

The Nagorno-Karabakh Question: An Update

Sergiu Celac, Romanian Ambassador, 20 May, 2000

Abstract.

A brief overview of the historical background to the Nagorno-Karabakh conflict and the international community involvement to date is provided in chapters 1 and 2. Chapter 3 deals with the challenges ahead: territorial questions; replacing the cease fire by a legally binding political commitment; the safe return of displaced persons and refugees; economic and human development; foreign trade, aid and investment; organised crime and other non-conventional threats; the role of regional and global players. The concluding chapter points to the secrecy surrounding the deliberations of the Minsk Group and suggests that a wider debate on the conceptual frame for the resolution of the conflict is both timely and necessary.

Landmarks of History

History is a politically sensitive subject. Parties to a dispute, particularly when territories are involved, would resort to endless arguments in order to make their point relying for support on bulky files containing documents, maps, population surveys, statistical data, interpretations of place names, references to ancient chronicles, folklore, and even literary fiction. Almost invariably, the presentation of facts is more than slightly biased to serve a particular purpose. For that reason any attempt to offer a dispassionate record of historical facts is bound to be challenged by either party to the dispute, or both.

In addition, in the Caucasus, much like in the Balkans, recollections of past events (some going back centuries in time) are still likely to have an immediate impact on public sentiments and direct relevance for current political decision making.

According to Armenian sources, the province of Nagorno-Karabakh (described as Artsakh) was part of the ancient kingdom of Urartu (8th to 5th centuries B.C.) under the name of Urtekhe-Urtekhini. Azerbaijani sources also claim that the present-day inhabitants of Azerbaijan are direct descendants of the ancient local tribes that gradually adopted the language and cultural ways of the Turkic populations which started moving into the area by the 11th century A.D. When the Armenian state was divided (in 387 A.D.) between the Byzantine and the Persian empires, the eastern part of Southern Caucasus, including Artsakh, went to Persia but retained some degree of ethnic homogeneity and home rule under local princes (melikhs). The situation changed by the 18th century with the completion of the Turkic migration into the region. That is when the province acquired a new name: the Khanate of Karabakh.

In 1805, most of south-eastern Caucasus, including the Khanate, was incorporated in the Russian Empire. The cession was confirmed by the Russo-Persian treaties of Golestan (1813) and Turkmenchay (1828). After the collapse of the Russian Empire, the province of Nagorno-Karabakh became the object of bitter dispute and armed confrontation (1918-1920) between the newly formed Republic of Armenia and the Azerbaijani Democratic Republic. In 1920, Soviet forces occupied Southern Caucasus and established a military presence in the territories disputed between Armenia and Azerbaijan. In June 1921, Armenia declared Nagorno-Karabakh an inalienable part of its territory. A few months later, following Stalin's own intervention, the province was incorporated by Azerbaijan as an autonomous region, a status that was further confirmed in 1923.

In February 1988, the Assembly of People's Deputies of the Nagorno-Karabakh Autonomous Region passed a resolution asking to leave Azerbaijan and to become part of Armenia. Azerbaijan reacted by withdrawing the region's autonomous status. Serious disturbances followed with atrocities being committed by both sides. In the new circumstances created by the disintegration of the USSR, on 2 September 1991, the provincial authorities adopted a declaration proclaiming the independence of the "Nagorno-Karabakh Republic" which was confirmed by a referendum on 10 December 1991. The act of independence did not receive recognition by the Community of Independent States (CIS) or by any other nation. The ensuing war involved, in addition

to local irregulars, the armed forces of both Armenia and Azerbaijan. It eventually resulted in the occupation by Armenian forces of a considerable portion of Azerbaijan and the establishment of a strategic corridor between Armenia and Nagorno-Karabakh (the districts of Shushi/Shusha and Lachin).

On 5 May 1994, the belligerent parties signed in Bishkek a cease fire protocol which still holds to this day. The terms of agreement were brokered by Russia and Kyrgyzstan under the aegis of the CIS Parliamentary Assembly.

International Community Involvement

The OSCE Ministerial Council in Prague (30-31 January 1992) decided to send a fact-finding mission to Nagorno-Karabakh. It was followed by a field trip by Cyrus Vance, as Special Representative of the UN Secretary General, accompanied by OSCE experts. Their recommendations included: a cease fire agreement, lifting the economic blockade against Armenia, banning arms transfers to the warring parties, emergency humanitarian assistance, an OSCE observers group in situ.

In March 1992, the OSCE Ministerial Council in Helsinki decided to convene a special conference on Nagorno-Karabakh to be held in Minsk. It soon became obvious that there was no prospect for agreement among the designated participants (Azerbaijan and Armenia, the OSCE *Îtroika*, Belarus, France, Italy, Russia, Turkey, United States), and the conference was postponed sine die.

In 1992 and 1993, the UN Security Council adopted resolutions 822 and 853 calling for withdrawal of troops from occupied territories, resumption of transport and communication links, exchange of hostages and prisoners of war, humanitarian aid, a permanent cease fire, and setting a date for the Minsk conference. In fact, the conference as such was never convened.

After the Bishkek cease-fire protocol was signed, a High Level Planning Group (HLPG) was established in Vienna (December 1994). In July 1995, it presented to the OSCE Chairman in Office the concept for a multinational peace keeping mission of the OSCE for Nagorno-Karabakh.

In August 1995, the office of Personal Representative of the OSCE Chairman in Office for Nagorno-Karabakh was created.

At the OSCE Summit in Lisbon (1996) the Chairman in Office made a statement calling for the territorial integrity of Armenia and Azerbaijan, the clarification of the legal status of Nagorno-Karabakh through an agreement based on self-determination whereby the province would acquire the highest degree of self-government as part of Azerbaijan and the security of the entire population in the area would be ensured. The statement received the consent of all OSCE member states with the exception of Armenia.

In 1997, following extensive consultations, the OSCE Chairman in Office designated France, Russia and United States as co-chairs of the Minsk Conference. They prepared a two-stage plan providing for (a) demilitarisation of the cease-fire line and return of the refugees, and (b) a special legal status for the province of Nagorno-Karabakh. The proposals did not meet with the approval of the parties to the conflict.

Quiet diplomacy by the "Minsk Group of 3" began to yield some results in 1999.

Early in 1999, Russian Foreign Minister Igor Ivanov proposed the convening of a "Forum on the Caucasus" but did not elaborate further.

The "Peaceful Caucasus" initiative conceived by President Eduard Shevardnadze of Georgia was launched at about the same time. It emphasised the common interest of the three countries of the Southern Caucasus to develop a modern revival of the ancient Silk Road.

A meeting of the speakers of the Parliaments of Georgia, Armenia and Azerbaijan took place, in October 1999, at Luxembourg under the aegis of the Speaker of the Council of Europe Parliamentary Assembly.

At the OSCE Summit in Istanbul (18-19 November 1999) the presidents of Armenia and Azerbaijan referred in their speeches to the need for a stability arrangement in Southern Caucasus. It is to be noted that the two presidents suggested somewhat different lists of out-of-area participants: while President Aliyev of Azerbaijan suggested the involvement of the United States, Russian Federation and Turkey, President Kocharyan of Armenia mentioned Russia, Turkey and Iran.

Reports that have not yet been officially confirmed indicate that, in December 1999, Armenia put forward a proposal for a Security Treaty for Southern Caucasus which was immediately supported in a separate demarche by Moscow.

The proposal was apparently tabled again in early January 2000 in a modified version as a preliminary Round Table on Stability in Southern Caucasus according to a 3+3+2 formula (Georgia, Armenia, Azerbaijan + Russia, Turkey, Iran + United States, European Union).

Substance of the Challenges ahead

Since the cease fire of 1994 the situation in and around Nagorno-Karabakh has been characterised by military standoff (with just a few relatively minor flare-ups) and political stand-still. Most analysts accept that the status quo cannot endure indefinitely and cannot provide the basis for a permanent settlement. The stalemate has so far favoured the ascent of more radical elements in both Armenia and Azerbaijan ("Itâs not just land, itâs honour!"). It is also likely to fuel a continued arms race regardless of what the international community may have to say about that. The impact on the democratic process, economic development and social conditions in the two countries has been considerable. Regional co-operation schemes cannot make substantive progress in a climate of political uncertainty and in the absence of meaningful security and stability arrangements that should be acceptable both to the parties concerned and to the international community.

A brief inventory of the problems related to the Nagorno-Karabakh conflict may provide some indications as to the magnitude and complexity of the efforts required to bring about viable and lasting solutions.

Territorial questions.

Basically, there are three aspects which need to be more thoroughly examined:

- The legal status of the Nagorno-Kharabakh province and the nature of its relationships with Azerbaijan and Armenia;
- Transitional arrangements concerning the territories of Azerbaijan which have never been part of the Nagorno-Karabakh Autonomous Region and are now occupied by the Armenian forces, including the strategic corridor linking Nagorno-Karabakh to Armenia;
- Symmetrical or similar arrangements for free access to the Azerbaijani enclave of Nakhichevan along Armeniaâs border with Iran.

Suggestions have been made in academic debates, presumably based on diplomatic leaks, about a possible exchange of territories and populations as a radical solution to the daunting question of dealing with Stalinâs legacy of patchwork sovereignties in the region. The political intricacy and the cost in human suffering of such a solution may be too mind bogging to be seriously contemplated.

Replacing the cease fire by a legally binding political commitment.

Here again two possible solutions can be realistically envisioned, both of them requiring an involvement of, and guarantees by, the international community:

- A bilateral political treaty between Armenia and Azerbaijan;
- A more comprehensive multilateral arrangement for the Southern Caucasus.

The safe return of displaced persons and refugees.

The situation in this respect is, indeed, serious, especially in Azerbaijan. Visitors can still see the dire conditions in which hundreds of thousands of refugees have to live in Baku or other cities (and also in Tbilisi, as a result of the Abkhasian conflict). They represent the natural recruitment base for radical, revenge-seeking movements which aim to undermine any peaceful settlement and may even jeopardise the democratic process in the countries concerned.

Economic and human development.

The sheer size of the domestic markets, complementarity of resources, and interconnection of infrastructure networks would warrant a regional approach rather than go-it-alone strategies. In normal circumstances, the country with the largest vested interest in closer regional ties should be Armenia, which may otherwise see itself cut off from the enormous business opportunities arising from the region's position as a staging post between Europe and the oil rich Caspian zone. The perpetuation of the Nagorno-Karabakh conflict and its fall-out is now the main, though not necessarily the single, obstacle to beneficial regional integration.

Foreign trade, aid and investment.

Although the economies of both Armenia and Azerbaijan have been able to adapt to a certain extent to the post-war situation, their bilateral trade is virtually nil, and the Nagorno-Karabakh conflict continues to affect in a perverse manner their relations with the neighbouring countries and the rest of the world. Significant foreign direct investment is not likely to happen unless and until the conflict is resolved. This applies in particular to the large regional projects like the European Union's TRACECA and INOGATE, and also to the development of integrated energy and communications networks.

Organised crime and other non-conventional threats.

So much weaponry in a limited space, the lingering tradition of private armies and informal local warlords, strong clan and extended family loyalties, poverty and lack of definite prospects for much of the younger generation provide a propitious breeding ground for criminal activities with potential consequences well beyond the confines of the region. The war situation and its attending effects tend to exacerbate those threats. Only strong democratic national governments, unburdened by the ever-present fear of war, can engage in a constructive co-operative effort to limit the damage to manageable levels.

The role of other regional and global players.

The Caucasus is an area of strategic interest and it is therefore subject to geopolitical calculations. Two aspects need to be addressed in a more detailed fashion:

- Individual countries or groups of countries having established legitimate interests in the stability of Southern Caucasus (Russian Federation, Turkey, Iran, the Central Asian countries, the states on the western shores of the Black Sea, United States, European Union);
- International organisations and international financial institutions (United Nations and its agencies, OSCE, OBSEC, again European Union, UNECE, WB, IMF, EBRD, etc).

The Way Forward

The Minsk Group co-chairs have so far played holding the cards very close to their respective great-power chests. Very little transpired about their deliberations and even less about the sequence of steps they may have

in mind. Some of the results of their gentle nudging and cajoling have become apparent in the past year and especially in the past few weeks. There may be wisdom in such an approach. But we are coming to a point where joint implementation will certainly call for additional inputs.

A broad conceptual framework agreement is probably more likely to be produced within a narrow group of players in view of the sensitivity and complexity of the matters to be handled. Past experience indicates, however, that there will be loose ends to be taken care of. Some of the aspects that may have been dismissed as minor in the early planning stages may loom large when it comes to actually do something about them.

In the last analysis, any solution, no matter where and by whom it is conceived, will have to count on the largest possible expectation of consent by the many men and women who will have to live with it.

For these and other reasons starting a wider debate on both the conceptual frame and the minutiae of the Nagorno-Karabakh question is a timely exercise, and it may prove to be more productive than many people now think.