words, a peace deal has to be Russia's deal.

Although the likelihood that solving the conflict would increase the revenue of many Russian businesses that operate in Armenia, it cannot be assured that they would operate in the country in the same way they operate today. The Russian companies that own key Armenian corporations operate in Russia on a significantly larger scale. Although their revenue would be likely to rise in case the conflict is resolved, the increase in revenue seems marginal relative to their current profits. Therefore, the potential loss of Russian influence in case the conflict was resolved would not be adequately compensated for by the increased profits of the Russian businesses in Armenia.

Russian Mediation in the Peace Process

In 2008, Russia unilaterally took the initiative to lead the peace process. As the Nagorno Karabakh conflict is far from the top of U.S. priorities, Russia was essentially given free hand by the Obama administration on this issue. Since 2008, Russia has organized a series of meetings between the presidents of Armenia and Azerbaijan in order to seek a breakthrough to solve the conflict. These meetings were held in Barvikha near Moscow

on 2 November 2008, in Saint-Petersburg on 4 July 2009, in Moscow on 18 July 2009, in Chisinau (Moldova) on 9 October 2009, in Sochi on 25 January 2010, in Saint-Petersburg on 17 June 2010, in Astrakhan on 27 October 2010, in Sochi on 5 March 2011, in Kazan in June 2011, and again in Sochi on 23 January 2012. After the return of Vladimir Putin to power, the Russian-led mediation efforts came to a halt.

There are at least two possible explanations for the sudden intensification of the mediation process and for the fact that Russia acted as a mediator on its own initiative. One explanation in the views of both Armenians and Azerbaijanis is that the relatively intensive Russian attempts to solve the conflict during Medvedev's presidency were purely his personal initiative, albeit with the tacit consent of Putin. Medvedev was viewed as more open-minded and rational than Putin. After Putin came back as president, Medvedev did not have the formal status any more to continue being a mediator between Presidents Aliyev and Sargsyan.

Another explanation is more in line with traditional realist thinking. The Russian Federation seems to be creating an illusion of a genuine desire to solve the conflict. The reason for this is that Russia has never enjoyed much soft power in the world. This negative image became even worse after the August 2008 war between Russia and Georgia. Since then, Russia has largely been viewed as a power that does not hesitate to use hard force to achieve its goals. As a result of the Abkhaz and Ossetian conflicts, Russia is viewed by many in the West as an aggressive state. Therefore, the attempts of Medvedev might have been essentially campaigns to improve this negative image of Russia in the world at no cost to its national interest. In this case, the task was facilitated by the fact that it was not Putin who was president at that time, but Medvedev. Since the Russian attempts to solve the conflict were likely to fail, it is unlikely that they would have been undertaken under Putin as president. Putin is considered to be reluctant to join any initiative that is doomed to failure from the very beginning. Therefore, the unilateral Russian mediation efforts can be now portrayed as a naïve personal initiative of Medvedev.

Also, during our meeting with Mr. Azimov, Deputy Foreign Minister of Azerbaijan, he said that Russian Foreign Minister Lavrov knew that Azerbaijan would reject his proposal presented in Sochi in 2011. Accepting it would mean for Azerbaijan

the same outcome that Georgia got with its two separatist provinces of Abkhazia and South Ossetia. Also, President Aliyev is said to have gotten no substantial criticism for rejecting the proposal. If this is true, it would confirm the fact that Russia's peace efforts were not genuine. After all, this attitude of Russia is understandable. It is in the Russian interest to have the conflict unresolved, because it is in its national interest to have Armenia dependent on Russia for its security.

As the South Caucasus is generally viewed as Russia's backyard, too much violence in Nagorno Karabakh may be regarded as either Russia's inability to control the situation or its readiness to use human lives in its geopolitical calculations. Neither one of these interpretations would help Russia in its efforts to improve its negative international reputation.

Conclusion

Russia is undoubtedly a very important factor in the South Caucasus. On the one hand, Russia has the capacity, both formal and informal, to influence the dynamics in the region. It has strong economic ties not only with Armenia, as I mentioned in this paper, but also with Azerbaijan. Georgia and Russia are now working on renewing their economic ties despite the fact that their political relations are frozen. Russia is a place for immigrants from both Armenia and Azerbaijan who cannot emigrate for work to the European Union or North America. The Russian language is still used as a lingua franca in the whole region.

On the other hand, the role of Russia in the Nagorno Karabakh conflict is somewhat exaggerated. The close political, economic and military ties between Russia and Armenia do not automatically mean a complete dependence of the latter from the former. The only way for Russia to substantially influence the conflict is through the military base and the security treaty, which sway the military balance between the Armenians and the Azerbaijanis greatly in Armenia's favor. Russia seems to have taken advantage of the situation on the ground. Overall, it is in Russia's interest to leave the conflict unresolved. However, Russia seems unlikely to have the needed leverage in the region to decide the status of the conflict on its own.

Recommendations

To Russia

- **Russia should support the current format of the Minsk Group and should oppose any changes to it.** The Minsk Group is formed by mid-level diplomats who may not (and most of the time they are not) be able to convince their superiors to approve a deal they worked out with their colleagues from the other two member countries. This inability of the Minsk Group to achieve a commitment of their superiors is a strategic advantage of Russia. It allows Russia to appear constructive, on the one hand, but on the other hand, Russia's senior leadership does not have to directly explain to their Western partners why they do not accept this or that proposal. Therefore, Russia should try not to change the format of the Minsk Group, because it is precisely the format and the composition of its member states that makes it ineffective. The United States, France and Russia cannot often agree on issues of their mutual relations, let alone agreeing on how to solve a conflict between third parties. Keeping the process alive will not only continue to nurture hopes of an eventual breakthrough in the negotiations, but also it is the channel through which Russia can appear in the world to be more of a peace maker.

To Armenia and Azerbaijan

Given the low priority of this conflict in the Western policies and the Russian lack of genuine interest in solving the conflict, it is the Armenians and the Azerbaijanis that are ultimately in charge of finding a stable and lasting solution. I believe that the following steps taken by Armenia and Azerbaijan themselves would contribute to easing the current tensions between the two nations:

- **The governments of Armenia and Azerbaijan need to stop using the conflict to boost their popularity at home and to prevent their opposition parties from gaining support.** This situation prevents people-to-people interactions, which in turn fuels mutual suspicions and fears.

- **Armenia needs to recognize the territorial integrity of Turkey and to renounce any legal claims to any part of the currently internationally recognized Turkish territory.** This step would not only serve as an important confidence-building measure for normalizing the relations between Armenia and Turkey, but might also facilitate Armenia's dealings with Azerbaijan. By nurturing the hope of reviving the ancient Kingdom of Armenia, Armenians only jeopardize future prosperity of their country.
- **Armenia should not use the Azerbaijani threats of military action as an excuse for refusing to deal with the Azerbaijani government in good faith.** If Azerbaijan were to renounce the potential use of force, this would be tantamount to de facto recognizing Nagorno Karabakh independence. The Armenians are highly unlikely to peacefully give up their claims to its independence if there is no military threat to them. They would simply negotiate indefinitely without any meaningful pressure to make any concession. Giving up a potential military solution is not an option for Azerbaijan.
- **Azerbaijan should not refuse to deal with the representatives of the self-proclaimed Nagorno Karabakh Republic.** Azerbaijan's flat refusal to talk to them is counterproductive. It allows Armenia to point to Nagorno Karabakh as the only culprit of the conflict, while denying the close ties between Armenia-proper and Nagorno Karabakh.
- **Both Armenia and Azerbaijan should refrain from attempting to legitimize their claims to Nagorno Karabakh by means of using pre-Soviet era history.** Whether Nagorno Karabakh was part of the historic Kingdom of Armenia or whether Armenians were only settled there in the early 19th century by the Russians is irrelevant for the future of the region. There are generations of Armenians who were born and grew up in Nagorno Karabakh and they have a right to consider it their homeland. This, however, does not imply its right to independence.

The Roles of Iran and Turkey in the Nagorno Karabakh Conflict

Ezgisu Biber

One land, two nations – one history, two narratives – one war, thousands dead. At first sight, the Nagorno Karabakh (NK) conflict resembles other cases of ethnic conflict over territory. There is, nonetheless, one important factor that differentiates NK from other ethnic conflicts: the fact that it is “nobody’s front yard, but everybody’s backyard,” as journalist Thomas de Waal puts it. The conflict started in 1988 as an intra-state one when the Nagorno Karabakh Autonomous Oblast inside Soviet Azerbaijan unilaterally declared its independence from Azerbaijan and union with Armenia, and then turned into a war between the newly independent republics of Armenia and Azerbaijan. The inevitable transformation into a regional problem occurred in the aftermath of the war. NK remains an unresolved issue between Azerbaijan and Armenia, while the former’s oil wealth and the latter’s broad Diaspora support prevents the conflict from staying confined to the borders of the states involved. NK has drawn the attention of many states including the U.S., France and Russia, who are the official mediators; and Turkey as well as Iran, who have a strategic interest in the conflict.

This chapter aims to explain the roles of Iran and Turkey in the NK conflict. There are several reasons for which this aspect is important for the conflict: both of these states are powerful players of the region, they have shown interest in the conflict, and will be affected by the continuation or termination of it. For the purpose of clarifying Iran and Turkey’s role, I will first provide a conflict timeline, focusing on the involvement of these two actors. I will then try to explore the current roles of these states in the conflict, and how Armenia, Azerbaijan, and the de facto independent Republic of NK perceive these roles. Based on these, I will make my analysis and conclusion on these two states within the context of NK conflict, which will be followed by my recommendations for the short, medium and long term.

History of Involvement

The Nagorno Karabakh problem started in 1987, as an inter-communal tension in the autonomous oblast of NK under the Soviet Republic of Azerbaijan. With the confidence of being an ethnic supermajority in the Nagorno (mountainous) region of Karabakh, and the air of political liberation brought by the Perestroika policy of Gorbachev, the Armenians of NK started to mobilize and demand the transfer of the region to Armenia. However, mass violence erupted in 1988, after the Regional Soviet in the city of Stepanakert in NK voted in favor of requesting their unification with Armenia. The killing of two Azerbaijanis at Azkeran triggered anti-Armenian pogroms in Sumgait in February 1988, which started a phase of bloody inter-communal violence. The mass violence led to the death of many on both sides, and due to a severe danger against their lives, the Armenians living in Azerbaijan were forced to flee to Armenia, and the Azerbaijani citizens of NK and Armenia had to leave their homes behind. The authorities in Moscow did not fully grasp the momentum of the movement, and the limited efforts to take the situation under control proved to be insufficient.

Following the declaration of independence of both Azerbaijan and Armenia in 1991 and the collapse of the Soviet Union, the conflict transformed from an inter-communal one to an inter-state one. Iran and Turkey were quick to realize the implications of this conflict and acted fast to recognize these states immediately. Iran saw Azerbaijan as a potential sphere of influence, and seized the opportunity by engaging in shuttle diplomacy in 1992 in Armenia and Azerbaijan, in order to convince the leaders to initiate peace talks. The leaders finally met in Tehran in May 1992, to sign what is referred to as the Tehran Communiqué. With this communiqué, Azerbaijan and Armenia agreed to international legal norms and resolved to obtain stability on the borders, but Iran's mediation efforts soon came to a halt when the Armenians captured the provinces of Shusha and Lachin.

Although Iran's mediation did not yield much progress for peace, it alarmed Russia and the West, and drew international attention on NK for the first time. The Minsk Group that was created in 1992 under the OSCE (initially the Commission on Security and Cooperation in Europe [CSCE]), then became the official mediator for the conflict. The conflict continued in spite of the Minsk Group's efforts, and Armenia

occupied the Kelbajar region outside NK in 1993. Following this development, Turkey co-sponsored the United Nations Security Council (UNSC) Resolution 822 with Pakistan, which demanded the withdrawal of Armenian troops from Kelbajar and other occupied territories in Azerbaijan (UNSC 1993, 2). Nevertheless, this attempt was not enough for the nationalist segments of the Turkish public that had already been outraged since the mass killings of Azeris in Khojaly, and wanted Turkey to take more decisive actions in support of Azerbaijan. As a result, Turkey closed its border with Armenia, which set the seal on the mutual mistrust and suspicion that characterized Turkish-Armenian relations. In the meantime, Azerbaijan's President Elchibey not only chose to follow Turkey's secular path over Iran's fundamentalism, but also expressed his desire to reunite with the Azerbaijanis living in Iran, which pushed Iran further towards Armenia (Vatanka 2013, 2).

The cease-fire agreement emerged as a result of Russia's initiatives, which were motivated to "prevent Turkey and Iran from getting a foothold in the Caucasus" (Cornell 1998, 58). Although it has been nineteen years since the signature of the cease-fire, it unfortunately continues to be the last concrete step towards peace. Despite numerous summits, the parties could not reach an agreement on the framework for a settlement due to a lack of political will or domestic as well as international factors that made the leaders refrain from accepting the deal. With the oil endowment of Azerbaijan and its accelerating growth that makes Russia and Iran uncomfortable, the NK issue is no longer a territorial dispute between two states. The situation right now is characterized by the lack of a framework agreement; the existence of a de facto independent NKR (which is not recognized by any other state, including Armenia); and the control of Karabakhi Armenians over NK as well as seven districts surrounding it. It should also be noted that despite the common use of the term "frozen conflict," this is not actually an appropriate description for this case. The continuation of killings – although in small numbers, the persistent expressions of hatred as well as the enemy images that each holds of the other, all nurture the self-definition of both countries. Furthermore, the growing disparity in power between the states could allow for a rapid change in the situation on the ground.

Current Roles and Perceptions

Turkey

Turkey's current involvement in the NK conflict does not go beyond Minsk Group membership – which has not proven to be productive so far – and the occasional expression of willingness to act as a mediator for the settlement. This should not be interpreted, however, as Ankara's apathy towards the NK conflict. On the contrary, in the last few years, the Justice and Development Party (AKP) has adopted the mission of becoming a solution partner for regional conflicts, which was exemplified with the involvement in Georgia and Syria. Foreign Minister Davutoglu's vision for Turkey is a leadership role in the Middle East and the South Caucasus, which means that Turkey cannot be indifferent to a conflict between its exponentially growing ally and its neighbor with a shared, troubled past. The problem is Turkey's inability to convince others about its assumption of this role.

During the summer of 2012, Turkey made yet another suggestion for hosting the representatives of Armenia and Azerbaijan, with the hope of finding a common ground. This offer of assistance, however, seems to be futile at the moment. In the absence of diplomatic relations with Armenia, and its close ties with Azerbaijan, it would be hard, if not impossible, for Turkey to justify its resolve to take an active mediator role in the NK conflict (Paul 2012). For the purpose of determining the scope of action for Turkey, it is useful to analyze the perceptions of the parties to the conflict regarding Turkey's current and potential role for the resolution of NK issue.

Armenia

The way Armenia perceives Turkey's current role in the NK conflict is very complex, due to the fact that the Armenians see Turkey as an important actor in the conflict because of the strains in its relationship with Armenia and the closeness of the ties with Azerbaijan, but at the same time they do not want to address the issue of normalization with Turkey as part of the NK process. To clarify Armenia's position regarding the Turkish involvement in NK, it is useful to provide an account of the recent developments

between these two states, and then discuss how different segments of the Armenian society evaluate them.

Although the Turkish-Armenian relations have not made much progress since Turkey's closure of the Armenian border in 1993, there have been attempts to normalize them. The first steps towards this aim date back to 2001, when the Turkish Armenian Reconciliation Commission (TARC) was founded. Upon TARC's request, the International Center for Transitional Justice issued a report on the events of 1915, which stated that the term "genocide" was appropriate for describing these events, but the Republic of Turkey was not held liable (ICTJ 2003, 9). Following the publication of the report, the commission was concluded, without a significant improvement in the bilateral relations.

Oddly, an important step in the reconciliation process took place after the murder of the journalist Hrant Dink, a Turkish citizen of Armenian descent, by a Turkish extremist in 2007. As this atrocity caused an immense outrage in both Turkey and Armenia, it led to the beginning of the "football diplomacy." In September 2008, Abdullah Gul became the first Turkish President to visit Armenia for a World Cup qualifier match. Although Turkish Prime Minister Erdogan stated that the borders would not be opened until the NK issue is resolved, and Armenian President Sargsyan declared that no concessions on NK would be made for the normalization of relations with Turkey, the attempts for rapprochement continued with the declaration of a roadmap for normalization of relations in April 2009, and the signing of the Zurich Protocols in October the same year. The protocols envisaged the establishment of diplomatic ties and the reopening of Turkish-Armenian borders, called for the recognition of Turkey's territories by Armenia and a historical investigation of the 1915 killings by a bilateral committee, and left out the NK issue entirely. As a result, the terms of these protocols triggered major reactions on different fronts: Azerbaijan and Turkey's nationalistic front objected to the prospects of normalization while the status quo regarding NK is intact, and the Armenian public accused its government of "selling the nation out" by agreeing with a document that does not require Turkey to recognize the 1915 events as genocide. Neither country managed to handle the tremendous pressure and, consequently, the protocols have still not been ratified.

As a result of these developments, the Armenian government is convinced that Turkey is constrained in its relations with Armenia because of the pressure coming from Baku, and continues to show its bias towards Azerbaijan in the NK conflict by keeping the borders closed. The state discourse portrays Turkey as a security threat to Armenia, which also serves as a justification for the Russian military presence along the borders. Moreover, state officials often mention the ties between Turkey and Azerbaijan in order to prove Turkey's biased stance. Armenian intellectuals, on the other hand, find the government's threat perception to be exaggerated. This is because it is unlikely that aggression towards Armenia would be in Turkey's interests, considering Turkey's NATO membership, and the fact that it has never conducted a military intervention throughout the NK conflict. As for the Diaspora, the focus is mainly on Turkey's recognition of the 1915 events as genocide, and the NK dimension is often left out of the discussion regarding Turkish-Armenian relations. Despite the differences in opinion, the common denominator seems to be the belief that as long as the borders remain closed, the Armenian government will not perceive Turkey as an impartial facilitator in the NK conflict. The following excerpt offers a concise summary of the Armenian point of view on Turkey's role in the conflict: "Turkey, openly supporting Azerbaijan in its war against Nagorno Karabakh and Armenia, was party to the conflict rather than to its solution" (Demoyan 2008, 225).

Azerbaijan

At first glance, it is rather easy to determine Azerbaijan's position regarding Turkey's role in the conflict. Although Turkey has never been part of the actual conflict, it provided assistance for Azerbaijan through political support, arms, and military advisers. Additionally, the closure of the border with Armenia was an initiative taken to condemn Armenia's behavior in the conflict, as it was undertaken after the Armenians occupied the Kelbajar region outside NK. Taking these factors as well as the ethnic and linguistic ties between the Turks and the Azerbaijanis into consideration, one can assume that the relationship between these two countries can be described with unconditional support and solidarity.

The official position of Azerbaijan is indeed along these lines. Baku and Ankara often exchange messages of support, and the “one nation two states” idea is repeatedly expressed. Turkey is portrayed as a trustworthy and powerful ally, whose increased participation in the process is in the interests of Azerbaijan. There are, nonetheless, a few factors that are worth mentioning. First of all, the events that followed Turkey and Armenia’s attempt at rapprochement have proven that Azerbaijan’s trust in Turkey is neither limitless nor unconditional. The Zurich Protocols signed between Turkey and Armenia did not mention the issue of NK, and for Azerbaijan, its ratification meant Turkey’s opening of the borders without preconditions, and therefore eliminating the only potential source of leverage against Armenia. As a result of this, there were mass demonstrations and outrage in Azerbaijan, which even involved burning a Turkish flag, and the Turkish-Azerbaijani relations became very tense. After having realized its miscalculation, Turkey mended its relations with Azerbaijan, and the protocols were never ratified, but this event showed that Azerbaijan’s loyalty to Turkey has its limits.

Secondly, the stress on the political and ethnic ties between Turkey and Azerbaijan remains mostly on the state discourse. Although the Azerbaijanis feel proximity and affinity towards the Turkish, they are not pleased with being referred to as “Turks” by the Armenians. The Armenians often describe the pogroms as a continuation of the “atrocities committed to the Armenians by the Turks,” which strengthens the victimization argument, and puts an additional burden on Azerbaijan’s shoulders. Therefore, the Azerbaijanis do not necessarily share Armenia’s opinion that there is an indestructible link between Turkey and Azerbaijan, and that the two share a common heritage.

Finally, it is worth mentioning that most of the youth in Azerbaijan is disillusioned with the negotiation process, and do not see the inclusion of even more parties as a solution to the lack of progress. During our meeting with them, the students of Azerbaijan Diplomatic Academy expressed their belief that Azerbaijan and Armenia should resolve the issue on their own, which means that if the conflict prolongs until the next generation of diplomats are raised, there would not be an overwhelming interest in including Turkey – or any other state for that matter – in the negotiations for a future settlement. Nonetheless, it is safe to say that Azerbaijan wants Turkey to be more

involved in the conflict resolution, but is aware of the fact that under the current circumstances where the principles for a settlement are not agreed upon, this would not be productive.

Nagorno Karabakh

Nagorno Karabakh's stance regarding Turkey's role in the conflict is very similar to that of Armenia's, in the sense that strong suspicion towards Turkey's interest in the resolution of the conflict, and a high threat perception are unquestionably present. There are, however, a few nuances in the approach towards Turkey between Armenia and NK. First of these is related to the question of whether Turkey can or should be a more active part of the negotiation process. Although NK is also dubious of Turkey's ability and willingness to assist conflict resolution as an objective third party, the discussion of Turkey's present or potential role does not take as much space in the official discourse as in Armenia. This is mainly due to the fact that for NK, the issue of highest priority is its own inclusion in the negotiations. Therefore, whether Turkey becomes more active in the process is not a matter of high concern. As Azerbaijan is the party that wants to keep the de facto independent republic out of the negotiation table, NK believes that the composition of the mediators will not matter for the conclusion of an agreement unless Azerbaijan begins to interact with NK officially.

The second difference in the approach towards Turkey is on the matter of how Turkey is perceived in general, out of the context of the NK conflict. In spite of the fact that NK is not as fierce as Armenia in its criticism towards Turkey's involvement in the process, it appears to have a significantly stronger stance against Turkey as a state with which it shares a troubled history. The frequency of the mention of the 1915 events and the prevalence of the idea of "Greater Armenia" in the civil society discourse are evidences of this difference, which can be explained by either or both of the following factors: Armenia as a neighbor of Turkey has more to lose from deteriorating bilateral relations, especially economically, and NK as a newly independent unrecognized state has more to win from using the nationalist fervor as a nation-building tool. Nonetheless, these nuances are far from proving a deviation of NK's policy from that of Armenia when it comes to Turkey's role in the conflict.

Iran

Iran's current interest in the NK conflict has many dimensions. The first of these is related to the history of the region. Prior to defeat at the hands of the Russians in early 19th century, the Persians ruled an important part of the South Caucasus. These territories were later surrendered to Russian control with the Gulistan and Turkmenchay treaties. Although the Iranians officially withdrew their territorial claims on the "historical domain," the loss of these lands is still a bleeding wound that keeps Iran's attention intact. The second dimension is geopolitics. The settlement of the conflict will determine the fate of Nakhchivan (Meghri) corridor and thus whether Iran will continue to be able to reach Armenia from land, which is an important consideration due to the volume of economic activity between the two states. Another important dimension is the combination of ethnicity and religion. Iran's large Azeri population and the common Shi'a religion could serve both as factors for influencing Azerbaijan, and as a source of domestic pressure for Iran. Finally, regional rivalry is another dimension that keeps Iran's attention focused. Russia and Turkey, who are important regional powers, are involved in the conflict, which makes it unlikely for Iran to stay out of it.

All of these factors explain why Iran has stakes in the conflict, yet they fall short of proving that Iran is in fact interested in its resolution. A very common perception is that the optimal outcome for Iran is the continuation of the conflict since it hampers the growth of Azerbaijan, which has a high potential thanks to its oil reserves. Therefore, it is not very clear whether Iran is genuinely interested in mediation efforts at the moment, but in the meantime, it keeps giving mixed messages about its position in the conflict. On one hand, Iran has close ties with Armenia, and maintains the multi-layered cooperation. On the other hand, recent commentaries made by Iranian officials suggest that Iran thinks that NK belongs to Azerbaijan, and that it is ready for assisting the search for a peaceful solution to the conflict. These contradicting attitudes are likely to be caused by Iran's interest in preserving its cooperation with Armenia, and simultaneously, within the realities of international isolation and Azerbaijan's blossoming relationship with Israel, its unwillingness to antagonize Baku. What is worth attention is how the conflicting parties perceive these signals.

Armenia

Since its independence, Armenia has had good relations with Iran; religious or political differences do not seem to have worn out their relationship. Iran is the guarantor of Armenia's energy security, and the trade volume between the two states is projected to reach USD 1 billion soon. Moreover, because of the U.S.-led sanctions on Iran for its nuclear energy program, many Iranians moved their businesses to Armenia. Furthermore, the societal repression motivated many young Iranians to study in Armenia, or at least to travel there for pleasure.

Within this picture it is clear that Iran is a reliable partner for Armenia, which is odd considering the fact that Armenia is in close cooperation with Russia as well, which is Iran's second biggest rival after Israel. The Armenian government's position regarding Iran reflects these general sentiments. Iran is perceived as an important power that has made constructive efforts in the past for attaining peace in NK. Furthermore, as the Armenian Ambassador to the U.S. Markaryan indicated during our meeting with him, it is believed that Iran managed to remain impartial during the process. It should be noted, however, that the academic circles in Armenia share the assumption that Iran is better off with the status quo and would not be interested in the resolution of the conflict.

An important question to explore at this point is whether Armenia would want Iran to be more involved in the process. Although Armenia believes that Iran has already proven its potential and willingness for making positive contributions to the peace as a mediator, it also admits that the timing is not right. According to the Armenian officials, as long as the conflicting parties disagree on the principles for the settlement, Iran's efforts would be futile. Nevertheless, Armenia recognizes the fact that Iran has high stakes in the conflict, and its level of satisfaction would be a determinant in the fate of any agreement to be made.

Azerbaijan

The relationship between Azerbaijan and Iran is intricate. It is a relationship based upon a shared culture and a past that is millennia-old. Moreover, they are both Shi'a states. Last but not least, there are more Azerbaijanis living in Iran compared to Azerbaijan. As one

would expect these factors to be reasons for alignment and close cooperation between Iran and Azerbaijan, the reality is with the opposite of these expectations. Azerbaijan is highly suspicious of Iran's aims, and Iran has supported Armenia throughout the NK conflict, despite the fact that it also served as a mediator at the early stages of confrontation. It is suggested that Iran is now hoping for the continuation of the status quo, as it will keep Azerbaijan – as an oil-endowed country, and a nation with a significant minority group across Iran's borders – weak. It should be noted, however, that although the oil argument is perhaps adequate, the "Greater Azerbaijan" project is very unlikely to happen due to two reasons. First of all, since the beginning of the conflict, Azerbaijan has been making the case that its claim over NK is in conformity with international law. Therefore, Azerbaijan would not want to jeopardize its "rightful" position by making claims over the Iranian territory. Secondly, in spite of the ethnic bond, the Azeris in Azerbaijan and Northern Iran have very different cultures, and have not shown a persistent interest in reuniting.

Under these circumstances, Azerbaijan's official position stresses that Iran is not a feasible partner for a potential settlement. Azerbaijan's Deputy Foreign Minister Azimov fears that Iran's inconsistent approach towards the conflict stems from its internal contradictions. According to him, in a scenario where Azerbaijan continues to grow and has Georgia on its side, Iran would be alarmed, which is why it is favoring the status quo in the conflict and trying to use religion to exert influence on the Azerbaijanis.

As the Azerbaijani government does not hesitate to show its mistrust towards Iran, the opposition speaks even more openly about their perception of Iran's role in the conflict, suggesting that "Iran's dream is to destroy Azerbaijan," as one MP from the opposition told us during our meetings. The opposition also believes that Iran, alongside Russia and Syria, is standing on the way of a possible and important Turkish-Armenian reconciliation. So, in the political sphere, Iran is portrayed as an unreliable, unpredictable state that can make no positive contributions to the peace process. In the eyes of the public, however, Russia assumes the role of "evil," so the Azerbaijani citizens do not express very strong feelings against Iran, at least within the context of conflict.

Nagorno Karabakh

Nagorno Karabakh, like Armenia, appreciates Iran's involvement in the 1990s as a mediator, and has not had any problems with the Iranian government. Nevertheless, NK does not have a strong stance for or against the idea of enhancing Iran's role in the process. This is mainly due to the fact that NK wants its own representatives to be on the negotiation table more than anything. As a result, it does not perceive Iran's further involvement as a factor that can bring about positive results within the current negotiation framework. Furthermore, NK is a new state with a very dependent economy and a longing for international recognition. As a result, it is not in NK's interest to be at odds with the U.S. by giving signals of closeness to Iran. We can therefore conclude that NK does not have a pressing demand for Iran's inclusion in the process for now.

Conclusion

Iran and Turkey are both powerful countries of the region with high interests and ambitions that often conflict. However, under the current circumstances, where the negotiation process has come to a halt and not even the basic principles are agreed upon, neither of these countries can play a constructive role. Moreover, it is clear that their involvement will be highly controversial. On one hand, Azerbaijan is very suspicious of Iran's motives behind offering its services for the resolution of the conflict. On the other hand, Armenia believes that Turkey is still posing a severe security threat and therefore can be neither reliable nor objective as a facilitator. Furthermore, although Armenia is convinced of Iran's potential to make a positive contribution and Azerbaijan expresses trust in Turkey's capacity as a mediator, they have a common point: the timing is not right.

With the high level of geopolitical interest, a solution – assuming it is reached – between Armenia and Azerbaijan will not be satisfactory for attaining peace and stability in the region over the long run, which puts Iran and Turkey in the position of vital, yet uninvited parties to the conflict. For the moment, there is not much scope for action on behalf of Turkey and Iran, yet a few recommendations can be made if the parties are genuinely interested in and committed to the resolution of the conflict.

Recommendations

Short-Term

- **Withdrawal of the claims on the ability and willingness to mediate, and control of spoilers.** For the reasons explained above, neither Turkey, nor Iran will be accepted as legitimate and unbiased mediators of this conflict at the moment. Their insistence on offering their assistance will not be appreciated by the conflicting parties until they prove their good intentions. Therefore, they should focus their attention on other measures instead. **Mediation efforts**, at least for the time being, **should be left to the Minsk Group co-chairs**, who are now increasingly expected to prove the legitimacy of their monopoly in mediation because of the lack of progress in the process. To achieve this goal, the co-chair states can have a firmer attitude towards the conflicting parties; create deadlines and incentives for accelerating the process; and get higher-level officials from their countries involved for creating greater pressure and a sense of urgency.

The situation between Azerbaijan and Armenia is already very sensitive. The political elites of both sides were brought up with two conflicting narratives on the conflict, its roots, and who is “right.” According to the Armenians, the independence of NK from Azerbaijan was a long overdue development that only underscored what was already the natural right of the Karabakh Armenians. For Azerbaijan, however, this was an unexpected betrayal that forced many Azerbaijanis to leave their homes behind and ripped the state of its cultural capital. The gap between the stories of each side is immense, and it cannot be bridged easily. At this point, both Turkey and Iran should avoid playing spoilers by providing support for single-sided arguments, since such actions only worsen the threat perceptions and exacerbate the conflicting parties’ insecurities.

- **Delinking Turkey’s normalization with Armenia from the NK conflict.** Since the beginning of the attempts at normalization with Armenia, Turkey has been trying to receive concessions from Armenia on the NK issue. However, trying to use the opening of borders as leverage against Armenia is a misguided strategy. Twenty years of status quo on the border issue shows that it is not an immediate

incentive for Armenia, and it reduces the credibility of Turkish efforts directed towards establishing ties with Armenia, reducing them to merely “face-saving” measures (Goksel 2011). Turkey does not want Azerbaijan to feel betrayed by its unconditional normalization with Armenia, but this issue does not have to be a factor that makes Azerbaijan feel left out and neglected. In fact, Turkey’s establishment of better relations with Armenia – assuming the willingness of the latter, could serve Azerbaijan by helping the Armenians overcome the Pan-Turkic fear, as Richard Giragosian pointed out during our meetings.

Medium-Term

- **Creation of a platform for dialogue between Azerbaijan and Nagorno Karabakh.** Turkey’s recent attempts at mediation have always received the same response from Armenia: “If you really want to help, you should convince Azerbaijan to include NK in the negotiations.” Azerbaijan has been refusing to negotiate with NK due to the fact that it would be perceived as an official recognition of its status as a state. This position, however, jeopardizes the sustainability of any agreement that can be made. Although NK’s policies are usually aligned with those of Armenia, there is no guarantee that a deal made between Azerbaijan and Armenia will be accepted and carried out by NK. For this reason, **Turkey and Iran could assist the peace process by creating platforms for dialogue between Azerbaijan and NK.** Due to problems related to logistics, meetings between non-official Armenian and Azerbaijani delegations are often held in Georgia, and Turkey and Iran can continue these efforts, as well as expand them to the official level for engagement between Azerbaijan and Karabakh Armenians.

Long-Term

- **Making the public opinion in Turkey more sensitive to the issue and the region.** Although the Turkish government remains seized on the matter of NK, the lack of knowledge within the Turkish society about the conflict and the South

Caucasus in general casts a shadow on the government's credibility as an involved party. Despite the discourse on Turkey's proximity to Azerbaijan and the "one nation two states" idea, the Turkish people do not have an extensive knowledge of the Caucasus. The discussion related to this region in Turkey does not go beyond the remarks of those who either acknowledge or refute the events of 1915. This conflict, however, is not related to the historic symbols. If Turkey creates genuine bonds with Azerbaijan and Armenia, it might have a better chance at engaging productively in the talks. For the public to be more informed and interested in the issue, there is a need for the liberal and political elite to focus on the issue.

- **Economic cooperation efforts.** Although Armenia, by the conflict, is prevented from realizing its full economic potential, it is not hurt to an extent that leaves no choice but yielding. Therefore, if the economic benefits of good relations are presented as a common value instead of a source of leverage, the perception of Turkey in Armenia could begin to change, increasing the likelihood of Turkey's acceptance as a benign state.

Security and Escalation: An Argument for a Russian Security Role

Nic Wondra

This chapter explores the threat perceptions of the parties to the conflict, a scenario of possible escalation of the NK conflict, and concludes with regional security considerations. While the conflict is on the periphery of NATO and the Collective Security Treaty Organization (CSTO), Turkish legal guarantees of Nakhchivani territory risk escalation of the conflict to include these alliances. Russia is beholden to a guarantee of Armenian security; precisely what this guarantee means is hotly debated and what might trigger action on the part of the peripheral Caucasus powers, Russia and Turkey, is unknown. The conclusion of the chapter is an unpopular one: that Russian security involvement in NK is a positive thing and that neither greater Turkish involvement nor Iranian involvement is preferable. Some form of Russian influence is essential to preserve and stabilize the peace in order to allow negotiations to proceed. This conclusion is forwarded as a second-best to final de jure resolution, but in the interim, Russian involvement constitutes a deterrent against present and future violence. As such, it should be recognized as a vital part of future negotiations. Indeed, without Russian involvement, there likely would be no cease-fire – only incentives for open hostilities.

The Nagorno Karabakh (NK) conflict may be resolved in a variety of ways with various territorial determinations; the territory in question could be part of Azerbaijan, Armenia, or independent from both countries. Ongoing Organization for Security and Cooperation in Europe (OSCE) Minsk Group negotiations depend upon one crucial factor: the protracted nature of the conflict. The reality of the Caucasus is such that there has never been long-term peace in the region without physical security. In the past two centuries, this has been provided by variations on Russian hegemony. Indeed, the modern peace observed in Europe is based on the hegemonic nature of the political-military system. The blessings of hegemony are security and predictability. In the NK case, the result is a cold conflict with serious humanitarian consequences but limited overt violence.

In the years since 1994, the Nagorno Karabakh Republic (NKR) and Armenia have become heavily integrated. On top of citizens possessing the same nationality, the economies and militaries of each are completely integrated. Thus, for the rest of this chapter, I oversimplify, and refer to Armenia and NKR as one and the same force. While not appropriate for some of the discussions surrounding negotiation and reconciliation of the NK conflict, the following discussion on military-security matters is made far simpler by treating Armenia and NKR as one entity. The Armenian military serves in NK and its strategic aims are the same – preservation of NKR as an entity independent from Azerbaijani control. It is my goal here to draw attention to the security dimension on which NKR and Armenia routinely collaborate. Without a strong Russian security presence and risk of escalation, the Azerbaijani incentives to re-commence conflict would be much higher.

The next section gives context to the possibility of violence in the international system. The following two sections describe Armenian/NKR and Azerbaijani strategic culture as a product of history and strategic incentives. While both countries carry forward a sense of pride in the Soviet victory over Nazi Germany, and the sense of historic moral superiority, the NK conflict operates at once as a catalyst of state-building and a flag to rally around for both Armenia and Azerbaijan. In this way, violence is still an important factor in modern political identity.

The Nature of the Non-State and Violence in the International System

The NK de facto state represents a break with the consensus applied by international society: “because of their illegitimacy, de facto states are ineligible to make claims on the resources of international society” (Pegg 1998, 18-19). This includes calls for self-determination. While Pegg’s argument is that de facto states have utility in the international system by bending state-centric rules to accommodate conflict, the NK case offers the only feasible form of political voice for Armenians in de jure Azerbaijan. In some sense, the NK conflict is a zero-sum game because of “...the near-universal triumph of the sovereign state over all other forms of political organization” (Pegg 1998, 18-19.) This has created a situation where the security dilemma hinders the political resolution of the NK conflict. Political innovations in the form of security condominiums, dual

sovereignties, or UN jurisdiction do not fit the state-centric model currently prevalent in the international system. While reliance on this state-centric model also makes a negotiated solution between states more likely, it formulates the conflict as an exclusive sovereignty. Military might therefore dominates the priorities for the parties to the conflict: Armenia, NKR, Azerbaijan, and, by extension, Russia.

By eliminating alternative forms of political organization, international society cultivates a sovereign state-or-nothing mono-type. This reinforces an inflexible international norm of sovereign statehood. This type of political organization is a product of the system created circa 1815, and eliminates many non-state alternatives from the political menu of options. The antiquated hierarchy of medieval Europe is an example of political organization that would be judged by the international community to be unacceptable today because it does not coincide with “a distinct sense of sovereignty as the extension of political authority over a defined territory” (Larkins 2010, 13-14). The concept of western supremacy of ideas and institutions, including the constitutive state, is still with the academy today. The idea of dissent, and, by extension, democracy, has been monopolized by arguing that constitutional democracy and human rights are mutually reinforcing values with universal applicability (Larkins 2010, 3-7). While a *neoliberal* state is up for debate today, the *state* itself is beyond question. Only one kind of political entity is cultivated.

Rather than adjust the state system to include political condominiums and non-state territorial entities, the international solution has been to fix up failing entities until they are strong states. This solution has not proven to be robust and the conditions that make such projects succeed are unknown. The modern default model state depends upon legal resources that non-states like NK do not have. The default of constitutive over declarative politics robs citizens from failed, non-, or weak states of the liberty of travel or the (ill-defined) right of self-determination. Ultimately, it robs them of political access.

Historically, political access has been gradually increased with the formation of European nation-states. This process was notably violent, turbulent, and messy (Tilley 1975). While European state borders do not perfectly correspond to national boundaries today, the process was far more gradual and iterative than the Soviet delineation of borders inherited after the collapse of the USSR. While the USSR is gone, the forces that

held the political order in check – power – did not. When the Russian Federation reconstituted its power resources in 1994, it forged the only meaningful agreement on NK security, and committed itself to the Minsk group process. Only a strong security presence in the region can maintain a non-violent status quo, however. While the political forum for resolution has been internationalized, it is difficult to image a French or American troop presence to enforce any agreed settlement. Russia, as the most recent historical regional actor, compared with Turkey and Iran, is the most effective outside actor for this role. What is more, this is the only party that seems willing to play this much needed role. While not ideal, Russian deterrence serves to dissuade conflict in the region by threatening rapid escalation. The threat of violence, therefore, enforces a peace.

Armenia’s Strategic Culture and the Referent of Security

Armenia’s strategic culture suffers from an impossible-to-separate amalgamation of political issues stretching back more than a century that constitutes an enduring mentality of security risk (Iskandaryan 2013). Throughout 1988-94, Armenians and Azerbaijanis experienced bloodshed and persecution at each others’ hands. Massacres of Armenians at Sumgait and in Baku are conflated with the 1915-1920 Ottoman/Turkish genocide of Armenians in contemporary discussions. The armed conflict in NK is also conflated with the “genocides,” complicating all issues including property restitution and IDP/refugee issues (Iskandaryan 2013). Turks and Azerbaijanis are conflated into the same group, serving to reinforce a siege mentality among Armenians and their foreign policy establishment. Losses of territory and property are frequently cited. The problem of the seminal nationality in the area is a never-ending debate: both Azerbaijanis and Armenians claim to be the “original” inhabitants of the Caucasus.

The idea that an Armenian population could somehow be included in a Turkish/Azerbaijani political establishment is ludicrous to an Armenian who identifies with the image of Turks as murderers, and carries baggage of an overwhelming sense of loss. Furthermore, it is illogical to join a state over which a complete victory was won. Modern de jure principles of statehood notwithstanding, the Armenian strategic culture rests on the aspects of recent victory, historic loss, and the intrinsic need for a separate

political existence. The impossibility of disentangling so many historic and strategic issues has inevitably led to the security-first mentality of Armenia and NKR.

Autonomy and History as Viewed by Armenians

Many permutations of “autonomy” for the NKR have been forwarded, but the political organization and political history of the Caucasus do not allow for a meaningful understanding of political autonomy in the modern Western sense. The Caucasian political history of “autonomy” is best characterized as Persian suzerainty at best and Stalinist domination at worst. This range of experiences has not allowed the idea of autonomy to serve as any real alternative in Armenian political considerations. How could a polity consider “autonomy” when the concept means nothing? Autonomous political architecture did allow a point of appeal – the capital – in the event other subjects overstepped their rights. Autonomy was not enough to dissuade NK from attempting to leave the Azerbaijani SSR to join the Armenian SSR in 1988.

From the Armenian perspective, the classic problems of political access (North 2006) and voice (Hirshman, 1970) for Armenians are therefore only remedied if NKR is preserved as an independent entity or accedes to the Republic of Armenia. Azerbaijan’s record of stifling political voice and ineffective and corrupt federative government (Ahmad, 2013) do not support state promises of “the maximum amount of autonomy” (Government of Azerbaijan, 2013) for Armenians in NK. Change of state borders through violence would reflect long iterative changes of the de facto political order in Europe and elsewhere, except that changing de jure state borders through force is not an accepted legal principle today.

Lastly, Armenian strategic culture is historically and currently strongly aligned with Russia. It was first the Christian Russian Empire that served to protect Armenians from the Ottoman Turks, thus ensuring national survival, and today the Russian Federation-led CSTO and Commonwealth of Independent States (CIS) institutions do the same. While Azerbaijani academics perceive this modern situation to be one of Russia-as-dominator, contemporary Russian interests in the Caucasus are stability, rather than domination. So vivid is the Azerbaijani association of Armenia with Russia, that many

Azerbaijanis characterize Armenia as not an independent state, but a puppet of Moscow. While Armenian and NKR military assets together do provide for rough parity with Azerbaijan in the conflict, the looming influence of Russia's military capabilities, combined with its security treaty obligations, upsets this parity and has kept this conflict in check since the 1994 cease-fire (The Military Balance, 2012). This asymmetric security presence in Russia's favor has stabilized the situation, allowing negotiations to proceed.

The Incentives of Military Action

Nagorno Karabakh "allows [for] some version of the rule of law. Specifically, the need for citizen loyalty in the face of constant outside threats demands predictability for citizens" (Waters 2006, 404). Law, however, is largely imported, reflecting the entity's ethnic and political connection with Armenia. In many cases, the law that is applicable in Karabakh is Armenian law. This is a reflection of the original NK goal of joining Armenia as a de jure part of the state. The problems of stateless citizens are ameliorated by de jure Armenian citizenship for residents of NKR. In short, there is a certain normality to life in NKR. With the exception of its economic blockade and threat of war, the NKR is not lacking anything substantive that it could gain in a military victory. While militarized, the NKR has nothing to gain from military action at the present time. As we learned through discussions in Armenia with former Minister of Foreign Affairs of NK Arman Melikyan, "every day that the NKR exists is a victory." As such, the status quo is a favorable solution for NKR.

The continued embargo from Turkey and Azerbaijan, however, is taking its toll in de jure Armenia. The economic "pain" derived from this policy, while keeping Armenia isolated and comparatively impoverished, does not seem to be unbearable and only serves to reinforce the Armenian threat perception of being surrounded by "the Turks." The siege mentality of Armenian foreign policy transcends the potential gains of open borders. While there are those who look forward to an end to the economic blockade and are somewhat resentful that NK receives aid from diaspora, the incentives in the negotiations surrounding the conflict are insufficient to provoke a change in NKR policy. If giving up Armenian control of territory is the consistent Azerbaijani demand there is

no incentive for the NKR to capitulate. The metaphor of who holds the apple is applicable here: because NKR holds the apple and has nothing more to gain except de jure recognition, Armenian and NKR goals are defensive. The idea is to settle in for the long haul. The referent of security is the continued survival of the Armenian and NKR entities, regardless of legal recognition. This is tantamount to the continued survival of the Armenian nation.

Azerbaijan's Strategic Culture and the Referent of Security

Azerbaijan struggles with a sense of loss and victimization from the NK conflict, combined with a sense of being bullied by Russia. Here, too, the problem of many conflated political issues is present. The problem of seminal nationalities is never-ending; the political nature of the Azerbaijani multi-ethnic state (including mountain Jews and Kalmykhs, etc.), is touted as superior over the largely mono-ethnic Armenian state; and the massacre of Azerbaijanis in Khojaly is a galvanizing event in Azerbaijan (Kucera, 2013). The early political development of post-Soviet Azerbaijan was fraught with internal conflict, characterized by powerful groups staging periodic coups d'état. The armed conflict with Armenians was largely a peripheral matter in Baku compared to the large-scale asset-stripping and power grabs that were occurring. While the NK Autonomous Oblast (NKAO) was very early a rallying issue for Armenians, it was not until after the military defeat of the then-disorganized Azerbaijani forces that NK became a central political issue for Azerbaijan.

The Turkish Relationship

The Azerbaijani strategic culture is based upon this recent sense of loss in the NK war and a historic tie to Turkey. The Turkish orientation in Azerbaijani foreign and economic policy constitutes the most notable bilateral diplomatic and economic relationship (CIA Factbook 2013). The sentiment is echoed by Turkey (news.az 2013), which has repeatedly upheld its commitment to its Turkic cousins in the form of its embargo against Armenia and continues to voice its legal commitments to the security of Nakhchivan Autonomous Republic in Azerbaijan (Cornell 2001, 315). This is an explicit Turkish

security guarantee of Nakhchivan, and a complicating factor in the security scenarios outlined below.

This Turkish relationship serves to reinforce Armenian conflation of Turks and Azerbaijanis. The 1915-1920 genocide and 1988-1992 pogroms in Azerbaijan represent prime examples of the violence Armenians expect to reoccur if included in an Azerbaijani state. The Turkish relationship also serves as a possible component of the escalation and internationalization of the NK conflict. By virtue of Turkey's NATO membership, the possibility of a Russia-Turkey confrontation in the context of NK escalation is very real and is explored below. The ever-present threat of escalation serves to keep the status quo. The strategic culture of Turkey – specifically the historic role of the military in domestic politics and Turkey's sometimes testy relationship with Russia – sets up Turkey as the other party of deterrence in a CSTO-NATO conventional deterrence situation.

Azerbaijani Incentives for Military Action

Despite Turkey's powerful role, Turkey and NATO have little "skin in the game." Similarly, even with Russia's small detachment in Gyumri, Armenia does not constitute a large-scale basing of manpower. The inter-operability of Russian and Armenian units, combined with long-standing favorable weapons sales to Armenia and a close diplomatic association of Armenia with Russia has led some Azerbaijani voices to say that "Armenia is not an independent country" and that "the keys to the conflict are in Moscow" (Seyidov 2013). This goes to show that Russia is not just *an* actor in Armenia's military calculations, but *the* actor in Azerbaijan's conclusions. Despite Azerbaijan's recent military investments and spending booms (Ismayilov 2007), the totally asymmetric nature of going to war, possibly with Russia, negates any gains that Azerbaijan could hope to accomplish, and leaves only disincentives for renewed war. A scenario on escalation is explored below, but suffice it to say that Baku makes an accessible and enticing air and naval target for Russian forces. In lieu of the capability to usefully escalate the conflict, Azerbaijan has chosen to escalate its rhetoric on the conflict.

The alignment of Russia with Armenia represents a clearly asymmetric situation where Azerbaijan would effectively go to war with Russia if it were to pursue a military option in NK. Even if Russia were not obligated by treaty to come to Armenia's aid, the Armenia/NKR defense forces are aligned. The defense situation in NK is "very comfortable," constituting "six to eight S-300 air defense systems" that are complemented with Russian surveillance and RADAR information (Minasyan 2013). The NK airspace has one of the highest air defense-to-space ratios in the world, effectively ruling out an Azerbaijani air assault or helicopter-mobile infantry. The prospects for ground war are far more balanced, but in this regard, the NKR defenders have the advantage in armor. It is also likely that a ground war will be a more protracted fight, buying Armenia more time to mobilize, providing the possibility to include Russia as an active player, and time to pursue diplomatic options. This strategically lopsided situation constitutes a massive deterrent against military action of any kind, yet Azerbaijan maintains that it must be "whole" and can only be so with NK integrated into its state structures.

Russian State Interests

Russian state interests are easy to understate and suffer from a lack of transparent conception. Russian politicians speak of them in terms of general principles rather than specific aims. Threat perceptions in Russia are often phrased as existential. The south-to-north link in Caucasus stability is difficult to verify, and Russian influence – anywhere in the world – is largely regarded in the West as illegitimate. The Russian role in the Caucasus as viewed from Moscow, however, is legitimate, long-standing, and romantic. There is a sense of historic heroism in defeating the Persians and Ottomans, and a sense of entitlement to a broader global role, due to Russia's central role in Europe's history. The existential Russian interests described by outside Western observers are based on a western perception of history with Russia-as-aggressor. Dimitry Trenin, in his book *Post-Imperium* (2011), plainly concludes that Russia is a post-imperial power à la France or the U.K. Simply put, Russia has interests, but can no longer pursue them as a neo-colonial power based on geopolitical changes outside of its control.

Despite Russia's great power status today, its own strategic culture is dominated by a history of invasion, loss, exploitation, and surprise attack. Russia's interests in the Caucasus are largely related to its challenge of controlling the unstable North Caucasus. In Russian political thinking as far back as its initial Caucasian conquest, a more stable South Caucasus was thought to facilitate a stable North Caucasus, a vital Russian interest. As recently as 2005, the Russian Federation was combating a level of jihadist insurgency in the North Caucasus illustrative of a war zone rather than a territory under state control: "Even if one accepts the lower official MVD [Russian Ministry of Internal Affairs] statistics for 2005, then 49 Northern Caucasus fighters and terrorists surrendered, 140 were killed, and 311 were taken into custody, making a total annual attrition of 500 militants or nearly 42 per month" (Hahn 2007, 220). For Russia, security in the North Caucasus has meant a security presence in the South. Whether this is true in an age of decentralized governance and free media, where Wahhabi influences do not always arrive on foot from an unstable neighbor, is a policy question Russia should answer.

For the time being, domestic Russian interests are linked to Caucasian territorial disputes. This may mean that Russia is a captive of its own foreign policy and that no alternative presents itself to the policy establishment, or that this calculation has indeed resulted in the South Caucasus territorial issues being counted as political interests worthy of political capital. The Russian presence and threat of escalation have kept both Armenia/NKR and Azerbaijan in check since 1994. While the spread of Muslim extremism today is a major concern of the Russian Federation, it is unclear how proximal geographic stability might help reduce the influence of extremism in the North Caucasus. The CSTO is a reflection of these security interests, both internal and inter-state, and has some iterative process in its future.

Many Azerbaijanis and Armenians work in Russia. This adds a component of economic leverage to Russia's state power by maintaining the option to restrict labor migration and banking flows. There is a large degree of Russian investment in both Armenia and Azerbaijan, and the Russian market is crucial for both countries. The Armenian and Azerbaijani militaries are both buyers of Russian Federation-produced military hardware, but Armenia gets better prices and favorable variants due to its ally status. The Russian Federation guarantees Armenia's security and guards the Turkey-

Armenia border. In return, Russia largely plays a veto role in questions of state security, maintains a presence in the South Caucasus, and ensures a steady supply of cheap labor from Former Soviet Union countries, as discussed in this volume’s chapter on Russia.

Scenarios of Renewed Conflict

While the strategic situation has been stable since 1994, both Azerbaijani and Armenian domestic politics necessitate considerations of provocation, reaction, and over-reaction. Recent protests in both Azerbaijan and Armenia illustrate the tense status of domestic policy-making. The January 2013 shooting of a presidential candidate in Armenia (Abrahamyan 2013) and the persistent political dynasty in Azerbaijan present an unstable political environment that increases the likelihood of renewed conflict over a range of issues, but notably NK.

Scenarios for renewed conflict are presented below. One is a potential situation where the conflict will remain limited. The next scenario will build on the first, assuming that there is escalation. The following scenarios will be addressed in order of increasing escalation. The result is a phased illustration of a scenario that escalates into regional conflict and, due to the high costs associated with such escalation, also acts as a conventional deterrent to renewed hostility.

| The Military Balance between Azerbaijan, Armenia, and Russia (2010) and Nagorno Karabakh (2008) | | | | |
|--|--------------------|-----------------|-------------|-----------------------------|
| | Azerbaijan* | Armenia* | NK** | Russia (in Armenia)* |
| Active Forces | 66,940 | 46,684 | 20,000 | 3,214 |
| Tanks | 220+100 Old | 110 | 316 | 74 |
| Armored Vehicles | 127 | 104 | 324 | 201 |
| Artillery | 393 | 239 | n/a | 84 |
| Tactical Missile Systems | – | 6 | – | – |
| Combat Airplanes | 57 | 16 | 2 | 18 |
| Combat Helicopters | 15 | 10 | 4 | – |
| * (The Military Balance; 2008, 2010) **Latest reliable source on the Karabakh forces are from 2008. (Blandy, 2008). [from http://www.mountainous-karabakh.org/balansen-popup.html] | | | | |

Azerbaijan as the Initiator

The first scenario to address is Azerbaijan as the initiator. This is a logical point of departure since Azerbaijan could justify prosecuting war using multiple UN and OSCE resolutions, and, as noted before, because the NKR has little incentive to attack Azerbaijan. Initiation by Azerbaijan would likely take the form of an assault on NK but not de jure Armenia. Without detailing tactical specifics, it would require a sizeable force necessitating a high degree of armor and would need to move with great speed. An advantage-inducing surprise action would likely be impossible due to constant surveillance of Azerbaijani positions by NK forces.

In such an instance, NKR could likely rebuff such an attack for some time, until Armenian forces could reinforce them. The goal of reconquering NKR from de jure Azerbaijan would likely be a military feat requiring overwhelming force and high costs, given the NKR theater advantage in anti-aircraft systems and armor. In the event Azerbaijan committed its entire coercive potential to fighting in NK, this would leave much of Azerbaijan undefended from a potential Russian attack. In addition, such a massive Azerbaijani offensive would undoubtedly draw great international condemnation and cause it to lose it whatever legal and normative support it now enjoys. I will continue this scenario assuming that this is not a limiting consideration.

NKR and Armenian Retaliation

In the unlikely event that Armenian and NKR forces would be overwhelmed in the context of this concentrated attack, attacking undisputed Azerbaijan could next be considered. Vital infrastructure such as the Baku-Tbilisi-Ceyhan (BTC) pipeline and cities such as Ganja could be targeted with artillery from within de jure Armenia or from NKR. Imprecise strikes against energy infrastructure and population centers as far as Baku would present attractive options to hurt Azerbaijan. This kind of escalation to include possible civilian targets – even unintentionally attacking civilian targets – would likely not be immediately debilitating, but galvanizing in Azerbaijan. Azerbaijan would likely escalate, potentially holding Armenian civilian targets at risk.

Azerbaijan Escalates, Attacking de jure Armenia

The CSTO commitment would be triggered, if Russia had not already chosen to take action. The full force of existing military assets in Armenia and NKR could be brought to bear, tipping the balance in Armenia/NKR's favor. Russia also has options to use assets from Russia proper against Azerbaijan in the form of overwhelming air power from the North Caucasus, as many as a dozen corvettes from its Caspian flotilla that could bombard Baku. The Black Sea fleet could hold the BTC pipeline at risk on the Georgia-Turkey border if still considered a target. By this time, Armenia would have been fully mobilized, Russia would be considering methods of escalation or de-escalation, and Turkey would no doubt be on alert. At this juncture, escalation of the conflict is entirely a Russian and Turkish decision, as all war-making potential of Armenia and Azerbaijan would have been fully committed.

Russia Retaliates, Defending Armenia

The nature of Russia's retaliation would have to be carefully weighed. A total victory over Azerbaijan could be accomplished with current Russian force levels. Rather than looking like the multi-year Russian action to govern an insurgency in Chechnya, this would take the form of punishing blows with no goals to actually control Azerbaijani territory. This option, while appealing to Armenia, would likely not be tolerated by Turkey. To eliminate the threat of Azerbaijan completely from Armenian territory and from around Armenian territory, short-term incursion into Azerbaijani territory might be considered.

The Last Chapter: Nakhchivan as a Trigger

This series of scenarios has presented Nagorno Karabakh as an international conflict in the context of progressive escalation. The 1921 Treaty of Kars committed Turkey as the guarantor of Nakhchivan's physical security. This legal obligation to act in the event of an attack on Nakhchivan (de jure Azerbaijan) could provoke larger action from Turkey, thereby drawing a NATO member into this larger conflict. Russia would naturally take care to avoid this event, but if it could not, issues of intra-war deterrence and even greater

escalation are not out of the question. If the conflict were to expand to this degree, legal issues would be supplanted by tactical and strategic ones.

Washington and Brussels would likely be scrambling for all sides to stand down, and NATO institutions would be weighing options for mobilization on behalf of Turkey. Formally, NATO would be engaged under Article 5 only if Turkey itself were under attack. It is doubtful that NATO would automatically back Turkey in a war over Nakhchivan any more than they would over a war with the Kurds, but the presence of Russia in the conflict may provoke western action. In the event Turkey prosecutes an attack, NATO would likely play a restraining role out of fear of escalation.

The notable point throughout this section is that there is a distinct spectrum of violence as a policy among the actors, but the largest capacity for violence in the region remains with Russia. It is this implicit threat of escalation, and the conflated threat of Armenia and Russia in Azerbaijani strategic thinkers' minds, that maintains the peace in and around NK, keeping the conflict protracted and allowing space for negotiation.

Conclusion

Armenia and Azerbaijan would have incentives to go to war if Russia were not a factor. The question of war is largely dependent upon the incentives to initiate and the choice to escalate. Escalation is a choice that lies with Russia. Given its foreign policy goals, history, and clear sign of willingness to act through force in the Russo-Georgian war of 2008, we must conclude that violence is on the Russian policy menu in NK and the Caucasus as a whole. Since violence was pursued in 2008, it is most definitely an option if a treaty ally is in trouble. In short, this means that the security of Armenia would be guaranteed by Russia. In the event of attack on NK only, a Russian retaliation is possible, but not certain due to the ambiguity of the CSTO commitment.

The risks of excluding Russia from security questions in the Caucasus in fora like the OSCE or UN put the resolution of the region's border disputes at risk. If Armenia is seen as a lone actor, Azerbaijan has the incentive to capitalize on relative Armenian military weakness. A situation putting Armenia on the defensive would be an emotional turn of events for the Armenian diasporas and any parties that might identify with an

image of quickly-advancing Turkish hordes. The idea of Armenia as an island in a Pan-Turkic sea was noted above as a prime factor in Armenia's threat perceptions. Combining this siege narrative with observable military action on the part of Azerbaijan could create a situation in which all of Armenia might mobilize. Raised tensions in this situation, combined with an observed military parity, could make Nagorno Karabakh appear to be a feasible prize of Azerbaijani military action. The Russian alignment with Armenia makes such action unfeasible.

Alternate Hegemonies: Options and Recommendations

Russian regional deterrence is not *the* answer, but is a second-best option. Much of the work in this volume pertains to small contributions in the form of reconciliation and conflict management. This means increased dialogue among the parties and democratization of the fora that currently set the pace of negotiations. The question of the NK territory would be resolved democratically with input from civil society and would be recognized by all parties, eliminating the need to field and maintain forces. The non-use of force norm could be upheld. Russian involvement constitutes a deterrent against present and future violence, and as such, constitutes the basis of negotiations. Indeed, without Russian involvement, there likely would be no cease-fire, only incentives for open hostilities.

Since this process depends upon security as a prerequisite, negotiations have little hope of achieving a resolution unless they can maintain or improve the security of all parties. Simply put, negotiations must transform the problem of NK into a positive sum game, where each party can feel more secure, more represented, and better off. The current international system based on a state-centric organization prevents the transition of the conflict's conception as a zero-sum to a positive-sum situation. The definition of a state in the international system is at the heart of the problem here, but the international system has found its way around this in numerous cases before and could do so again if the parties were willing to search seriously for an agreement. This expectation depends upon the broken concept of autonomy in the Caucasus – autonomy never meant anything substantial in the region's shared political experiences. Additionally, recent violence

precludes any political condominium. Thus, autonomy is not a work-around for the state system in this case, but a non-starter.

Since the security situation without Russia constitutes a classic security dilemma – Armenians cannot feel more secure without Azerbaijanis feeling less secure and vice versa – the maintenance of a Russia-dominated security architecture in the Caucasus seems justified. Without it, the deterrence that exists now would disappear and both Armenia and Azerbaijan’s perceived pay-off from war would increase. As was explored above, the Azerbaijani threat perception of Russia controlling Armenia prevents any Azerbaijani assessment that the military balance with Armenia provides them with the kind of superiority necessary to win a war or even establish parity. It is this regional Russian hegemony that currently keeps the situation stable. Without it, the incentives for pre-emptive attack on the part of Armenia/NKR increase and the incentives for attack in general on the part of Azerbaijan increase.

The argument for regional deterrence was forwarded above. If this security situation is the basis of regional stability, there are, historically, three possible states that can serve as regional protector: Russia, Turkey, and Iran. While deterrence based on each of these states’ power may dissuade military action, there is a great deal of political baggage associated with each. The Russian role is largely opposed by the Azerbaijani state, a Turkish regional presence would be unacceptable for Armenia and Georgia, and an Iranian regional presence is not acceptable to the international community based on its current foreign and domestic policy. The least of the three evils is a Russian presence, despite its baggage.

While the internationalization of the political processes surrounding the conflict would be preferable to any of these hegemony options, this requires immense amounts of political capital to be expended on the part of the Minsk Group co-chairs. For Azerbaijan, Russia does not serve as a source of stability, but a spoiler. The question for the negotiation process is how to convert status quo maintenance into a real Russian commitment to move beyond military stability towards some kind of settlement in which they would clearly have to play an important role. The Kazan 2011 meeting, detailed in the next to last chapter in this volume, is an indication that Russia was willing to play this role as recently as 2011. Even though this Russian attempt at a lasting peace flopped,

relegating Russia to lesser status or removing Russia from the process would be self-defeating. No agreement can work that does not take Russian regional interests into account. If Russia were not a player and the NK conflict existed in its current form, the present deterrence-based situation would break down. We should be thankful that a tacit enforced peace is provided by Russia as a space to negotiate a peaceful settlement, rather than curse Russian involvement beyond its borders. As a great power, Russia has a responsibility to maintain peace beyond its borders. The international community should facilitate this.

Security in Isolation: The Question of Enclaves in the South Caucasus

Martha Schmitz

The conflict in Nagorno Karabakh (NK) has often been understood as a struggle between the competing principles of territorial integrity and the equal rights and self-determination of all peoples, laid out in the Helsinki Final Act of 1975. While this is certainly a useful framework through which to consider the conflict as a whole, to understand certain aspects of the conflict one must focus almost exclusively on security considerations. For Azerbaijan's exclave territory, the Nakhchivan Autonomous Republic (Nakhchivan), and NK both, the impending threat or current reality of existential danger posed by isolation from a larger, stronger counterpart, as well as the proposed remedies to this danger, must certainly be considered with an eye to ensuring security.



Historical Context

As it currently stands, NK fully controls five of the territories which surround it, including Kelbajar, Lachin, Kubatly, Jebrail and Zengelan, and has partial control of two other territories, Aghdam and Fizuli. This means that, all together, NK has occupied

nearly fourteen percent of Azerbaijan's territory since the war period of 1993 and 1994 (de Waal 2003, 286). These territories form a buffer zone around much of the NK region, shielding most of its borders from direct contact with Azerbaijan. Though largely uninhabited, save for Lachin and Kelbajar, the occupied territories also serve as an important link between NK and Armenia; if these territories were to be returned, NK would once more become an enclave, surrounded by Azerbaijan on all sides, as shown in the map above.

The return of these territories has been one of the primary issues discussed throughout the OSCE Minsk Group's peace negotiations, and on several occasions, Armenia has appeared willing to discuss and even accept agreements that called for the return of the occupied territories to Azerbaijan. However, for many in NK, this idea is utterly unacceptable: not only do the people of NK believe that the outcome of the hard-fought war and the resettlement processes since the 1994 ceasefire should be taken into account in future discussions of territorial divisions, they also feel that to abandon these territories would leave NK completely surrounded by its enemy, and isolated from its ethnic, political, and economic support system in Armenia proper. NK has endured years of bitter hostilities with Azerbaijan: the Azerbaijani government has instituted a complete blockade of both Armenia and NK, to which it has held firm since 1989 (de Waal 2003, 87), has worked together with Turkey to get Turkey to place a blockade of its own on Armenia, and has threatened to shoot down any commercial airplanes which try to fly into or out of the NK region to or from Armenia. Furthermore, ongoing violence at the line-of-contact, which leads to about thirty deaths per year on either side undermines the 1994 ceasefire, increases both sides' distrust of one another and has only made the NK side more determined to maintain the de facto borders that its people have died to maintain (Dietzen, February 2012). The NK government believes, therefore, that should it be physically cut off from Armenia and surrounded by Azerbaijan, it is unlikely that Azerbaijan would truly let an independent but isolated NK exist in peace, but might instead seek to cut NK off once more from the outside world through the use of force. Without a direct physical link to Armenia, NK forces would be unable to provide adequate security for their people against Azerbaijani aggression.

While NK fears returning the buffer zone of occupied territory and becoming an independent enclave within Azerbaijani territory, Azerbaijan faces an exclave problem of its own. Nakhchivan, which is located between northern Iran, eastern Turkey and southeastern Armenia, is geographically separated from greater Azerbaijan by the Armenian province of Syunik, several of the occupied territories, and NK itself. The only way to reach Nakhchivan directly from Azerbaijan is by air from Baku; otherwise, because of the ongoing Azerbaijani blockade of Armenian and Armenian-controlled territories, Azerbaijanis are restricted to land routes which skirt the occupied territories and pass through Iran. The region remains not only physically separated from Azerbaijan, but also developmentally, with little of the money trickling over as far as Nakhchivan from Azerbaijan's oil wealth, which has been used to vastly improve the economic well-being of many Azerbaijani citizens in the main territory of Azerbaijan (Mammadli 2007).

Aside from the economic hardships faced by the people of Nakhchivan because of their isolation from the larger Azerbaijani territory, Nakhchivan, like NK, has long been at the center of territorial struggles between Armenia and Azerbaijan, making it a potential target for future conflict. For many Armenians, Nakhchivan is an essential part of the geographical area included in "historical Armenia," which stretches as far as eastern Turkey. In 1918, the Turks aided Azerbaijan in driving out thousands of the Armenians then residing in Nakhchivan, thereby making the territory far more ethnically homogenous in favor of the Azeris (Tokluoglu 2011, 1228). Nonetheless, in December 1920, Nakhchivan, NK and the piece of land between the two, known as Syunik (formerly known as Zangezur, Syunik is now the southernmost province of Armenia, and separates Nakhchivan and the occupied territories) were placed under the Armenian SSR's control by the Azerbaijani SSR, which made its decision under strong pressure from Moscow; however, just four months later, in a bid to strengthen relations with Turkey, the Soviet government under Lenin signed a "Treaty of Brotherhood and Friendship" with Turkey, in which Lenin agreed to place NK and Nakhchivan under the Azerbaijani SSR's rule, thereby weakening the Armenian state, to both Turkey and Moscow's benefit (Cornell 1998, 53). Syunik, which then had an Azerbaijani majority, was placed under Armenian control to likewise counter against an overly-strong

Azerbaijani state (Tokluoglu 2011, 1241). Later, as Armenian popular demands for the transfer of NK to Armenian control grew in the late-1980s, they were accompanied by parallel demands for the transfer of control of Nakhchivan, despite the fact that, by that point, the territory of Nakhchivan was 97% Azeri (Cornell 1998, 54).

With such recent history of contention over the possession of Nakhchivan and other nearby territories, some fear exists that because of its continued isolation as an exclave of the larger Azerbaijani territory, Nakhchivan risks being swept up in future Armenian claims of other historical territories, especially if the international community ultimately bestows recognition upon NK's claims for independence. However, despite Nakhchivan's seemingly vulnerable position in isolation from Azerbaijan, Turkey has been instrumental in protecting the territory against any Armenian intervention, citing a long-standing agreement made in the 1921 Treaty of Kars, in which Turkey promised to protect Nakhchivan from any outside military threats. In 2010, Turkish Prime Minister Recep Tayyip Erdogan reaffirmed Turkey's commitment to Nakhchivan's security, stating that "the Naxcivan (*sic*) Autonomous Republic is ... exposed to various threats from the side of the Armenian state. For that reason, military cooperation between Turkey and Azerbaijan and the Naxcivan AR is one of the chief components of our relations" (Radio Free Europe, 2010). Turkish Foreign Minister Ahmet Davutoglu reaffirmed this idea, calling Nakhchivan a foreign policy priority for Turkey, and expressly recalling the 1921 Treaty of Kars (Radio Free Europe, 2010). Azerbaijan has even lobbied for Turkish troops to be deployed along the Nakhchivan border, as a counter to Russian military support for Armenia, though Turkey has so far rejected this level of involvement without an active Armenian threat to Nakhchivan (Cornell 1998, 51).

Past Proposals and Their Failings

A Quick Glimpse at Past Proposals

Because of an understanding of the trials faced by both NK and Nakhchivan due to their real or potential geographical isolation from their stronger counterparts, many of the Minsk Group's past proposals have dealt with how to create secure corridors that connect the enclaves to the Armenian and Azerbaijani mainlands, respectively. In the late 1990s, the Minsk Group set forth several proposals to guide the negotiations. One, the Minsk

Group “package proposal” of July 1997, suggested that the conflict be resolved in two phases: in the first phase, armed hostilities would be suspended, refugees and IDPs would be returned to their homes, transport routes and communications networks would be rebuilt for free and safe usage by all, including to NK and Nakhchivan, and Azerbaijan would lease the Lachin Corridor to the OSCE, which would maintain a secure passage from NK to Armenia, while the town of Lachin itself would be returned to Azerbaijani control, with new roads built, allowing alternative means of accessing the city beside the Corridor. In the second phase, NK would be returned to Azerbaijani jurisdiction, thereby recognizing Azerbaijani territorial integrity, but would be able to govern independently, with NK citizens given the ability to emigrate to Armenia freely. This proposal would have once more allowed mainland Azerbaijan to reach the people of Nakhchivan directly by lifting the blockade and allowing free passage through NK and Armenian territory. Though NK would have to give up its independence as well as control of the occupied territories, the OSCE would have provided them with a secure route to Armenia, staving off the dangers of isolation. The negotiators believed that by presenting the issues in larger packages, rather than dealing with each one individually, there would be more room for compromise (Jacoby 2005, 32). However, while both Armenia and Azerbaijan expressed reserve at the proposals, NK refused outright, believing that the proposal asked far too much of them, including giving up their independence and the occupied territories, which are important both for NK’s security and for leverage in negotiations (Libaridian 2005, 37).

A second proposal, the “step-by-step” proposal, would allow both sides to rebuild trust by taking positive steps towards conflict resolution and reconciliation, ultimately leading to a referendum on the issue. As Azerbaijani Deputy Minister of Foreign Affairs Araz Azimov stated, the process would involve rehabilitation of the relationship through the implementation of infrastructure and transport projects, followed by increased security through limits on violence at the line of contact and potential presence of international peacekeepers, followed by a return of IDPs and refugees, which would ultimately lead to an interim status and a referendum. This process would allow them to slowly increase the sides’ engagement with one another, until they could finally reach a settlement.

A 1999 proposal, which came to be known as the “Goble Plan,” offered NK a corridor to Armenia in exchange for a strip of land at Armenia’s southern border with Iran, called Meghri, through which Azerbaijani could reach Nakhchivan more readily. The plan held great promise for both sides; however, domestic problems on both sides, including the anger of many in Azerbaijani President Heydar Aliyev’s cabinet who felt that he too easily abandoned NK to the benefit of his homeland, Nakhchivan (de Waal 2003, 264), and fears on the Armenian side of being cutting off from Iran, its friendliest neighbor. In the end, as then-U.S. Deputy Secretary of State Strobe Talbott confirmed, a fatal shooting attack on the Armenian parliament derailed the process.

In 2001 at Key West, the parties came as close as perhaps they ever had since the end of the war to an agreement: Azerbaijan seemed willing to offer NK to Armenia, in exchange for a corridor through Armenia to Nakhchivan. Though the deal seemed to offer both sides much of what they could hope for, the gap between what the leaders were willing to sign in private negotiations and what the radicalized public expected of their leaders was too wide, and once more an agreement was out of reach.

Since 2001, Armenia and Azerbaijan have negotiated along the framework of the Madrid Principles. With similarities to many of the previous proposals, these principles include the return of the occupied territories and the right of return for IDPs and refugees, an interim status for NK, followed by a binding referendum on its final legal status, a corridor linking NK to Armenia and international peacekeeping (Dietzen, 2011). However, discussion along these principles has dragged on for more than five years, with the parties unable to decide on the sequencing of the steps, and no serious headway in sight.

An Explanation of the Failures of Negotiations

The inability of Azerbaijan, Armenia and NK to come to an agreement on how to ensure safe passage to key territories has many causes. For one, the stakes and the respective situations on the ground are far from equal. For Nakhchivan, direct access to the larger territory of Azerbaijan would likely allow greater access to the development processes which the rest of the Azerbaijani territory has been able to obtain, fueled by a wealth of oil money. However, with Turkey as a friendly ally that remains highly committed to the

defense of Nakhchivan's territory, their immediate security situation is less dire than NK's would be, should it find itself completely surrounded by Azerbaijan. Furthermore, while the journey to Nakhchivan from the larger Azerbaijan territory is more difficult than it could be, the ability to reach it by a direct flight or bus ride to Turkey makes it relatively accessible, compared to the situation that NK would face should it become an independent state within its original borders that Azerbaijan decides to submit once more to a blockade. With Turkey as an ally and with direct flights to Nakhchivan from Baku already in place, Azerbaijan will always be able to reach its people in Nakhchivan, even if doing so is more difficult than they would like; in comparison, if NK reverted to its original borders (already quite a sacrifice for them to make, given their de facto control of the occupied territories), they would be dependent on the strength and commitment of neutral outside parties to ensure their safe passage to Armenia.

Moreover, Nakhchivan, while important to Azerbaijan, does not hold nearly the relative significance that NK does in this situation. For instance, while Azerbaijan professes to care deeply about gaining access to Nakhchivan, several proposals that have been discussed, including some to which Azerbaijan was ready to sign, barely even mention the autonomous region by name. The package plan only includes a mention of Nakhchivan as a part of a larger agreement on removing blockades against one another and rehabilitating transport routes between them, including a rail route connecting the major cities of Baku, Meghri, Nakhchivan, and Yerevan; the Madrid Principles make no specific mention of Nakhchivan at all. Conversely, passage to NK as a major determinant of that territory's future security, whether as an autonomous entity within Azerbaijan or a recognized, independent state, has been a central theme in every proposal, with all sides aware that if Azerbaijan could cut NK off from Armenia, it would face a grave threat to its existence, no matter its status.

Furthermore, an exchange of corridors would not just entail the two sides giving access to lands that are *currently* isolated; rather an agreement on corridors would require Armenia and NK to grant access through either their territories or territories they are currently holding, in exchange for NK having already put itself into a position of relative weakness by giving up the buffer zones, and then offering them a piece of the security they already have back with a corridor. Azerbaijan has acknowledged that the Lachin

Corridor, which had been proposed in various situations both as a secure means to connect NK to Armenia, and Azerbaijan to Nakhchivan, is currently a key route by which Armenia transports arms to NK to support its defense. Likewise, Meghri, one of the proposed corridors through which Azerbaijan could reach Nakhchivan is also an important inroad for arms from Iran to Armenia; Armenia and Azerbaijan have disputed over whether Azerbaijan could simply use the Meghri Corridor or control it, with both sides claiming that the other was reneging on agreements made in private (Jacoby 2005, 32). If Azerbaijan controlled the Meghri corridor, leaving Armenia without access to Iran, Armenia would have only one border left with a friendly neighbor. Thus, by Azerbaijan's own admission, allowing them to control Meghri or Lachin as a means to more conveniently accessing Nakhchivan, would entail Armenia giving up key routes for arms transports and important friendly borders. As one-to-one exchanges go, Azerbaijan asks much of NK and Armenia in its corridor requests, with little to offer in return, and with each offer accompanied by the expectation of a return of occupied territories.

Thus, it is clear that a one-to-one exchange of corridors is nearly impossible, without a larger peace agreement. Though we will come to the specifics of what a larger peace agreement would entail, it is important to recognize what has hampered the sides' ability to obtain a larger peace, as well as what has made the discussion of corridors essentially irrelevant: the recent exclusion of NK from the negotiations. Because an exchange of corridors would necessitate a return of the occupied territories currently held by NK, agreement to a corridor connecting NK to Armenia, and therefore a decision by NK to make its access to the outside world, and especially to its benefactor, Armenia, dependent on the security guarantees and peacekeeping measures of neutral outside countries that could be diverted to other higher-threat security situations, NK's cooperation and belief that its own safety will not be threatened requires their participation. To ask NK to allow another party to make an agreement about its territory and security (despite professions of solidarity with the Armenian government), without allowing NK a say is impossible. Until such time as NK is included in the negotiation processes, and their concerns about their potential isolation fully heard and accounted for, peace agreements that include proposals for corridor exchanges, to which both Armenia

and Azerbaijan might be willing to agree, will continually be held hostage by Stepanakert's rather justifiable veto.

Finally, a successful peace agreement has been thwarted by relative comfort with the status quo. Azerbaijan believes that the longer it waits, the more it can build up its military. Its need to protect Nakhchivan and gain immediate easy access to the territory is far outweighed by its desire to progressively increase its military, in the hopes of eventually overwhelming Armenian and NK defenses through sheer force, reversing NK's gains in the occupied territories, and perhaps even taking control of NK once more, without the need for any compromise or negotiation. Until then, Azerbaijan believes it can slowly turn the economic screws on Armenia, building up regional pipelines and railways, isolating Armenia ever more from the region's economic growth through continued blockades. For their part, Armenia and NK have also found relative comfort in the status quo, despite the strain caused by the blockades. NK feels that continuing to hold the buffer zone is a necessary guarantee of its security. Furthermore, it is believed in both Armenia and NK that the longer NK exists as a de facto state, capable of providing for its citizens (even if it does so through the support of Armenia), the more likely it that "history will eventually ratify their victory and that Nagorno Karabakh will follow the path of Kosovo to international legitimacy" (de Waal 2010); if NK manages to rebuild and repopulate the occupied territories over time, these too may eventually be considered a part of NK, or at the least a source of leverage to extract greater concessions in future negotiations.

Prescriptions for Peace – Providing Access, while Maintaining Security

Short-Term Improvements to Encourage Peacebuilding

In the short-term, many experts on the NK peace negotiations, from Azerbaijani and Armenian participants to international observers agree that **all parties would do well to encourage an environment conducive to peace**, recognizing that constant aggressive rhetoric and actions legitimize the opposition's fears for the security of their own people and radicalize both populations. If leaders truly care about making progress in negotiations, **all sides would do well to put forth confidence-building measures**. Any leader able to implement a program to improve the well-being of all parties and their

relations would be regarded positively in the international community, and could perhaps lead to a cycle of positive tit-for-tat exchanges of confidence-building measures. **Programs that benefited the populations of both sides could help to de-radicalize them**, giving leaders more leeway to make risky political decisions in the negotiations without fear of infuriating their people. **Shared projects that encouraged economic growth on all sides could help to diminish fears of an existential threat in NK**, and make the NK people more willing to consider the return of the occupied territories. Cognizant of the limited effect that blockades have had in changing Armenia's position on the NK situation (except perhaps to harden it) given international aid to Armenia, aware of the portrayal of Azerbaijanis in the international community perpetrated by a strong Armenian lobby, and benefiting from its copious oil wealth, the Azerbaijani government in particular could benefit from initiating confidence-building projects; in so doing, they could improve their international image and perhaps create an environment that would encourage NK to make a deal with them that would bring them the return of the occupied territories, while diminishing NK fear for its very existence.

This brings us to the second, and perhaps most important factor, for any agreement: **the inclusion of NK in the negotiations**. In the current, highly-charged and hostile political environment, there seems to be little chance of an agreement being reached; however, even if in the future, tensions can be reduced to a point where a negotiated agreement that settles the issues of the return of occupied territories to Azerbaijan, and the provision of protected access from NK to Armenia and from Nakhchivan to Azerbaijan could be reached between Armenia and Azerbaijan, NK could not accept it. Despite their supposed faith in Armenia's representation given their shared ethnic heritage and the fact that past presidents of Armenia have hailed from the region, NK has served as an impediment to past agreements to which Armenia was willing to acquiesce; there is little chance they will not do so again in the future, when an agreement regarding their very existence has been made without them. In order to make this option more palatable to Azerbaijan, two concessions could be made. First, **NK could be included as a non-state actor**. Second, given that elite-level decisions have been thwarted by popular backlashes, **the process would likely benefit from more inclusivity**, in general. Thus, to balance the addition of NK into the processes, as well as

deal more fully with the issues of non-represented aggrieved parties on both sides, **the discussions could also include a representative of the Azerbaijani IDP community, also operating as a non-state actor.**

Medium-Term Pressure and Agreements

If the parties refuse to move towards an agreement, or even to take measures that would foster an environment conducive to agreement, a somewhat unrealistic yet highly **necessary option would be for the international community to make the status quo far more uncomfortable for them.** While this alternative might seem ludicrously dangerous to many patron states *now*, the prospect of being dragged into a war to protect geopolitical interests because of an upsurge in aggression between Armenia, Azerbaijan and NK, might make this path seem relatively palatable. **Turkey** could be quite instrumental in this process, especially by **renouncing the Treaty of Kars.** In so doing, Azerbaijan would feel more pressure to make concessions that would guarantee easy access to Nakhchivan, because it would have to provide for the territory's security independently; more willingness to make concessions could mean a greater likelihood for an agreement. Likewise, Iran, and especially Russia, could put pressure on Armenia to reach an agreement by reducing defense aid, and in the case of Russia, troop deployments. This would reduce the legitimacy of the Azerbaijani charge that they cannot make an agreement with Armenia because of the Russian impediment. Certainly, as was pointed out in both Armenia and Azerbaijan, Armenia is in no position to completely reject relations with Russia, giving Russia room to maneuver in its relations with Azerbaijan; thus, **Russia could help ease tensions by removing their military presence in Armenia,** while still maintaining its relationship with Armenia, perhaps helping to avert a wider regional war, of which it would want no part. With outside countries mutually unwilling to support one side over another, there would not only be an increased sense of urgency within the parties to reach an agreement, but perhaps also tamp down tensions between those outside actors over their respective positions within NK, decreasing the chances of their future involvement in any geopolitical conflict which might rear up as a result of the NK conflict.

Whether or not international coercion became a necessary catalyst for action in the medium term, **Azerbaijan, Armenia and NK could move towards an interim agreement that would allow Azerbaijan direct land-access to Nakhchivan** (their desire perhaps fueled by Turkey’s disavowal of Nakhchivan defense) **in exchange for repealing the blockade of Armenia.** Azerbaijan could open its borders with Armenia and NK, and in exchange, Armenia and NK could ensure them guaranteed access to Nakhchivan through the Lachin corridor (which could have lost some of its importance to Armenia as an arms transport route by then, should Iran refuse to provide it with access to arms through that route, as Azimov alleged they currently do). If Lachin was opened to Azerbaijan to allow them to reach Nakhchivan, international peacekeepers could be brought in at this juncture, though the potential role of peacekeepers will be discussed in more depth in the long-term section. Though all sides would have to recognize that not just open borders and secure passage between them, but rather a larger decision on the status of NK and how it would be reached from Armenia if returned to its 1998 borders, is the end goal, an agreement like this could demonstrate mid-term progress towards a larger agreement and perhaps warm relations as economic ties grew.

Long-Term Peaceful Settlement and Assurances of Access

In the long term, the parties must decide not only the final status of NK and the surrounding territories, but also how any final settlement reached can be protected. Because NK has gained legitimacy as an independent state as time has passed, and will probably continue to do so, a final settlement will likely involve the return of the occupied lands surrounding NK, while NK is recognized as an independent state, or at least has its independence put to a referendum, which will almost certainly pass. After hearing discussions by a highly-radicalized NK public, it seems clear that **an explicit guarantee of respect for Azerbaijan’s territorial integrity as of the time of the agreement would do much to increase Azerbaijan’s confidence that NK would not be a first step in an Armenian effort to take back all of “historical Armenia,” including Nakhchivan.** This disavowal of the reassertion of control over historical territories would decrease fears of a “domino effect” in the region, as Armenia repeated the NK process in other areas, increasing Nakhchivan’s security.

In order to ensure that NK's final status is protected and access to Armenia is ensured, **the Lachin Corridor will need to be opened to all sides, with its security protected by international peacekeepers.** By allowing access to this corridor, and perhaps building up alternate routes as the situation becomes more peaceful, NK can be ensured access to Armenia, and Nakhchivan to Azerbaijan. Furthermore, **access to NK by air must be protected**, such that Azerbaijan would be explicitly disallowed from shooting down planes carrying people and supplies between Armenia and the newly-independent NK. With assurances that access to Armenia would be protected (and having been able to participate in negotiations), NK might well be willing to give up the occupied lands; confidence-building measures and intermediate agreements in the short- and medium term would also increase this likelihood, since a pause in the constantly-aggressive rhetoric experienced today would bolster NK's belief in Azerbaijan's trustworthiness.

For **peacekeepers** to play an effective role in securing the corridor, they **would have to come from neutral countries not seen as having geopolitical machinations of their own in the region**, such as from Finland, Czech Republic, Poland, et cetera, rather than from Russia or any other major power. The peacekeepers would need sufficient funding, likely provided by the OSCE. Finally, their presence would need to be quite long term in nature, lasting at least as long as the peaceful implementation of the results of the referendum on NK's final status. Perhaps two years after the final status of NK was decided, if a positive peace had been obtained by that point (not just a cessation of violence that appeared likely to reignite as soon as peacekeepers left the scene), the peacekeepers could be slowly withdrawn. However, **it is important that the OSCE remain committed to supporting this operation for as long as is necessary** to ensure peaceful relations between the sides, recognizing that if any agreement were violated, war would likely ensue, which would once again threaten to bring in not just the three parties in question, but many major powers whose geopolitical interests would be at stake.

If both sides work together to increase their confidence in one another and de-radicalize their populations, there will be more political space for courageous decisions. NK's participation will allow them to ensure that their security is protected, and will remove the constant veto that currently casts a shadow over any potential peace

agreements reached by Armenia and Azerbaijan alone. Furthermore, if outside countries stop enabling their respective sides, thereby making the status quo less comfortable for all involved, the sense of urgency to reach an agreement within Armenia, Azerbaijan and NK will surely increase. Ultimately, with greater urgency and with increased trust in the opposition's good faith, a final agreement on NK's status and the occupied territories, which honestly tackled the security concerns brought about by isolation in both Nakhchivan and NK through the provision of carefully – and neutrally – guarded access to both exclaves, could well be reached.

International Law and the Nagorno Karabakh Dispute

Joseph Recht

Much of the rhetoric used by Armenia, Azerbaijan, and the Nagorno Karabagh Republic (NKR) in defending their claims argues that they have the legal right to Nagorno Karabakh. This chapter will not seek to judge who may be the legal owner of the region, but rather will outline the basic legal arguments used by each country and highlight relevant international law. It will then investigate whether international legal systems might provide some avenue for relief in the conflict.

Main Issues

Territorial Integrity

Azerbaijani arguments generally focus on the principle of territorial integrity (President of Azerbaijan). This concept is contained in the UN Charter, for example, which requires that members “shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state” (UN Charter article 2(4)).

The Helsinki Final Act contains statements on both territorial integrity and self-determination. It is not a legally binding treaty, but does constitute one of the guiding documents of the Organization for Security and Cooperation in Europe (OSCE) reaffirmed by the Paris Charter (OSCE Paris Charter). Given this status, it might serve to inform understanding and interpretation of international law, and may have some degree of legal authority. Further, Armenia and Azerbaijan have signed both the Helsinki Final Act and the Paris Charter; they are at least politically held to the principles of the two documents, although the actual legal ramifications of such “soft law” are a matter of some debate (Guzman and Meyer 2010).

Advocates for Azerbaijan tend to cite Principle IV of the Helsinki Final Act, which requires that participants respect each other’s territorial integrity (Carley 1998). The Act particularly condemns the threat or use of force, but also prohibits “any action

inconsistent with the purposes and principles of the Charter of the United Nations against ... the unity of any participating State” (Helsinki Final Act article (a)(IV)).

Self-Determination

Armenian and NKR arguments tend to focus on the right to self-determination. This right is well-covered under international systems; the UN Charter, in defining the purpose of the United Nations, contains language respecting the “self-determination of peoples” (UN Charter article 1(2)). In UNGA Resolution 1514 (14 December 1960), the UN used the concept to declare that colonized countries and peoples should have independence. The right to self-determination is further reinforced by language in the International Covenant on Civil and Political Rights (ICCPR article 1(1)).

The Helsinki Final Act likewise confirms the right to self-determination. It qualifies this by requiring that it conform to “relevant norms of international law, including those relating to territorial integrity of States” (Helsinki Final Act article (a)(VIII)). The Nagorno Karabagh Republic, among others, argues that self-determination includes the right to independence.

The Nagorno Karabagh Republic controls not only the former Nagorno Karabakh Autonomous Oblast, but also other territory captured from Azerbaijan during the Nagorno Karabakh War. Armenia generally supports the eventual return of these territories, with preconditions for security. Karen Mirzoyan, Minister of Foreign Affairs of the NKR, in our discussion likewise expressed some consideration of returning the occupied territories after security had been assured. The NKR is not, however, in complete internal agreement. Arman Mielikyan, the former foreign affairs minister, stated in our meeting that the NKR rejected the return of these territories, and argued that they were integral to the Republic.

This discrepancy is of particular concern when examining the Nagorno Karabagh Republic’s demand for self-determination. If its claims to independence by self-determination were to be considered valid, this independence would likely apply only to the former Nagorno Karabakh Autonomous Oblast. Justifying NKR sovereignty, or even

continued control, over the other territories would be considerably more difficult from a legal standpoint.

Independence is one possible form of external self-determination. The overall principle of self-determination, however, does not strictly require independence. Internal self-determination, such as an autonomous region under the sovereignty of a host nation, may be sufficient from the standpoint of international law. Treaties have generally avoided detailing the acceptable types of self-determination or how they might be achieved. The ICJ is not bound by its own precedent; while previous cases might be indicative of future reasoning, they would not necessarily apply to Nagorno Karabakh. International law remains somewhat vague, perhaps intentionally, on the specifics of self-determination.

Relevant International Law

Soviet Law

Armenia, Azerbaijan, and the Nagorno Karabagh Republic all reference Soviet law in making their cases.

Nagorny-Karabakh is defined as an autonomous region under the 1924 Constitution of the USSR (1924 USSR Constitution article 15). Under the 1936 Constitution, however, the Nagorno Karabakh Autonomous Region is included in the Azerbaidian (*sic*) Soviet Socialist Republic (1936 USSR Constitution article 24). The 1977 Constitution likewise includes it in the Azerbaijan SSR (1977 USSR Constitution article 87).

The 1977 Constitution states that only full union republics may secede from the USSR (article 72). Under the 1990 USSR Law on Secession, however, autonomous regions take advantage of a republic's secession. In order to secede, a union republic must vote by referendum (1990 USSR Law on Secession article 2). Each autonomous entity within the republic is to hold its own referendum to “decide whether to remain in the Soviet Union or in the seceding Republic as well as to decide on [its] state legal status” (article 3). Azerbaijan SSR law pertaining to the NK Autonomous Region's secession is largely irrelevant, as the 1977 Constitution grants precedence to USSR law

over internal SSR law (1977 USSR Constitution article 74). Republic of Azerbaijan law may be handled separately, but the timing of events suggests that USSR law might have been in effect during the NKR's proposed independence. If USSR law was indeed in effect, the NKR argument that it had legally seceded from Azerbaijan would be rather stronger. Ultimately, the question of how Soviet law ought to apply, and whether it ought to apply at all, should be left for international courts to decide.

International Court of Justice

ICJ Advisory Opinion on Kosovo

On 22 July 2010, the International Court of Justice issued its advisory opinion on Kosovo's unilateral declaration of independence, ruling that the declaration did not violate international law. While only states are allowed to participate in contentious cases before the Court, advisory opinions grant more leeway. Kosovo itself was able to participate in arguments for the advisory opinion, being heard as "the authors of the Unilateral Declaration of Independence" (ICJ Request for Advisory Opinion, Kosovo Case).

Reactions to the ruling were perhaps unsurprising. Armenia hailed the ruling as helping work towards NKR independence, while Azerbaijan stated that the opinion was not legally binding and only applied to Kosovo and Serbia (Radio Free Europe, 26 July 2010). The NKR Foreign Ministry issued a statement that the "decision has an extremely important legal, political, and moral significance and sets a precedent that cannot be confined to Kosovo" (Radio Free Europe, 27 July 2010).

In issuing its judgment, however, the ICJ explicitly declined to resolve the question of whether the right of self-determination allowed a group to declare independence "outside the context of non-self-governing territories and peoples subject to alien subjugation, domination and exploitation." The ICJ decided to advise only on whether Kosovo's declaration of independence violated international law, not whether Kosovo had the right to separate from the Yugoslav Federation.

United Nations

UNSC Resolutions 822, 853, 874, 884

UNSC Resolution 822 (adopted 30 April 1993) demands an immediate cessation of hostilities, work to establish a durable ceasefire, and the withdrawal of Armenian troops from the district of Kelbadjar and other occupied Azerbaijani territory. It further calls for a return to the Minsk Group process and unimpeded access for humanitarian relief (UNSCR 822).

This was followed by UNSC Resolution 853 (adopted 29 July 1993), which “condemns the seizure of the district of Agdam and of all other recently occupied areas of the Azerbaijani Republic,” and reiterates demands for the cessation of hostilities and withdrawal of Armenian troops. The resolution further calls for a monitor mission by the Conference on Security and Cooperation in Europe, and urges the Armenian government to influence Armenians in the Nagorno Karabakh to cooperate with the Minsk Group process. Resolution 853 reaffirms the sovereignty and territorial integrity of the Azerbaijani Republic, and references “the Nagorno-Karabakh region of the Azerbaijani Republic” (UNSCR 853). UNSC Resolutions 874 (14 October 1993) and 884 (12 November 1993) issue further updates and express concern over ceasefire violations and humanitarian emergencies (UNSCR 874, UNSCR 884).

UNGA Resolution 62/243

UNGA Resolution 62/243 (adopted 14 March 2008) is titled “The situation in the occupied territories of Azerbaijan.” It follows the same structure as the earlier UNSC resolutions, reaffirming Azerbaijan’s sovereignty over the Nagorno Karabakh region and calling for a withdrawal of Armenian forces (UNGA Resolution 62/243).

Resolution 62/243, however, did not have the same level of support as the UNSC resolutions. The nations voting in favor were primarily Muslim nations backing Azerbaijan. France, the Russian Federation, and the United States (the Minsk Group co-chairs), all voted against the resolution, protesting that the resolution was unilateral and bypassed the Minsk Group process. The resolution ultimately passed by a vote of 39 to 7, with 100 abstentions (UNGA 62nd Session).

Other

Bishkek Protocol

Armenia, Azerbaijan, the Nagorno Karabagh Republic, and Russia signed the Bishkek Protocol on May 5, 1994, agreeing to a ceasefire over Nagorno Karabakh. The Protocol urges the Commonwealth of International States, which counts Armenia and Azerbaijan among its members, to support UN and OSCE decisions. It specifically references UNSC Resolutions 822, 853, 874, and 884, which refer to the Nagorno Karabakh as Azerbaijani territory (Bishkek Protocol).

PACE Resolution 1416

Council of Europe Parliamentary Assembly (PACE) Resolution 1416, issued in 2005, expresses concern over the ongoing Nagorno Karabakh conflict. It references UNSC Resolutions 822, 853, 874, and 884, and urges an end to armed hostilities and the withdrawal of military forces. Article 7 of the resolution suggests that, should the Minsk Group fail in negotiating a solution, Armenia and Azerbaijan should submit the dispute to the International Court of Justice (PACE Resolution 1416 article 7).

NATO Lisbon Summit Declaration

NATO's 2010 Lisbon Summit Declaration confirms NATO's commitment to supporting "the territorial integrity, independence and sovereignty" of Armenia and Azerbaijan, and to supporting "efforts towards a peaceful settlement of [such] regional conflicts, taking into account these principles" (Lisbon Summit Declaration article 35). Azerbaijan has generally seen the Declaration as supporting its sovereignty over Nagorno Karabakh (Trend News Agency 2010, Azernews 2010). The legally non-binding document, however, contains only neutral language towards the dispute.

Platforms for Relief

International Court of Justice – Contentious Case

The International Court of Justice (ICJ) is the main court of the United Nations. It is the only international court that has the broad-reaching mandate and the authority necessary to secure a decision that might be fully enforced. Both Armenia and Azerbaijan would be obliged to accept the judgment of the ICJ, should it rule on the question of Nagorno Karabakh.

The ICJ Statute states that only states may be parties in cases before the Court (ICJ Statute article 34). All UN member states are automatically parties to the ICJ Statute, and therefore may participate in ICJ proceedings (UN Charter article 93(1)). Non-member states may join the ICJ Statute through approval by the UN General Assembly, following a recommendation by the UN Security Council (article 93(2)).

The Nagorno Karabagh Republic, however, has generally not been recognized as a state, and is certainly not a member of the United Nations. It is effectively unable to participate in the ICJ. Armenia and Azerbaijan are both UN member states; they could easily bring a claim before the ICJ. The Nagorno Karabagh Republic would be barred from participating.

Eduard Nalbandyan, Minister of Foreign Affairs of the Republic of Armenia, when asked in our meeting if Armenia would consider submitting the question to the ICJ, stated that the conflict was between Azerbaijan and the Nagorno Karabagh Republic. He argued that Armenia was doing everything it could to support the NKR, but implied that a court case would need to be between Azerbaijan and the NKR. Nalbandyan further suggested that the Minsk Group is considered an effective format for resolution by the international community, but that other formats do remain available should the international community reject the Minsk Group.

Karen Mirzoyan, Minister of Foreign Affairs of the Nagorno Karabagh Republic, offered a similar reaction in our meeting, noting that “the devil is in the details;” the NKR would not immediately reject the idea of arguing before a court, but its willingness to do so would depend on how the dispute was submitted. He confirmed that the NKR is unwilling to be represented before the ICJ by Armenia.

During our discussion, faculty at the Azerbaijan Diplomatic Academy hesitated at the idea of bringing the dispute before the ICJ, questioning why they should risk the ICJ's declaring a judgment against Azerbaijan.

Sequencing, then, would be a key factor. Submitting the Nagorno Karabakh question to the ICJ as a contentious case would require either the collapse of the Minsk Group or a conclusion by the Minsk Group that the question should be tried before the ICJ. Even then, Armenia is likely to insist the Nagorno Karabagh Republic, not Armenia, should argue before the Court. The NKR could only argue before the Court if it were a UN member state or a state with sufficient support in the UN to participate. In either case, the NKR would already be a state; the question to be brought before the ICJ would be fundamentally altered or made irrelevant.

If Armenia and Azerbaijan were to jointly submit the question to the ICJ, the dispute could be settled from a legal standpoint in relatively short order. The NKR, however, would remain excluded. The NKR has consistently complained about its exclusion from the Minsk Group process, and it is unclear that Armenia would agree to represent the NKR at the ICJ. Nevertheless, as the NKR is not currently considered an independent state, an Armenia-Azerbaijan case may be sufficient from a legal standpoint.

International Court of Justice – Advisory Opinion

Chapter IV of the ICJ Statute, and Article 96 of the UN Charter, allow the Court to issue advisory opinions on legal questions in response to a request by the UN General Assembly, the UN Security Council, or other organs of the UN so authorized by the UNGA. The ICJ did previously issue an advisory opinion on independence in the case of Kosovo.

Contentious cases before the ICJ require that both parties agree to submit the question to the Court. Advisory opinions, on the other hand, require only that the UNGA or UNSC make a submission. The Nagorno Karabakh question could in effect be brought to the Court without the consent of both Armenia and Azerbaijan, or indeed with the consent of neither.

This provides a potential avenue for determining the legal status of the Nagorno Karabakh, should the international community (or part of it) so wish. UNGA Resolution 62/243, passing 39 to 7 in favor of Azerbaijan with 100 abstentions, suggests that Azerbaijan might have sufficient political leverage to encourage the UN General Assembly to submit the question unilaterally. So too might Armenia find enough allies within the UNGA to unilaterally seek an ICJ advisory opinion.

More importantly, perhaps, the advisory opinion process would allow UNSC or UNGA to override Armenia and Azerbaijan entirely. Finding the political support to do so might prove difficult, but a request for such action by the Minsk Group could convince enough UNSC or UNGA member states to vote in favor.

One of the most important aspects of the advisory opinion process is the provision for third-party participation. As Kosovo was able to participate before it reached full recognition, so too could the Nagorno Karabagh Republic take part in proceedings for an advisory opinion. In this sense, the advisory option could be more helpful than the contentious option; it would allow all three parties, not just Armenia and Azerbaijan, to be included in the legal process.

Advisory opinions do have the disadvantage of being advisory rather than legally binding decisions, unlike contentious cases. Nevertheless, an ICJ advisory opinion would hold significant weight in the political sphere and, should the issue eventually be brought before the ICJ as a contentious case, may hold some degree of legal weight. The advisory opinion may be sufficient to alleviate contentions over who is legally correct.

OSCE Court of Conciliation and Arbitration

Armenia is a party to the Stockholm Convention on Conciliation and Arbitration within the OSCE, which established the OSCE Court of Conciliation and Arbitration (OSCE List showing signatures, 2003). Azerbaijan is also a member of the OSCE, and so the two countries may submit the Nagorno Karabakh case to the Court of Conciliation and Arbitration. As in ICJ contentious cases, however, the Court of Conciliation and Arbitration may only hear from states; the Nagorno Karabagh Republic again remains

excluded (OSCE Rules of the Court, 1997). Nevertheless, the Court of Conciliation and Arbitration does remain an alternate legal forum.

Permanent Court of Arbitration

The Permanent Court of Arbitration (PCA), based in The Hague, was established by the 1899 Convention for the Pacific Settlement of International Disputes. Neither Armenia nor Azerbaijan has ratified the Hague Conventions of 1899 and 1907. Under Article 26 of the 1899 Convention, however, non-signatories may agree to present their case before the PCA (Hague I article 26).

The PCA, as with ICJ advisory opinions, has the advantage of allowing non-states to participate in proceedings. The PCA takes this further than the ICJ, and permits them to become full parties to a dispute. Unlike ICJ advisory opinions, however, PCA decisions are binding upon the parties.

The PCA is not a full court as is the ICJ, but rather a tribunal for arbitration. Its decisions do not have the same implications for future court cases. Nevertheless, the PCA does take a legally-based approach to its decisions; it is not a full court, but does effectively act as one.

Should the Minsk Group deem it appropriate, it could encourage Armenia and Azerbaijan to submit the question to the PCA. The additional flexibility afforded by the PCA would allow the Nagorno Karabagh Republic to participate fully. This could satisfy both the NKR's demand to take part in the resolution process and Armenia's contention that the dispute is between Azerbaijan and the NKR rather than Azerbaijan and Armenia. Armenia could, if it wished, become a co-party with the NKR or submit an amicus brief on its behalf.

The PCA does not have the name recognition of the International Court of Justice, nor do its decisions carry the same ramifications for future legal cases. For the purposes of concluding legal debate over the status of Nagorno Karabakh, however, it is sufficient; its decisions would remain binding on Armenia, Azerbaijan, and the NKR. Armenia and Azerbaijan must both, however, agree to bring the case before the PCA. The Nagorno

Karabagh Republic would have the opportunity to join in this agreement, although its participation may not be strictly necessary for the case to proceed.

Conclusion

Armenia, Azerbaijan, and the Nagorno Karabagh Republic have all been hesitant to use legal channels for relief. At the same time, however, the Minsk Group process has been largely stalled. It has been highly effective in managing the conflict and preventing another war over the region, but has made less progress towards reaching the end goal of a solution to the Nagorno Karabakh dispute. The Minsk Group could use either the International Court of Justice or the Permanent Court of Arbitration as a fallback option, forcing the parties to either solve the dispute within a given time frame or to submit the case for consideration before the ICJ or PCA.

Armenia, Azerbaijan, and the Nagorno Karabagh Republic all claim that they are in the legal right. It is unfortunate, then, that none of them have agreed to test these claims in international court. The Minsk Group may have the leverage to convince them to do so, should it decide to seek a faster end to the dispute. Ultimately, the prospects for resolution through international legal channels remain dim. None of the parties appear particularly willing to bring the case to court, and the legal options that do exist can make structuring difficult and enforcement even more so.

Recommendations

Short-Term

The Minsk Group remains the generally accepted avenue for mediation, and **should continue in its role as primary mediator**. It can, however, use the ICJ and PCA as tools to help further the mediation process.

According to well-established Western sources, the Minsk Group process has been largely stalled. It has made minor progress on peripheral issues but has not been able to breach the main problem, the status of the Nagorno Karabakh and surrounding territories. There is relatively little political will within Armenia and Azerbaijan to reach a negotiated solution; the current goal of the Minsk Group, according to an informed

Western source, is to keep the opposing sides talking in order to prevent a lapse into violent conflict.

- **The Minsk Group might use the ICJ and PCA as fallback institutions in order to push for a conclusion to the dispute**, following PACE Resolution 1416's recommendation that the case be submitted to the ICJ should the Minsk Group process fail. This would follow the "med-arb" (mediation-arbitration) approach, which uses an arbitration deadline to encourage the parties to work towards successful mediation.
- **The Minsk Group could grant itself a limited amount of time to solve the dispute, requiring both Armenia and Azerbaijan to sign an agreement to submit the case to the ICJ or PCA should such a time limit be reached.** Neither Armenia nor Azerbaijan finds the ICJ or PCA to be a particularly palatable option, and generally prefer the Minsk Group, but both seek to delay any conclusion by the Minsk Group that does not match their own bargaining position. If the Minsk Group can convince both Armenia and Azerbaijan to sign such an agreement, it could significantly speed the resolution process. Dilatory strategies might be temporarily useful, but ultimately both sides would be pressured to find a mutually acceptable solution before hitting the deadline. This might force both sides to cooperate fully with the Minsk Group process.

Medium-Term

Should the Minsk Group process fail despite the time pressure, the case would be submitted to the ICJ or PCA as previously agreed. Both Armenia and Azerbaijan would be legally obligated to comply.

Enforcing this obligation might be difficult. While sanctions might force compliance, third parties would need to be convinced to impose such sanctions. **One possibility might be to hold funds in escrow, to be released on resolution of the dispute.** Persuading Armenia and Azerbaijan to place funds sufficient for leverage into such an account, however, would be highly problematic. The prospect of the other side withdrawing from the established peace and the dispute turning to violent conflict might

be enough to drive both Armenia and Azerbaijan to hold to their obligation, but relying on this fear of violence is risky.

Assuming the Minsk process were to fail and both sides were to hold to the agreement to submit the case, the medium term would consist of hearings before the ICJ or PCA.

Long-Term

Following an ICJ or PCA decision, the long term would consist of enforcing the outcome of such a conclusion. It is here that a contentious ICJ case or PCA case would be preferable to an ICJ advisory opinion; while the contentious ICJ and PCA cases are legally binding, the ICJ advisory opinion is not.

Similarly, it is here that the PCA would be particularly appealing. From a legal standpoint, Armenia and Azerbaijan may be fully capable of overriding the unrecognized Nagorno Karabagh Republic. Should they attempt to do so, however, it is possible that the NKR would choose to fight back; it would have zero ownership of a bilateral conclusion, and would argue that it had been ignored. In a PCA case, however, the Nagorno Karabagh Republic would hold ownership in the conclusion rather than being ignored.

Legal considerations, however, often have little to do with political concerns. It is possible that any of the sides, feeling dissatisfied at the judicial or arbitration body's decision, might refuse to comply. With a contentious ICJ case or PCA case, existing international enforcement mechanisms could be applied.

The Minsk Group Mediation Process from 1992 to the Present

Jonas Brown and Kaelyn G. Lowmaster

The Minsk Group emerged from the 1992 Commission on Security and Cooperation in Europe (CSCE) Summit in Helsinki to gradually become the international community's principal mediator of the Nagorno Karabakh (NK) conflict. This multi-party mediation format has proven a mixed blessing. Although it has managed to sustain dialogue and support for the 1994 Russian-brokered cease-fire for nearly two decades, the Minsk Process has failed to facilitate a peace settlement and has arguably contributed to the complexity of the conflict by formally imbedding it in a tangle of regional and global rivalries. This chapter explores the development of the Minsk Group's current co-chairmanship structure, outlines early mediation attempts, traces the evolution of the Madrid Principles, and analyzes the parties' failure to reach a deal at the 2011 Kazan summit. This background provides a basis for the recommendations in the next chapter.

Origins of the Minsk Process

Early Attempts at International Mediation

The Minsk Group was not the first attempt at international mediation of the NK conflict. By 1991 both Armenia and Azerbaijan were preparing for the escalation of hostilities from localized, ethnically-targeted violence to full-scale war. In September, Russian president Boris Yeltsin joined Kazakh president Nursultan Nazarbayev in spearheading talks in Armenia, Azerbaijan, and NK itself. The negotiations culminated in the Zheleznovodsk Declaration, a cease-fire agreement establishing a negotiation framework that would produce concrete steps for settling the conflict "within a month" (Zheleznovodsk Declaration 1991). Before the document was ratified, however, a helicopter carrying the Azerbaijani deputy prime minister, interior minister and several Kazakh observers crashed in southern NK en route to further negotiations on 20 November 1991, "apparently after being shot down by Armenian fighters" (de Waal 2004, 162). Azerbaijan never signed the Zheleznovodsk document, and in response to public outrage, instituted a blockade of both Armenia and NK.

This early attempt at establishing a negotiation channel would likely not have endured, even without the tragic end to official treaty talks. Neither side had a great deal of control over the rapid armament process taking place along the front line, so enforcing a cease-fire would have been difficult. Commanders of increasingly formal military groups were not included in the Yeltsin-Nazarbayev negotiation efforts. Moreover, it is not clear that either side had yet developed the political will to end the conflict by the fall of 1991 (Eichensehr and Reisman 2009, 54-55).

At the same time, both Iran and Turkey conducted independent mediation efforts. However, a mutual lack of trust born from Armenia's close relationship with Iran and Azerbaijan's links with Turkey derailed both processes. In the months following the failure of the Yeltsin-Nazarbayev negotiations, Iran presented multiple cease-fire agreements, the most successful of which held only for a matter of days (Betts 1991). Neither the mediators nor the local circumstances of the conflict were conducive to a negotiated settlement between Armenia and Azerbaijan in 1991 and 1992.

Minsk Group Founding – Helsinki, 1992

The CSCE convened its Review Conference preceding the June summit in Helsinki during March of 1992 as violence continued to escalate. Armenia and Azerbaijan had both been admitted as full members of the CSCE two months before; the institution decided that some action should be taken to mitigate the conflict between its two new members. The conference's final document included a mandate from the Chairman-in-Office of the Council of Ministers calling for "an ongoing forum for negotiations towards a peaceful settlement of the crisis on the basis of the principles, commitments and provisions of the CSCE" (OSCE 1992, 14). This meeting was to be held in Minsk as soon as possible, and would represent the first step in the "major role" the CSCE hoped to play in the resolution of the NK conflict. The Minsk conference itself has still not taken place, but the forum's member states and the institutional negotiation framework itself adopted the city's name.

In addition to Armenia and Azerbaijan, nine participants comprised the original Minsk group: Belarus, Czechoslovakia, France, Germany, Italy, Russia, Sweden, Turkey and the United States. The geographical diversity of member states represented a new

level of internationalization; prior to the group's founding, conflict management attempts had only been undertaken on a regional basis. Though it did not explicitly require direct Karabakhi representation, this initial mediation structure allowed for Armenian and Azerbaijani representatives of NK to attend the negotiations as "interested parties" (OSCE 1992, 15).

According to Maresca (1996, 478), the former U.S. representative to the CSCE and the first U.S. representative to the Minsk Group, the period from January 1992 to December 1992 may have been "the most opportune moment for a global solution" to the conflict: The credibility of the CSCE was high, the parties were "uncertain of their ability to withstand international pressures," Moscow appeared to be relatively accepting of a CSCE-led mediation attempt, and the Karabakh Armenians had not yet achieved clear military superiority. A cease-fire appeared to be near at hand but Azerbaijan withdrew its support just prior to the December 1992 CSCE Stockholm Ministerial Council, apparently because the Azerbaijani leadership feared backlash from its domestic political opposition. Maresca (1996, 480-481) attributes the failure to both parties' persistent belief that a military victory was within sight and to "the lack of clear and sustained high-level interest in the issue in the West." Western countries were represented in the peace negotiations by low-level diplomats, and during the Italian co-chairmanship, the Chairman of the Minsk Group himself did not attend the talks, citing family concerns (Eichenser and Reisman 2009, 59). Maresca (1996, 481) contends that more committed, higher-level involvement by Minsk Group member states prior to and during the Stockholm conference could have achieved a ceasefire.

1993 was marked by the increasing divergence of the mediation efforts by the Minsk Group and Russia (Maresca 1996, 484): ". . . [Unilateral] Russian proposals began to surface, first private to the parties to the conflict without any information to the other Minsk Group negotiators, and then more openly, in stark contradiction to the joint work of the Group." The key substantive disagreements between the Minsk Group and Russia centered on the nature of the peacekeeping force, particularly its composition, command structure and rules of engagement. Moscow sought control of the peacekeepers, as well as the authority to use force to counter ceasefire violations. The Minsk Group proposed an international observer force. The existence of two parallel mediation tracks

encouraged the parties to “shop” for the most beneficial alternative, with Yerevan supporting either solution, Karabakh Armenians preferring the Russian proposal and Baku opting for the international force. The United States asserted that it would not supply peacekeepers but became increasingly concerned by Russia’s insistence on – in Yeltsin’s words – its “special responsibility . . . as guarantor of peace and stability in regions of the former USSR” (Maresca 2000, 82). Washington and Moscow were unable to reach an agreement on the issue. The fighting peaked in 1993 and early 1994, with a series of attacks and counterattacks that ended in a military stalemate, leading to a Russian-brokered cease-fire in May 1994 (Maresca 2000, 86).

Revising the Co-Chairmanship Structure – Budapest, 1994

Following the passage of UN Resolution 822 on Nagorno Karabakh in 1993³¹ and the signing of the cease-fire in 1994, the CSCE sought to capitalize on the momentum that had developed toward a negotiated agreement and reclaim its central role in the peace process. The December 1994 summit in Budapest, at which the CSCE became the OSCE, produced significant reforms to the Minsk framework. First, the consortium model for the Minsk Group was replaced by an equal co-chairmanship structure. Perhaps in order to reduce the potential for friction between coincident mediation structures, Russia was named co-chair alongside Sweden (Eichenser and Reisman 2009, 67). A second new development was the OSCE’s explicit commitment to create, with the approval of the UN Security Council, an international peacekeeping force to ensure compliance with a final peace agreement (OSCE, 1994). The High-Level Planning Group – which has held periodic meetings in Vienna since 1994 – was charged with “developing a plan for the establishment, force structure requirements and operation of a multinational OSCE peacekeeping force” (OSCE, 2013). While the general agreement on an OSCE peacekeeping force represented progress on the divisive peacekeeping issue, Maresca (2000, 87) argues that Budapest was a missed opportunity to finalize an agreement on the details, including the force’s exact “structure and guidelines.”

³¹ See full text: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/247/71/IMG/N9324771.pdf?OpenElement>.

With the peacekeeping issue partly resolved, the future of status of Nagorno Karabakh remained as uncertain as ever. The cease-fire had brought an end to large-scale violence but had also diminished the urgency of achieving a political solution to the conflict.

Developments in the Minsk Process: 1996 to Today

The Minsk Group's Structure and Process

The Minsk Group as it exists today consists of three co-chairs and eight permanent members, including Armenia and Azerbaijan. Russia has maintained its co-chairmanship as a regional power and the most active participant in the negotiation process since its inception. France was put forth as a nominee to assume a co-chairmanship in 1996, despite strong Azerbaijani objections because of France's large Armenian diaspora community. As a compromise, the United States was accepted into the group in early 1997 to complete its trio of co-chairs (de Waal 2004, 58). The remaining members, Belarus, Germany, Italy, Sweden, Finland and Turkey, are only peripherally involved in the negotiation process and do not regularly participate in direct ministerial-level meetings with Armenia and Azerbaijan.

Elected representatives of the now two-decade-old unrecognized Nagorno Karabakh Republic (NKR) are no longer involved in formal negotiations and are nominally represented by the Armenian delegation. According to de Waal (2010, 10), in 1992 "there were direct contacts between Azerbaijani and Karabakh Armenian officials." The 1994 cease-fire was signed by Karabakh Armenian Samvel Babayan, and for several years following the fighting Karabakh Armenians and Karabakh Azerbaijanis both attended peace negotiations. In part, their participation ended due to political pressure that followed the 1996 OSCE Lisbon summit declaration highlighting the importance of maintaining Azerbaijan's territorial integrity. In addition, Kocharian – a NK native – became Prime Minister of Armenia in 1997, and it was thought by some that he would capably represent Karabakh Armenians in the negotiations. According to NKR Foreign Minister Mirzoyan, Karabakh Armenians played an important role in achieving the trilateral cease-fire in 1994, and they continued to be "deeply involved" in the negotiation process until 1998. At that time, the Minsk Group was trying to negotiate a territorial

exchange between Armenia and Azerbaijan, the foreign minister said, so it was logical for Karabakh Armenians to step aside.

Following the Budapest summit, the OSCE more clearly articulated the Minsk Group's objectives and put forth a clearer mandate for the co-chair countries. Aside from maintaining a framework for negotiation, the group's ultimate goals are simply "obtaining conclusion by the Parties of an agreement on the cessation of the armed conflict in order to permit the convening of the Minsk Conference," and "promoting the peace process by deploying OSCE multinational peacekeeping forces" (OSCE 2013). The Minsk Group continues to work toward its titular culminating conference by engaging in regular ministerial-level meetings with both Armenia and Azerbaijan, conducting frequent visits to both countries and to NK itself, and maintaining close ties between the co-chair countries, both through independent conferences and under the umbrella of regular OSCE meetings. The OSCE releases brief statements on the group's progress on a monthly basis, though the specific content of negotiations remains confidential.

The Development of the Madrid Principles

Since the mid-1990s, the Minsk Group has proposed a range of possible settlements that have attempted to reconcile the three conflicting Helsinki principles that form the basis for the negotiations: non-use of force or threat of force, territorial integrity, and the equal rights and self-determination of peoples. In 1997 and 1998, the new trilateral chairmanship proposed "package," "phased," and "common state" solutions. The July 1997 "package" approach sought to resolve all major disagreements at once, calling for Armenian withdrawal from NK and return of the occupied territories to Azerbaijan. NK was to be declared a region within Azerbaijan (Danielyan and Fuller 2001). In September 1997, the "step-by-step" approach called for a similar Armenian withdrawal but postponed a final decision on status, instead promising continued three-way negotiations "to speedily attain an all-encompassing regulation of all other aspects of the conflict, including the political aspect, which includes defining the status of Nagorno Karabakh and resolving the problem of Lachin, Shusha and Shaumian" (Danielyan and Fuller 2001). The latter proposal divided the Armenian side; President Ter-Petrosian

responded favorably while his political opponents within Armenia, as well as the Karabakh leadership, rejected the deal (Dehdashti-Rasmussen 2006, 195). A November 1998 “common state” solution, which would have joined NK and Azerbaijan in a single federative state, was rejected by Azerbaijan.

In both 1999 and 2001, a peace deal appeared to be near at hand. In 1999 the “Goble Plan” envisioned a territorial swap: In exchange for the “Lachin corridor” linking it with NK, Armenia was to give up a narrow strip of land across its southern border with Iran, providing Azerbaijan a corridor to Nakhchivan (de Waal 2003, 263-4). This deal – very near to being finalized, according to former Deputy Secretary of State Strobe Talbott – fell apart with the large-scale assassination in the Armenian parliament on 27 October. The 2001 Key West proposal would have made NK a part of Armenia, while Azerbaijan would have received internationally guaranteed road access through Armenian territory to Nakhchivan, as well as the right of former inhabitants of Shusha to return to their homes. According to U.S. Co-Chair Rudolf Perina, the parties were “unbelievably close” to a deal in private talks at Key West. However, the presidents were apparently unwilling to risk the domestic political consequences of such a deal, and in the aftermath of these promising private discussions, no formal agreement was reached.

As part of the Prague Process initiated in 2004, Armenia and Azerbaijan began to consider a synthesis of previous “phased” and “package” proposals – a “phased-package” approach – in 2005. While entailing simultaneous agreement on all significant issues, the components of the agreement were to be phased in sequentially, with a delayed vote on NK’s permanent status. When formally presented at the 2007 Madrid summit, these basic principles became known as the Madrid Principles, and, in updated form, they remain the foundation of current negotiations. The Madrid Principles, as articulated by the Minsk Group in 2009, consist of six basic components: 1) An interim status for Nagorno Karabakh providing guarantees for security and self-governance; 2) A corridor linking Armenia to Nagorno Karabakh; 3) Eventual determination of the final legal status of Nagorno Karabakh through a legally binding expression of will; 4) The return of territories surrounding Nagorno Karabakh to Azerbaijan; 5) The right of all internally displaced persons (IDPs) and refugees to return to their former places of residence; and 6) International security guarantees, including a peacekeeping operation.

The co-chairs have envisioned that an agreement on these basic principles would “unfreeze” the situation on the ground, permitting an injection of international aid for demining, infrastructure rehabilitation, and the internationally supervised return of IDPs and refugees. Although a follow-up comprehensive peace agreement would still be necessary, the signing of the Madrid Principles would initiate a thawing process, beginning the process of regional reintegration through the opening of Armenia’s closed borders with Turkey and Azerbaijan.

However, in the six years since their first formal consideration of the Madrid Principles, the parties have not been able to agree on the details. At the end of 2009 and the beginning of 2010, Azerbaijan reported that it was ready to accept the latest version of the Principles, but they were rejected by Armenia. At the Kazan summit in June 2011, Yerevan was ready to sign but Baku now objected, due to what Aliyev said were unacceptable revisions to the 2010 document. The breakdown at the Kazan talks seemed to confirm what observers have said for years: The Nagorno Karabakh conflict is not ripe for settlement. There is no mutually hurting stalemate and there is no clearly defined “way out” that preserves both the Karabakh Armenians’ right to self-determination and Azerbaijan’s right to territorial sovereignty (Hopmann and Zartman 2010, 4).

The Kazan Summit

In June 2011, a few months after talks in Sochi had raised hopes of an imminent agreement on basic principles, Azerbaijani President Ilham Aliyev and Armenian President Serzh Sargsyan met in Kazan. The meeting represented the ninth tripartite summit on the NK conflict hosted by Russian President Dimitri Medvedev since 2008 (Sammot 2011, 2-3). In the year leading up to the talks, the Minsk Group co-chairs made eight visits to the Southern Caucasus and organized fourteen meetings with the presidents of Azerbaijan and Armenia (“Statement of the OSCE Minsk Group Co-Chairs” 2011). Prior to the summit, U.S. Co-Chair of the OSCE Minsk Group Robert Bradtke called the meeting “the most important stage in the negotiation process since 2001, when efforts were made in Key West to reach a peace agreement” (Trend News Agency 2011). The revised Madrid Principles on the table, Bradtke said, were the result of years of work by the co-chairs and the parties. In May of the same year, the presidents of the co-chair

countries had issued a joint statement declaring the principles “just and balanced” and urging the presidents of Azerbaijan and Armenia to sign (OSCE 2011). Presidents Sarkozy and Obama telephoned Aliyev and Sargsyan prior to the meeting, and the positive tone of President Obama’s conversations left American officials feeling optimistic (de Waal 2011).

Hopes were quickly dashed. According to de Waal, President Aliyev “came to the [Kazan] meeting with a list of nine or ten amendments to the latest draft document, the Armenian side raised objections to them, and the meeting, although it lasted almost four hours, was pretty much over as soon as it began” (2011). Since that summit, the parties have continued to meet but in an atmosphere of stalemate.

According to Azerbaijani Deputy Foreign Minister Araz Azimov, President Aliyev rejected the Kazan deal due to disagreement on two main issues: sequencing and peacekeeping. First, the Kazan document postponed return of Karabakh Azerbaijanis to NK to an uncertain future date. In the 2010 version of the Madrid Principles, the first three stages of implementation were to proceed as follows: 1) the return of five occupied territories; 2) the return of the remaining two territories, Kelbajar and Lachin (with the exception of a narrow land corridor from Armenia to NK), simultaneous with permitting the return of Karabakh Azerbaijanis to NK; and 3) a gradual increase in regional integration and cooperation. At Yerevan’s request, Russian Foreign Minister Sergey Lavrov reportedly added a provision delaying the return of Kelbajar and Lachin to Azerbaijan until after the binding vote on final status. In Azimov’s view, this change in the terms suggested that Kelbajar and Lachin would never be returned.

Azimov was also against Lavrov’s decision to replace the Madrid Principles provision calling for an OSCE peacekeeping force with a statement authorizing UN Chapter 7 peace enforcement. This, he predicted, would result in a “coalition of the willing,” and in “compensation” for Russia’s support for Security Council Resolution 1973 authorizing the 2011 military intervention in Libya, the United States would permit the peacekeeping force to be dominated by Russian peace enforcers. Already exerting military influence in Armenia and Georgia, Russia would thereby complete its military domination of the South Caucasus.

Furthermore, Azimov appeared to be as much disturbed by the – in his view – cozy relationship between the Russian mediator and the Armenian president as by any particular aspect of the agreement proposed at Kazan. According to Azimov, when President Sargsyan rejected co-chair proposals in 2009 and 2010, rather than challenging the Armenian president, Medvedev altered the 2009 Athens version of the Madrid Principles to align more closely with the Armenian position, leading to the alterations cited above. According to another Azerbaijani official who was present at the talks, the Azerbaijani party was surprised to find that the paper presented to them at Kazan was different from the one previously provided by the Minsk Group.

In Azimov's view, Russia was using its role as the chief mediator in the NK conflict to trap Azerbaijan in a vulnerable position; if Azerbaijan had accepted the deal, Russian peacekeepers would have eventually been deployed to Azerbaijani territory, and so long as Azerbaijan does not accept a deal, its only other active alternative is military escalation, which would result in immediate Russian intervention on behalf of Armenia. Therefore, Azimov declared, at Kazan Azerbaijan rejected not only the specific agreement but also the Medvedev-led process characterized by unilateral Russian proposals.

According to Armenian Foreign Minister Eduard Nalbandian, the parties disagreed about another important specific at Kazan: the terms of the eventual referendum. However, following Kazan, Nalbandian remained adamant that Armenia was ready to sign the existing proposal, saying, in November 2011, "We have been saying that we are ready to adopt the proposals made in Kazan and move forward on this basis, if Azerbaijan removes its ten new objections, which . . . send us back to the wordings three or four years old." In January 2013, Nalbandian reiterated this position.

If the Kazan meeting shook Baku's faith in the Russia-led mediation process, it also raised questions about Baku's commitment to the negotiations. "The question for Aliyev," wrote de Waal in July 2011, "is why he did not seek to settle these issues in the run-up to Kazan but instead raised them only on June 24, thereby blowing up the meeting?" Azerbaijan may have blocked an agreement at the eleventh hour, de Waal suggested, in an attempt to persuade the United States and France to take a more proactive role in the process, including a guarantee that peacekeepers would come from

Europe. However, it is also possible, he wrote, that Baku undermined the Kazan summit in the belief that with each passing year Azerbaijan's relative leverage in the peace process increases in proportion to its increasing economic power. It should also be noted that at Kazan Sargsyan agreed to sign the document only if he was able to gain approval from the Karabakh Armenian leadership. Therefore, even the purportedly assenting party was unable to guarantee support for the basic principles.

The failed Kazan meeting demonstrated why skeptics look at the two-decade old mediation process and see two parties trying “not so much to achieve a breakthrough . . . as to create a platform for accusing their partners of a lack of constructiveness” (Mamedov and Panfilova 2011). In the words of Boris Navasardyan, chairman of the Yerevan Press Club, “All this is reminiscent of a swing. At each such meeting one party is to a greater extent agreeable to the latest updated wording proposed by the mediators, the other, accordingly, objects. The mediators will once again sit down to edit with regard to the unhappiness that was expressed, and the next time the wording will . . . [elicit] objections from the other party. Based on the reactions, it may be assumed that the involuntary [as published] participant in Kazan was Azerbaijan, and Armenia had more grounds for accusing its partner of an unwillingness to compromise. Whether a balance will ever be achieved is not known but it is hard to expect this in the immediate future” (Mamedov and Panfilova 2011).

Conclusion

The Minsk Group endures even in the absence of tangible results because it has – importantly – managed to sustain the 1994 Russian-brokered cease-fire and keep the negotiations afloat, regardless of deliverables. In the words of one American close to the negotiations, “if you can't get agreement on substance, then you damn well better find a way to keep the process alive.” Overall, however, there seems to be little optimism that the current course of negotiations will produce a peaceful settlement in the short or mid term. In a 1996 article on missed opportunities in the NK negotiations, Maresca (471-472) identified four “broad elements” impeding progress toward a settlement. Each of these, to a greater or lesser extent, still remains relevant today: the “unwillingness of the parties to compromise,” the “lack of sustained high-level western interest,” “Russian

determination to keep the international community out,” and “unwieldy” mediation procedures. The secrecy of the negotiations have allowed the parties’ leaders to hold exploratory meetings without suffering political costs but have also permitted the development of a wide, seemingly unbridgeable gap between private discussions and public rhetoric.

In September 2012, Azerbaijani President Ilham Aliyev assessed the current state of the peace talks: “The negotiation process has been frozen since the last meeting [of the presidents of Azerbaijan and Armenia] in June 2011 in Kazan. Cochairmen of the OSCE Minsk Group are making visits to the region; however, we are not discussing the essence of the talks but the reduction of potential threats and tension. Since the formation of the OSCE Minsk Group for the first time we see the peace talks running into a blind alley” (Interfax, Sep 2012). Finding a way out of this “blind alley” will require new ideas and renewed commitment from both the mediators and the parties to the conflict. The next chapter suggests possible ways to restore the negotiations’ forward momentum.

Regaining Momentum: Current Perceptions of the Minsk Group Process and Recommendations for Reform

Kaelyn G. Lowmaster and Jonas Brown

Designating Nagorno Karabakh (NK) a “frozen conflict” belies not only the consequences of extant violence, but also the ongoing Minsk process that has been actively facilitating negotiations between Armenia and Azerbaijan for more than two decades. Though the group has succeeded in perpetuating discussion and holding regular ministerial-level meetings, it has yet to achieve tangible success on any of its stated objectives. The series of high-profile near-misses outlined in the previous chapter, particularly at Key West and Kazan, has produced a certain amount of skepticism that the Minsk Group forum as it currently exists actually has the capacity to broker a peaceful negotiated settlement. Nevertheless, the group remains widely accepted as the sole legitimate forum for mediation and dialogue.

Current circumstances may present a rare opportunity to reconsider the Minsk Group’s processes, however: both Azerbaijan and Armenia will have national elections in 2013, Dmitri Medvedev has departed the scene as the senior Russian leader driving negotiations, and a new American will be joining the group to replace former U.S. co-chair Robert Bradtke. Incorporating alternative approaches and formats may be more conducive to forward progress. This chapter explores current perceptions of the Minsk Group, followed by the identification of several attributes of the body’s methods that have contributed to stagnation of the peace process. Finally, several suggestions are offered for modifying the group’s composition and strategy in order to regain momentum and help produce the conditions necessary for creating an enduring, mutually acceptable peace agreement.

Perceptions of the Minsk Group Process

Despite the range and depth of disagreements that persist after twenty years of negotiation, the major actors do seem to agree on one key point: The Minsk Group, however flawed, is the correct mechanism for mediating the NK conflict, and there would

be nothing gained from starting the mediation process anew under the auspices of a different institution. The parties to the conflict all apparently support the current format for its flexibility and for the level of global attention it brings to the conflict as a result of the influence and visibility of the co-chair nations. According to Azerbaijani Deputy Minister of Foreign Affairs Araz Asimov, alternative internal dispute settlement mechanisms would be both unwieldy and ineffective. A UN-led mediation effort would not produce different results because, given China's proclaimed neutrality on the NK conflict, intra-Security Council debate between the United States, France and Russia would inevitably devolve into dynamics identical to those of the current Minsk Group (Asimov, 2013). Furthermore, the UN has already lent its diplomatic weight to the process by formally declaring its support for OSCE Minsk Group mediation in four 1993 Security Council resolutions. At the more informal end of the spectrum, even if a downsized, NGO-led mediation effort could possibly achieve an agreement on paper, it would lack the capacity to enforce the implementation of the deal's terms.

Armenian Foreign Minister Eduard Nalbandian agrees that the Minsk Group is the best mechanism for addressing the conflict, praising the co-chairs' creativity in forwarding a variety of proposed solutions. He further suggests that restarting negotiations in a different format would waste the accumulated knowledge of the conflict accrued by the co-chair countries over the last two decades (Nalbandian 2013). Even within the Foreign Ministry of the unrecognized Nagorno Karabakh Republic (NKR), the efforts of the Minsk group are praised, though NKR itself is not permitted to participate as an independent party to negotiation (Mirzoyan 2013). A somewhat resigned consensus exists that, as Thomas de Waal writes, "re-designing the negotiating process at this stage could be time-consuming and needlessly mire all sides in protracted bargaining over process rather than substance" (2010, 2).

Though they agree that a solution is unlikely to be found by instituting an alternative negotiation framework, the leadership in Baku and Stepanakert still offer substantial criticism of the way the Minsk Group has carried out its mandate. Baku believes that since Key West the United States has largely relinquished its mediation responsibilities, and that Russia's unchallenged control has caused the process to stall.

One high-ranking Azerbaijani official who was present at the Kazan talks characterized the United States role in the Minsk Group, from 2009 to 2011, as that of a “spectator.”

Government officials in Baku consistently express disappointment in a lack of more active U.S. support of the Azerbaijani position within the Minsk Group. There is a prevailing sense that, although Azerbaijan has supported U.S. interests (cooperating in the fight against international terrorism and on the Baku-Tblisi-Ceyhan pipeline, for example) at considerable cost to its standing among other Muslim-majority countries, the U.S. has failed to reciprocate by holding Armenia accountable for what is viewed as a clear violation of Azerbaijan’s territorial integrity. In other words, while the U.S. has thus far played a “communicator” and “formulator” role in this mediation process, Baku wants to see the U.S. assume the role of “manipulator,” exerting its power within the mediation process to create ripeness and resolve the conflict according to international law (Zartman and Touval 2009, 446).

From the Armenian perspective, Nalbandian argues that Russia is a convenient scapegoat used by Baku to avoid its responsibility for the failed Kazan talks. In his view, the Minsk Group is functioning effectively, and the existence of three co-chairs is proof that Russia does not exert unilateral control over the process.

Karen Mirzoyan, NKR Foreign Minister, expressed confidence in the Minsk Group but, along with Yerevan, criticized the Group for not including Karabakh Armenians directly in the talks and said NKR would be unable to agree to an agreement if its representatives were not present for the negotiations.

Current Negotiations and the Status Quo

The 28 January 2013 meeting between the Azerbaijani and Armenian Foreign Ministers ended with the all-too familiar agreement “to continue negotiations.” As many have pointed out, the pledge to continue communicating is itself important, but there is also a very real danger of stasis.

Interviews with government officials in Baku, Yerevan and Stepanakert suggested that current leaders feel little urgency to reevaluate their hardened positions. Although the conflict has made all three parties objectively worse off, the subjective “hurting stalemate” does not exist. All three recognize the human, economic and diplomatic costs

of the conflict, but each seems to perceive that the passage of time is changing the dynamics of the negotiations in its own favor. For Baku time brings economic development, military build-up and, in the absence of a negotiated agreement, the promise of an eventual military victory; for Yerevan and Stepanakert, time is doing what politics has failed to accomplish, gradually ratifying the status quo (Harutunian 2010, 70).

Weaknesses of the Minsk Process

It is unrealistic to attribute the continued existence of a stalemate over NK solely to the Minsk Group's shortcomings. Mediators cannot be expected to concoct solutions to deeply complex problems when the parties themselves may not consider agreement to be in their best interests. Nevertheless, there are several specific areas in which Minsk Group efforts have fallen short or have proven ineffective in the context of the NK conflict.

The largest potential spoiler of a negotiated agreement based on current principles is the de facto administration of NKR. Since 1998, there have been no Karabakhi representatives at the negotiation table with Armenia and Azerbaijan, even though the Minsk Group convenes with NKR officials during every official visit to the region. Stepanakert has expressed reluctance to condone any progress already made toward a framework for a peace agreement, since there has been no direct feedback from elected representatives of NKR. "It's impossible to accept anything that was discussed without you," said Mirzoyan (Mirzoyan 2013). Thus far, the current trio of co-chairs has not made any move to include NKR as an equal party to negotiations, a choice that could well derail an eventual settlement.

A related weakness of the Minsk group's strategy is its narrow focus on high-level, track one talks. While maintaining a face-to-face relationship at the highest levels of government is certainly important for facilitating eventual agreement, the Minsk Group's exclusive attention to foreign ministers and presidents means that the voices of politically disadvantaged parties on all sides are not heard. The conflict is much less "frozen" for refugees, IDPs, and conscripted soldiers along the line of contact, for example, and with weak civil society in both Azerbaijan and Armenia, these groups have

little recourse for making their interests known. Restricting negotiations to the most powerful government officials also leads to the danger of talks devolving into rehearsed recitations of the party line, or worse, to escalating hostile rhetoric (Eichenser and Reisman 2009, 69). The Minsk Group has done little to facilitate the inclusion of other relevant parties in the broader mediation framework.

At the root of this problem is the larger issue of political will and fostering conditions of ripeness. In both Armenia and Azerbaijan, there is deep-seated mistrust and, as a result, popular unwillingness to cooperate with the other side. Both claim that hostilities run too deep, and that, until domestic circumstances change on the other side, there is no possibility of a lasting peace. “We need to refreeze the frozen conflict,” claims Richard Giragosian of the Center for Regional Studies in Yerevan, “and focus on democratic development” (2013). The Minsk Group has failed to contribute in a positive way to assisting in the development of political will on both sides, even though the OSCE commission specifically mandates that “the co-chairmen of the Minsk Conference...continue working with the parties towards further implementation of confidence-building measures” (OSCE 1994). The longer this dimension of the conflict is neglected, the more invested all sides become in the status quo.

Similarly neglected is the need for the public to be well-informed about the specifics of negotiations. A certain amount of plausible deniability may be useful for high-level leaders during closed-door talks, but populations in Armenia, Azerbaijan, and NKR alike suffer from a lack of objective information. With the exception of single-page statements about recent meetings from official OSCE sources, the main outlet for news about the conflict is domestic media, which is one-sided at best and worryingly vitriolic at worst. A generation of Azerbaijanis and Armenians younger than the conflict has grown up with no real contact with peers of the other nationality, an unfortunate byproduct of the conflict that will undoubtedly influence future policymaking. The Minsk Group has invested very little time in supporting and encouraging both governments in preparing populations for the reality of negotiated settlement. This lack of information and the dearth of will to compromise are mutually reinforcing phenomena, compounded by the Minsk Group’s short list of discussants.

Finally, some suspicion of the co-chairs and their motives still remains. Indeed, the degree of intensity with which the Minsk Process was pursued throughout the 1990s was often directly correlated with the health of Russian relations with the west in the aftermath of the Cold War. Azerbaijan is particularly sensitive to any Russian involvement because of Armenia's close economic and political ties to Russia, while the presence of substantial Armenian populations in both the United States and France cast doubt on the neutrality of each of the three co-chairs. The perception in Baku that the U.S. has effectively abdicated its Minsk Group responsibilities further fuels uncertainty regarding co-chair roles. "Problems with the process lie not with the sides, but with disagreements among the co-chairs," one NKR national assembly member claimed (Akanesyan 2013). While this is certainly an exaggeration, it expresses the skepticism that still exists regarding the choice of principal mediators.

Conclusion

The international mediation efforts toward resolving the NK conflict have made significant progress since 1991 in terms of legitimacy and cohesiveness. However, the Minsk Group has failed in two of the core functions of active mediators: formulating creative solutions and assisting in establishing conditions for ripeness. Though the suggestions outlined below in no way guarantee the success of the peace process, they would have a great impact on the Minsk Group's ability to produce well-informed recommendations, and may improve the likelihood that all sides will prefer those recommendations to continued hostilities.

At the December 2012 OSCE Ministerial Meeting in Dublin, a joint statement of the Minsk Group co-chairs concluded with the claim that "our countries continue to stand ready to do whatever we can to assist the parties, but the responsibility for putting an end to the Nagorno Karabakh conflict remains with them" (Minsk Group, 2012). While it is true that the power to execute a final agreement lies with Armenia, Azerbaijan, and de facto NKR authorities, the Minsk Group must not abdicate responsibility for the course of negotiations. By reevaluating its structure and practices, the Minsk Group is capable of greater positive progress than it has thus far demonstrated.

Recommendations for Reforming Minsk Group Processes

In his January 2011 essay in *Caucasus Edition: Journal for Conflict Transformation*, Roethke employs Richard Haass's "four prerequisites for ripeness" to analyze the NK stalemate (Haass 1990, 27-9). The first and most important prerequisite is that both parties must want an agreement: "Parties must conclude in the absence of an agreement time does not work in their favor . . ." (Haass 1990, 27). Second, the political leaders "must either be sufficiently strong to permit compromise (because of popularity or force) or sufficiently weak that compromise cannot be avoided" (Haass 1990, 27). Third, unless an agreement is imposed on the parties by external actors, there must be political space on both sides for a compromise – space that allows leaders who sign a compromise agreement "to persuade their colleagues and citizens that the national interest was protected" (Haass 1990, 28). Finally, there must be a legitimate process that is accepted by all parties.

Our meetings with the three parties to the NK conflict suggested that only the final prerequisite for ripeness exists: despite the weaknesses outlined above, the OSCE Minsk Group appears to be a unanimously accepted mechanism. It has the advantages of legitimacy and longevity, and is the most mutually acceptable framework in which to conduct negotiations. The other three prerequisites, however, are missing. The parties to the NK conflict believe time works in their favor. They are "not strong enough to compromise, but only strong enough to hang on" (Haass 1990, 28). And however near to agreement the top leaders may have come in their secret talks, the public rhetoric has remained uncompromising, leaving no political space for agreement.

The following recommendations are offered as possible ways of addressing the aforementioned shortcomings in the Minsk Group approach in order to build the missing three prerequisites for ripeness. While the basic structure should be maintained, membership must expand, confidence-building measures must be linked to the negotiation process, and the co-chairmanship triad must be reexamined if the Minsk process is to produce a stable, enduring peace agreement.

- **Including NKR as an independent party to Minsk Group negotiations.** The first necessary step the Minsk group should take is to include elected representatives of NKR as full participants in all negotiations alongside Armenia

and Azerbaijan. There are bound to be objections to this proposition from the two opposing sides: Azerbaijan refuses to accept the legitimacy of the de facto government, while Armenia has thus far operated under the assumption that, because every president since Kocharian was born in NK, it is an appropriate representative of Karabakh Armenians. Nevertheless, not including NKR at this stage of negotiations could carry a high cost in the future, particularly if an otherwise completed peace settlement is derailed by an NKR veto. In Stepanakert there has been a fully functioning, if unrecognized, government for more than twenty years, and their status quo has become increasingly firmly entrenched. Implicit representation by Armenia is no longer an accurate basis on which to conduct negotiations.

The co-chairs have stated that NKR representatives will formally rejoin the negotiations after the Madrid Principles have been signed. This is an understandable position, given the sunk costs associated with the current negotiation format and NKR's reluctance to accept many fundamental aspects of the Minsk Group's current platform, specifically rejecting Karabakh Azerbaijanis' right to return and maintaining a general unwillingness to consider the existing draft of the Madrid Principles. However, the centrality of the NKR to the process cannot be avoided, nor can the reality that it is an increasingly autonomous economic and political entity:

The strategy . . . [of the international community] has been low cost but ultimately self-defeating: to block recognition of . . . [NK] while doing nothing to prevent . . . [it] from becoming more and more functional. To leaders—and, indeed, to average citizens—in . . . Karabakh, . . . that looks like a bum deal. International negotiators are in the unenviable position of trying to convince them that it isn't. (King 2007, 291)

This task of convincing citizens and leaders in NK to accept an imposed settlement is only likely to become more difficult in the future. As de Waal and other experts suggest, the Minsk Group co-chairs should consider bringing Karabakh Armenians back into the mediation process via track two or track one and a half diplomacy (2009, 7).

- **Establishing a greater role for the EU.** In order to address the need for confidence-building measures in the form of track one and a half and track two diplomacy, the OSCE should consider a partnership with the EU. In 2005, French co-chairman Bernard Fassier outlined the limits of the Minsk Group's scope: "The Minsk Group is a political forum. It can put forward political ideas. However, it does not have financial resources to implement those ideas" (German, 2007, 367). The EU may have the resources that the lean Minsk Group does not, and, after the 2008 Russia-Georgia War, may have adopted a more active strategy for engagement with the Caucasus.

In 2012, the OSCE released a report at its Ambassadors' Retreat calling for deeper partnerships with other international organizations, the EU in particular (OSCE 2012). EU efforts to support confidence building measures and civil society initiatives have been important (Sammut 2011, 5), and that role should be expanded to take advantage of the EU's soft power in the Caucasus and, as de Waal suggests, its accumulated expertise in coordinating conflict stabilization and post-conflict reconstruction efforts (2010, 8). With both the OSCE and EU as engaged partners, the Minsk Group could maintain its credibility as the sole legitimate forum for high-level government negotiations, while the EU could oversee regional efforts to develop political will and assist in preparing populations for peace. This would also have the positive spillover effect of information sharing, creating an informal grassroots dialogue to parallel official mediation.

- **Reevaluating co-chair roles.** The end of Medvedev's sustained push to mediate an agreement provides an opportunity for more proactive participation in the process by the other co-chairs. To that end, the OSCE should reconsider the roles of the countries it has chosen to direct the Minsk Group, a trio whose tenure has lasted since 1997. France has been the least involved of the three mediators in recent years, so **it may be prudent to invite a more engaged EU representative country to co-chair** if a closer partnership between the OSCE and the EU is to be realized. Germany is already a permanent member of the Minsk Group, and if promoted to co-chair, may mitigate the perceived impact of France's large

Armenian diaspora. This may ease concerns regarding the body's overall neutrality, while explicitly tying positive progress on the NK issue to success in EU leadership.

In the interest of rekindling a sense of immediacy to the peace process, **the United States should also consider resuming a more active role.** Since the Key West Summit, the American government has invested almost no political capital in spurring NK talks. The United States does have long-term strategic interests in the region, particularly concerning energy security and the consequences of full-scale hostilities between Armenia and Azerbaijan. Moreover, a more assertive American role will have the very desirable side effect of increasing Baku's confidence in the process. **Secretary of State John Kerry should make NK and U.S. participation in the Minsk Group a higher priority than did his predecessors,** and the beginning a new American co-chairman's tenure may provide an opportunity for renewed dedication to the United States' role in the NK peace process.

- **Developing conditions suitable for settlement and preparing populations for peace.** The prevailing dynamic in Minsk Group negotiations can be described as follows: "...[N]ever have talks produced more than agreement to continue talking, an outcome that all sides find agreeable. At a minimum, there is no disincentive to continue meeting; at a maximum, the belligerents get the best of both worlds: the continued approbation of the international community for their 'steadfastness' and 'willingness to maintain dialogue' and the ability to continue to reap the rewards of stalemate" (King 2007, 285). Ultimately, the structure of the conflict and the strategic outlooks of the parties, not the mediation format, are the cause of stalemate (de Waal 2010, 2).

January 2013 interviews found that representatives from each of the three governments were quick to blame their counterparts but largely unwilling to consider their own contributions to the stalemate. Baku and Yerevan continue to use the conflict to mobilize domestic political support, Baku by publicly threatening military action and Yerevan by threatening to recognize Karabakh (International Crisis Group 2011, 12). Inevitably, these statements narrow the

political space in which to search for an agreement. None of the three parties has taken measures to prepare its citizens for peace. This combination of extremist rhetoric and restricted civil liberties in both Azerbaijan and Armenia makes it unlikely that peace movements will develop organically.

- In this environment, **Minsk Group should strive to cultivate ripeness in the long term by leveraging connections with the EU to develop a track two process representing all parties, by increasing efforts to make the mediation process more transparent, and by working to catalyze dialogue and democratic development in Azerbaijan, Armenia and NKR** (de Waal 2010, 9). January 2013 meetings with officials of both governments and de facto NKR authorities confirmed the criticism of some analysts that the Minsk Group mediation process has failed to produce a final settlement in part because it is overly focused on producing the settlement itself, rather than on cultivating circumstances hospitable to agreement. Instead, what appears to be required is “a holistic approach to fundamentally restructure the relationships between [and within] all parties involved in the dispute” (Harutunian, 2010, 58). **The Minsk Group should broaden its strategy to include – in addition to peacemaking talks with the top leaders – increased support for peace-building initiatives at all levels of society** (Harutunian 2010, 75). Such long-term measures are a prerequisite for stable peace: “Special courage will be required to break the cycle and look ahead to the well-being and survival of future generations” (Harutunian 2010, 73). A closer relationship with the EU facilitated by an increased German presence along with active co-chair participation through this period of transition will make this sort of ripeness-building more feasible.

Conclusion

P. Terrence Hopmann

The protracted conflict over Nagorno Karabakh is undoubtedly one of the most difficult conflicts faced in the world today, and our SAIS trip to the region revealed that it will be difficult to resolve soon. Both parties to the conflict appear to believe that time is on their side and that waiting until the other begins to show greater flexibility is the appropriate strategy. However, much of what we saw suggests that this is illusory, and the failure to resolve this conflict in the near future could lead to a significantly worsened, perhaps even a disastrous situation for all parties involved. Even if that were not the case, its prolongation entails significant lost opportunities by all parties for both economic and political benefits that could ensue following a resolution of the conflict.

Conflict began in Nagorno Karabakh in 1988 as the Soviet Union was beginning to disintegrate. The region held the status of an autonomous oblast within the Soviet Socialist Republic of Azerbaijan, one of the 15 Soviet “Union Republics” that broke apart in late 1991 and became independent states; however, as a lower level autonomous entity, Nagorno Karabakh, like all other regional autonomies, did not achieve statehood. The population of Nagorno Karabakh consisted of a majority of ethnic Armenians, whose autonomous status was guaranteed by Moscow. However, with the potential loss of backing from Moscow, Armenian residents, largely Orthodox Christians, feared their subordination to the government of predominantly Muslim Azerbaijan. It is important to emphasize, as Mary Boyer stresses in her chapter, that this is not a conflict about religion but about national identity, in which religious tradition serves as only one source among many of those identities. Thus, as early as 1988, leaders in Nagorno Karabakh actively petitioned authorities in Moscow to transfer the region to Armenian jurisdiction. Even today, many political leaders indicate a preference for reunification with Armenia and view the independence effort as a necessary first step towards unification.

The conflict sharpened as the Soviet Union collapsed over the course of 1991, and Azerbaijan declared its own independence from the USSR, as Joseph Recht reports in his chapter, a right it was formally guaranteed in Article 72 of the 1977 Soviet Constitution,

and its sovereignty was internationally recognized in early 1992. Similarly, Nagorno Karabakh indicated its desire to withdraw from Azerbaijan, claiming that it had a right to secede as an autonomous oblast within the Soviet structure. Azerbaijan argued, on the contrary, that its constitution would permit independence only if approved by a country-wide referendum throughout Azerbaijan, an argument reinforced by Article 78 of the Soviet Constitution that said that the territory of any of the Union Republics could not be altered without their consent. Thus Azerbaijan forcefully resisted efforts of Nagorno Karabakh to break away from Azerbaijan, and in early 1991 Azerbaijani forces tried to surround the oblast to cut it off from outside assistance. Full-scale fighting broke out in August 1991, following the attempted putsch against Mikhail Gorbachev, and initially Azerbaijan's forces appeared to hold the advantage. But by early 1992 Armenia, likely with significant support from units of the former Soviet army, now in disarray, turned the tide of battle and in February 1992 massacred the residents of the majority Azerbaijani town of Khojaly in Nagorno Karabakh. Shortly thereafter Armenians captured Shusha, the major Azerbaijani town in Nagorno Karabakh and the Azerbaijani district of Lachin that lay between Nagorno Karabakh and Armenia, facilitating the entry of supplies and arms from Armenia to the break-away region. The war lasted another two years until a cease-fire was brokered by the Russian Federation in 1994. At the end of the fighting, Armenians found themselves in control not only of Nagorno Karabakh but of most of seven surrounding districts constituting almost 10% of the territory of Azerbaijan, creating about 750,000 Azerbaijani IDPs who fled from Armenian-held territory within Azerbaijan and about 350,000 Armenian refugees who fled Azerbaijan for Armenia, Nagorno Karabakh, or Russia (de Waal 2003, 285).³² Subsequently, with cooperation from the government of Armenia, the Nagorno Karabakh Republic has been created in the region, but it remains unrecognized even by Armenia.

In 1992 the Organization for Security and Cooperation in Europe (OSCE), at its first summit in Helsinki after the breakup of the Soviet Union and the Federal Republic of Yugoslavia, set up a group of international mediators, known as the Minsk Group,

³² There is considerable controversy about the number of refugees and IDPs after the fighting, but de Waal's numbers appear to be among the best. Whatever source one picks, the number is uniformly large in proportion to the population of the region.

charged with preparing for a peace negotiation in the capital of Belarus, which has never taken place. The group, however, currently co-chaired by France, Russia, and the United States, continues to serve as a third party facilitator. The OSCE also created a High Level Planning Group to prepare for the possible creation of an OSCE-mandated peacekeeping mission in the region following the signing of a peace agreement. Even though there has been no agreement, the group continues to function at the OSCE Secretariat in Vienna; the OSCE has also created offices to promote good governance and respect for human rights in both Baku and Yerevan. In spite of numerous negotiations, a resolution of the conflict has eluded negotiators for the past 20 years, and the unrecognized “Republic of Nagorno Karabakh,” also known locally as the “Artsakh Republic,” has achieved *de facto* independence in the region, with strong support from Armenia, though it remains internationally recognized as part of the sovereign territory of Azerbaijan.

The Minsk Group has collectively proposed several plausible solutions over more than 20 years since it was created, as analyzed in chapters by Jonas Brown and Kaelyn Lowmaster. In so doing, the Minsk Group has been guided by several of the fundamental OSCE principles articulated in the 1975 Helsinki Final Act. However, in a number of cases, these principles appear to work at cross purposes with one another, and each of the parties has emphasized the dominance of one principle over the others. Most significantly, the Final Act upholds the principles of the territorial integrity of states, the non-use of force, and recognizes changes in boundaries based solely on the peaceful consent of the parties involved. Yet at the same time, it recognizes the right of “self determination of peoples,” broadly defined to allow for its application in a wide variety of formats including independence in some cases, but primarily through autonomy or power-sharing arrangements. Not surprisingly, the government of Azerbaijan has held strongly to the principle of the territorial integrity of states; although it now says it will accept a significant autonomy for Nagorno Karabakh, its initial reaction at the time of fighting was to try to bring Nagorno Karabakh under the full control of Azerbaijan. At the time, the choice for most Armenians in Nagorno Karabakh appeared to narrow to acceptance of Azerbaijan’s dominance or a war for independence, and they opted for the latter as it seemed to offer the only real hope for achieving any form of “self

determination.” At the same time political leaders in Stepanakert refused to acknowledge that the principle of self determination had always been viewed, as Joseph Recht notes, in the context of the related principle sustaining the territorial integrity of states. The dilemma for all who have tried to bring a resolution to this conflict is one of reconciling these two broadly recognized, but not completely compatible norms of territorial integrity and self determination. These differences in fundamental principles largely structure the competing concrete claims in the negotiations; the following constitute the major issues that currently divide the parties:

1) The status of the former Soviet oblast of Nagorno Karabakh: Azerbaijan has offered “deep autonomy” within the state of Azerbaijan: Armenians have argued for the creation of an independent state or its attachment as an integral part of Armenia; especially since the violence between 1992 and 1994, residents of Nagorno Karabakh can no longer conceive of living in a region of Azerbaijan, no matter what degree of autonomy is promised.

2) The status of the territories of 7 former Soviet *rayons* of Azerbaijan outside Nagorno Karabakh now occupied by Armenian and Nagorno Karabakh troops and largely depopulated with several major cities totally destroyed: Azerbaijan has argued for their immediate return to their control and for the right of all IDPs from those regions to return safely and securely to their former places of residence; Armenians at first argued that they needed to retain these territories as a “security buffer” until security could otherwise be guaranteed, but more recently politicians in Nagorno Karabakh have begun to describe these as “liberated territories” and claimed that these territories should be incorporated into the new “Artsakh Republic.” In several instances at least they have begun to repopulate these territories with Armenians who fled Azerbaijan, a clear violation of international law.

3) Right of return of refugees and internally displaced persons (IDPs): The two sides generally agree on this in principle but maintain different positions about the modalities for doing so, especially for the issues of property rights and measures to assure the safety of returnees. Although both communities believe strongly in the “right to return,” it appears unlikely that many Azerbaijani IDPs from Nagorno Karabakh would likely want to return to a region governed by Armenians, and similarly very few

Armenian refugees who fled Azerbaijan are likely to want to return in fact, while still arguing for the right to do so in principle.

4) Security guarantees: Presently there is a highly militarized “line of contact” resulting from the 1994 cease-fire, and both sides want some form of guarantees, preferably from an international authority, of their mutual security before demilitarizing this zone. Fear of further “aggression” by the other remains very high on both sides, and the present unstable *status quo* still appears to both parties to be superior to any change without firm new guarantees of security.

5) Guaranteed access between Armenia and Nagorno Karabakh and between Azerbaijan and Nakhchivan: Presently the only access between Armenia and Nagorno Karabakh is by a narrow mountain road between Goris in Armenia and Stepanakert, capital of Nagorno Karabakh, which crosses the Azerbaijani *rayon* of Lachin, now held by Armenian forces. Armenians would like to maintain control of Lachin or at least of the corridor and surrounding mountains; in addition, they would like to open an airport and be able to fly from Stepanakert to Yerevan without a threat that planes will be shot down by Azerbaijan; eventually they also hope to open the rail line and highway to Baku, the capital of Azerbaijan, closed since the war began. Azerbaijan would like the return of the Lachin district, although they would permit international peacekeepers to guarantee the right of passage; they insist that the air space above Nagorno Karabakh is over sovereign Azerbaijani territory, so they maintain the right to supervise all air traffic over the region. Furthermore, as Martha Schmitz notes in her contribution, Azerbaijan would like a guaranteed secure route through Armenia to connect the geographically isolated Azeri region of Nakhichevan with Azerbaijan.

The OSCE has proposed many principles to try to bridge these gaps; the most recent of these proposals are known as the “Madrid Principles,” which both Armenia and Azerbaijan claim to accept in general, while each accuses the other of having rejected them. These principles reinforce the fundamental Helsinki principles of non-use of force, recognition of the territorial integrity of states with border changes only by the consent of the parties, and the right of self-determination of peoples:

1) Withdrawal of Armenia/Nagorno Karabakh eventually from all seven occupied territories of Azerbaijan outside the boundaries of the former Soviet oblast of Nagorno

Karabakh; this might be accomplished in stages with those territories located between Armenia and Nagorno Karabakh, namely Lachin and Kelbajar, returned at a later stage of the process.

2) The territory of Nagorno Karabakh would be granted an interim status, its security internationally guaranteed, with the final status to be determined by a binding, internationally monitored referendum of the population of the territory, including those who fled the region.

3) An internationally guaranteed corridor would be established between Nagorno Karabakh and Armenia.

4) All refugees and IDPs from the region would be assured their right to safe return.

5) All provisions would be secured through international guarantees, including perhaps a peacekeeping force authorized either by the OSCE or the UN.

To many outsiders these principles appear to offer a reasonable formula for resolving the conflict, and both Armenian and Azerbaijani officials claim to accept these principles and accuse the other of responsibility for rejecting them. Officials of the “Nagorno Karabakh Republic” are less willing to accept these principles in advance of a comprehensive agreement and without their direct participation in the Minsk Group negotiations, as Sarah Cooper emphasizes. It is for this reason in large part that Jonas Brown and Kaelyn Lowmaster recommend in their chapter that some way be found to include representatives of the *de facto* authorities of Nagorno Karabakh in the negotiations, in spite of their lack of status as an internationally recognized state. Among the most important reasons why negotiations have not advanced further to fill in the details of the Madrid principles include: (1) domestic politics in both countries, as political elites have become entrapped in their own hostile rhetoric; (2) spoilers, who have used many devices including political assassination to prevent agreements; (3) escalating demands by the regime in Stepanakert as they see delay as likely turning the *de facto status quo* into a *de jure* independence in which they would achieve their goals without being bound by an agreement; (4) lack of confidence in the willingness and ability of the international community to guarantee security after an agreement; (5)

shifting political relations among the major international actors, especially the three co-chairs of the Minsk Group as well as other regional powers, i.e., Turkey and Iran, which support opposing sides in this conflict; (6) the “devil in the details,” that is different assumptions about how the Madrid principles should be applied in practice. Even though all parties voice criticisms of the Minsk Group, none wants it replaced by another forum, and, as Joseph Recht notes, in spite of its potential relevance, all have rejected submitting their dispute for judicial review or advice in for a such as the International Court of Justice or the Permanent Court of Arbitration. The chapters in our report detail many of these obstacles to progress toward agreement.

Sarah Cooper observes that the rather immature political structures in both Armenia and Azerbaijan have simultaneously inhibited the development of effective democratic procedures while at the same time making politicians fear popular wrath if they compromise on the Nagorno Karabakh issue. Yet these very same politicians have encouraged a narrative of victimization at the hands of the other, as Sarah Gardiner argues in her chapter, supported by a media that has consistently presented a one-sided view of the conflict, and have actively discouraged public debate and dissenting voices. As Jamie Pleydell-Bouverie emphasizes, civil society remains weak in both countries and in Nagorno Karabakh, and what civil society exists seems focused on promoting each party’s exclusive narrative of the conflict. Opportunities for direct dialogue between the parties are extremely limited, even to the point where many civil society actors fear for their own personal safety if they meet informally with representatives of the other’s civil society. Track II dialogue has been rare to nonexistent throughout the course of this conflict. Mary Boyer notes the potential role that religious leaders might play in promoting dialogue across the different communities, but this opportunity so far has not been seized. Finally, as Aanchal Anand writes, both Armenia and especially Nagorno Karabakh have received extensive assistance, financial, political, and military from the worldwide Armenian Diaspora, especially in Russia and the United States, strengthening their resolve to hold out and compensating in part for the economic hardships induced by their physical isolation due to closed borders with Turkey and Azerbaijan.

Although it is evident that the IDP community in Azerbaijan would in principle like to have the right to return to the former homes, as Tara Seethaler points out they have been reasonably well accommodated in IDP communities throughout Azerbaijan and fear for their security if they were to return. Many who fled from the “occupied territories,” on the other hand, hold out hope for returning to their former areas of residence when and if these territories are returned to Azerbaijan’s control, whereas return to an Armenian-controlled Nagorno Karabakh, whether independent or autonomous, will be far more problematic for those who fled from the former NK oblast, even though they still wish to have the right to return at least in principle. Armenia claims to have integrated all of their refugees into Armenian society, although we met with refugees clearly living in miserable conditions, but absolutely afraid to return to their original homes in Baku or Sumgait; however, their very existence is denied by the government of Armenia, which thereby provides them with no status or humanitarian support from either the government or international agencies, as Shahin Badkoubei reports. Having no effective voice in either political system, these potential advocates for a settlement that might allow them to return to their previous homes have been largely silenced. In short, political leaders in both Armenia and Azerbaijan feel little or no domestic pressure towards resolution and even have good reason to fear that any compromises required to reach a settlement would seriously jeopardize their political futures.

Similarly, external pressure for settlement has been very limited and also has frequently contributed to stalemate rather than resolution. The Minsk Group has generally been unable to get the parties formally to agree to the Madrid principles even to the extent to start serious negotiations about the details necessary to fill in those principles. In early 2013, in the wake of an unsettled presidential election in Armenia and the prospect of a presidential election in Azerbaijan in the fall, it has been focused mostly on crisis management rather than conflict resolution. In this instance the focus has been on preventing violence from re-emerging if Nagorno Karabakh, having built a new airport, begins civilian passenger flights to Armenia over what is still internationally recognized territory of Azerbaijan; Azerbaijani officials have threatened to counter this move by shooting down those flights. Preventing incidents such as these from deepening the

conflict and perhaps even stimulating renewed round of violence has diverted attention away from a search for a long-term political solution.

On several occasions in recent years the Minsk Group, represented by Presidents Kosygin, Sarkozy, and Obama, has met with both heads of state to try to push for a settlement, but these entreaties have been dismissed. In many ways, former Russian President Kosygin took a leading role in the Minsk Group and appeared to be eagerly seeking an agreement. Yet, as Ivan Benovic points out in his chapter, Russian interests would seem to militate against achieving a comprehensive political solution, while at the same time trying to prevent an uncontrolled escalation of the conflict. Instability and uncertainty in the region seem to serve their interests more than a long-term settlement. As Nic Wondra notes, Russia's military ties with Armenia through the Collective Security Treaty Organization (CSTO) and its bases on Armenian territory, as well as its profits from arms sales to both sides, give it considerable influence over the region that cannot be dismissed. Therefore, for the moment, Nic Wondra argues that Russia remains a primary factor for stability through its capability of deterring a military escalation of the conflict by either side.

According to Ezgizu Biber, both Turkey and Iran have significant interests in the region, but again these seem to push against a quick agreement rather than the reverse. Armenia's framing of the conflict as part of its long-term conflict with the Ottoman/Turkish world, especially the prevalence of the "genocide narrative" in their interpretation of virtually all aspects of the conflict, makes them especially cautious about allowing any Turkish role in a resolution or even any linkage between the Nagorno Karabakh conflict and a political settlement of the Turkish-Armenian disputes over borders and the genocide. Similarly, in spite of shared religious traditions between Shi'a Muslims in Azerbaijan and Iran, this relationship has been tense as well, and Iranian aid and trade with Armenia has made officials in Baku oppose any role by Tehran in a settlement process. As Brown and Lowmaster report, in the early stages of the conflict Iran tried to mediate, but the parties quickly rejected its active involvement as a third party. Therefore, the conflicts in the southern Caucasus are in many ways imbedded in the larger history of rivalries among the Russian, Persian, and Ottoman empires, and even

in their contemporary manifestations these regional rivalries further complicate the process of achieving a political settlement of the conflict.

All of these internal and external obstacles collectively pose serious challenges for any near-term resolution of the Nagorno Karabakh conflict. That said, however, we found a widespread recognition by all parties we met that the failure to resolve this dispute has led to significant lost opportunities for all parties, a recognition perhaps felt most strongly in Yerevan. As Samuel Zief points out in his chapter, the Azerbaijan economy has grown rapidly over the past 20 years, due mostly to the energy sector. However, the closed borders with Armenia have required Azerbaijan to ship oil through the Baku-Tbilisi-Ceyhan pipeline and to ship many goods to and from Turkey through Georgia, adding substantially to the cost; in addition, this infrastructure is subject to being severely damaged should there be a new outbreak of violent conflict. Since energy reserves may begin to decline in the future, sustaining Azerbaijan's economic growth, and also reducing the impact of "Dutch disease" on its economy, may require opening up other sectors, taking special advantage of Azerbaijan's position as a east-west transportation link between Central Asia, the Caspian and Western Europe as well as between Russia and Iran on the north-south axis. A resolution of the Nagorno Karabakh conflict would therefore seem to serve Azerbaijan's long-term economic interests.

Turning to Armenia, although its economy has grown at a respectable rate in recent years, its long-term growth is dramatically affected by its closed borders with both Turkey and Azerbaijan, leaving its access to the rest of the world only through Iran and Georgia (the latter with which it also has a somewhat strained relationship). Efforts at Turkish-Armenian cooperation have been shut down recently as a result of the conflict with Azerbaijan over Nagorno Karabakh, and the border closure with Azerbaijan itself is a direct consequence of the conflict. While Armenia survives largely on remittances from the Diaspora, its economy would definitely profit enormously from opening those borders, and this fact is widely recognized by policy-makers in Yerevan. As Zief emphasizes in his chapter, Nagorno Karabakh too would profit a great deal from ending its isolation, opening air, rail, and highway access to Baku and Caspian ports as well as reducing the difficulties now created by a single, long access road that provides a connection through Lachin to Armenia proper. Its almost total dependence on economic

assistance from Armenia and the Diaspora makes it vulnerable to a likely diminution of this outside support in the future. At the same time, in Nagorno Karabakh the political issues completely dominate the economic ones in priority. Because of the extensive support Nagorno Karabakh has received from the Diaspora, directed disproportionately to Nagorno Karabakh rather than Armenia proper, their economy appears to be developing rapidly while conditions in Armenia remain generally static, with widespread poverty.

Both Azerbaijan and Armenia also suffer from the humanitarian and financial costs of supporting a large refugee and IDP community within their borders. These individuals live in difficult conditions, including poverty, poor housing, high unemployment, and an uncertain political status, which collectively could become explosive at some point. In spite of external assistance, as Shahin Badkoubei indicates, the humanitarian situation remains serious throughout the region, so that a resolution that also enabled some solution to the problem posed by these IDPs and refugees would thus be beneficial to both countries. By contrast again, the Nagorno Karabakh Republic has welcomed Armenian refugees to its territory, many moving into homes and jobs abandoned by fleeing former Azerbaijani residents.

Therefore, of the three parties to the conflict, the “Nagorno Karabakh Republic” appears to be “hurting” less from the continuation of the status quo than either Azerbaijan, with its huge IDP community that it must support, and Armenia due to the closed borders. For them, the current situation comes closer to Zartman’s “soft, stable, self-serving stalemate (S⁵)”, and at this point they appear to hold an effective veto over any possible concessions that the Armenian government would be willing to consider. All recognize that peace in the southern Caucasus could provide a “mutually enticing opportunity” (Zartman 2008, 232-244). However, at this point it appears that the divergent narratives, reinforced by politicians, the media, and civil society, as well as the belief by each party that it will benefit in the long run by maintaining a relatively stable, if unsatisfactory *status quo*, have collectively become obstacles to resolution. This is further reinforced by the lack of sufficient external pressure and even some external support for the status quo. Together these forces cause the parties to focus on past grievances, their sense of victimization at the hands of the other, their desire for revenge against those whom they perceive to be responsible for crimes against their nation and its

people, holding back any willingness to compromise to realize an agreement that might produce a collectively beneficial outcome.

In short, as Kristoff Kohlhagen's analysis of the historical background to the conflict reveals, the dispute over Nagorno Karabakh seems to reflect the prevalence of a "backward looking" focus on a long history of perceived grievances that has sidetracked any serious efforts to reframe the issues in terms of shifting to a forward-looking focus on the potential collective benefits that could accompany a peaceful resolution of the conflict. Until the issues are reframed by internal politicians, political elites, and the population at large, supported by external parties that also recognize the benefits of a peaceful, integrated, and developing southern Caucasus, the best we may be able to hope for is managing the conflict to avert future outbreaks of violence. However, as stated at the beginning of this essay, despite the perceptions of the parties that time is on their side, the reality is that time reinforces the status quo, runs the risk of renewed violence, and makes the ultimate resolution of the underlying conflict even more illusive.

List of Interviewees

Washington DC, Briefings – Fall 2012

- **Tom de Waal**, author of *Black Garden*, Senior Associate, Caucasus - Carnegie Endowment for International Peace (25 October 2012)
- Ambassador **Robert Bradtke**, (former) co-chair of the U.S. Minsk Group (5 November 2012)
- Ambassador **Tatoul Markarian** of Armenia (13 November 2012)
- Ambassador **Elin Suleymanov** of Azerbaijan (14 November 2012)
- **Robert Avetisyan**, Representative of the Nagorno Karabakh Republic, Artsakh, Office of the Nagorno Karabakh Republic in the United States (26 November 2012)
- **Dr. Svante Cornell**, Director and Research Director of the Central Asia-Caucasus Institute, SAIS (28 November 2012)
- **Dr. Adil Baguirov**, Karabakh Foundation board chair (and co-founder) and chair of the US Azeris Network [USAN] (3 December 2012)
- **Diane Altman**, Executive Director, Karabakh Foundation (6 December 2012)
- **Strobe Talbott**, President, The Brookings Institution, former U.S. Deputy Secretary of State (10 December 2012)

Itinerary – Conflict Management Field trip to the Caucasus: 15-26 January 2013

Baku, Azerbaijan – 17-19 January 2013

Meetings at the Ministry of Foreign Affairs (MFA)

- **H.E. Mr. Elmar Mammadyarov**, Foreign Minister of the Republic of Azerbaijan (MFA)
- **H.E. Amb. Araz Azimov**, Deputy Foreign Minister of the Republic of Azerbaijan (MFA)

Meetings at the President's Office

- **H.E. Mr. Novruz Mammadov**, Deputy Head of the Administration of the President and Head of Foreign Relations Department
- **Mr. Elnur Aslanov**, Head of Political Analysis and Information Provision

Meeting Representatives, Office of the Azerbaijani Community of Nagorno Karabakh Public Union

- **Mr. Bayram Safarov**, Chairman, and Head of the Executive Committee of Shusha
- **Mr. Orkhan Akberov**, Chairman of the Coordinating Council of Azerbaijani Community of the Nagorno Karabakh
- **Mr. Rovshan Rzayev**, Member of Board of Trustees, MP

Meetings at the Parliament of Azerbaijan (Milli Majlis)

- **Mrs. Bahar Muradova**, Deputy Speaker of the Parliament
- **H.E. Amb. Hafiz Pashayev**, Deputy Foreign Minister and Rector of the Azerbaijan Diplomatic Academy (ADA)

Meeting at the American Center (Azerbaijan University of Languages)

- **Dr. Samad Seyidov**, Rector, Azerbaijan University of Languages; MP, the Head of the Azerbaijani delegation to Parliamentary Assembly of the Council of Europe

Meeting at the Azerbaijan Diplomatic Academy

- Joint Class Discussion at ADA

Agdam, Saturday 19 January 2013

- Welcome by Head of Executive Committee (Governor) of Agdam
- Visiting Contact Line, IDP settlement, Interviews

Yerevan, Armenia 21-23 January , 2013

- **Alexander Iskandaryan**, Director of the Caucasus Institute (ethnopolitical genesis of the Karabakh conflict, dynamic and the prospect of the conflict, regional context)
- **Sergey Minasyan**, Head of the Caucasus Institute political studies department (political-military issues of the Karabakh conflict, regional security, probability of new hostilities resumption)
- **Richard Giragosian**, Director of the Centre of Regional Studies (Armenia-U.S.relations in the context of Karabakh issue, factor of the Armenian Diaspora)
- **Shahen Avakian**, Secretary General of the MFA of Armenia (Karabakh conflict and international law issues)
- **Alexander Markarov**, Yerevan State University (Russian-Armenian relation in the context of Karabakh conflict)
- **Hayk Kotandjyan**, Head of the Institute of the National Security Studies, Ministry of Defense of Armenia (comparative analysis of the Karabakh and Kosovo conflicts, U.S.- Armenia military-political cooperation)
- **Shavarsh Kocharyan**, Deputy Foreign Minister of Armenia (Armenias official position regarding the conflict)
- **Arman Melikyan**, Former Minister of Foreign Affairs of the Nagorno-Karabakh Republic (general overview, refugees issues)
- **Tevan Poghosyan**, MP, (Karabakh conflict in Armenias domestic policy, general overview)

Stepanakert, Nagorno Karabakh, January 23-25, 2013

- Meeting with the NKR Foreign Minister **Karen Mirzoyan**,
- Meeting with the NGO sector
- Meeting with the Head of the NKR National Assembly Commission on International Relations **Vagram Atanesyan** (
- Meeting with the NKR Prime-minister **Ara Haroutyunyan**
- Meeting with **Grigoriy Martirosyan**, NKR Finance & Economy Deputy Minister
- Meeting at Artsakh State University with students and professors
- Meeting with **David Babayan**, Head of the Central Information Department of the NKR Presidents Office
- Trip to Holy See of Gandzasar
- Trip to Sushi

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