

# Concrete Steps to Break the Deadlocks in the South Caucasus

**Frederic Labarre and George Niculescu (Eds.)**

Study Group Information



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## **Concrete Steps to Break the Deadlocks in the South Caucasus**

**20<sup>th</sup> Workshop of the PFP Consortium Study Group  
“Regional Stability in the South Caucasus”**

**2/2020**  
Vienna, March 2020

**Imprint:**

Copyright, Production, Publisher:

Republic of Austria / Federal Ministry of Defence  
Rossauer Lände 1  
1090 Vienna, Austria

Edited by:

National Defence Academy  
Command  
Stiftgasse 2a  
1070 Vienna, Austria

In co-operation with:

PfP Consortium of Defense Academies and Security Studies Institutes  
Garmisch-Partenkirchen, Germany

Study Group Information

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March 2020

ISBN 978-3-903121-83-6

Printing:

ReproZ W 20-0891  
Stiftgasse 2a  
1070 Wien

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## Preface

*George Niculescu and Frederic Labarre*

This Study Group Information (SGI) booklet reflects the proceedings of the 20<sup>th</sup> workshop of the Regional Stability in the South Caucasus Study Group (RSSC SG) of the PfP Consortium of Defence Academies and Security Studies Institutes on “Concrete Steps to Break the Deadlocks in the South Caucasus”, held on 07-10 November 2019, at Chateau Rothschild, in Reichenau/Rax (Austria). A copy of the ensuing Policy Recommendations drawn up from the debates and agreed by workshop participants was also added at the end of this booklet. The Co-Chairs have also decided to include an article written by a distinguished Canadian academic from the Royal Military College in Kingston (Ontario), Emeritus Professor Alan Whitehorn, on “Towards 2040: A View From the Diaspora On Emerging Geopolitics In The Caucasus”, which, although it was not presented at the RSSC SG20 workshop, it was deemed as a most valuable contribution to its debates.

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\*      \*

The 20<sup>th</sup> RSSC SG workshop was meant to resume the program initiated under the guidance of the Austrian National Defence Academy, which aimed at opening up space for dialogue on ever-narrowing subjects that pose a challenge to constructive conflict resolution. This workshop examined several aspects of each regional conflict, and leveraged the good relationships built over the last several years among core RSSC SG participants to push original conflict resolution ideas farther. Some of these ideas have been voiced in earlier workshops. Some of the recommendations voiced by the RSSC SG have also been put in practice in the region. The co-chairs wanted to take advantage of this fragile momentum in regional stability in the South Caucasus to produce further realistic recommendations that were both creative as well as practical. To that end, the co-chairs have invited speakers to describe existing peace proposals or elicit original ones, to be debated and developed by the rest of the participants. Some proposals or

solutions may have been used to great effect in historical contexts outside of the South Caucasus. The intent was to propel and support thinking “out of the box” in providing concrete and constructive temporary or permanent solutions that might be perhaps contemplated by the decision makers in the region.

The aim of this workshop was to achieve a series of constructive and concrete roadmaps for each of the unresolved conflicts in the South Caucasus. These roadmaps were thought as forming the bulk of this workshop’s policy recommendations. Interactive discussions have been devoted to exploring particular aspects of a conflict, especially those – such as the commitment to the non-use of force – that may be common to all conflicts in the region. Presentations, therefore, were expected to become original thought experiments that propelled thinking forward, including for those experts who had been asked to produce descriptions of workable historical models.

This was not the first time when the co-chairs attempted this kind of methodology at the RSSC SG. We have noticed that when experts spoke about the ingredients for regional stability, they usually exclusively addressed what the *opposing* side must do. This time around, we suggested the use of another tack. Co-chairs asked speakers from the region to concentrate on what **outcomes** and **conditions** were required to break the current deadlocks in moving towards peace and regional stability. The co-chairs wished to start from the operational conditions to reverse engineer the processes required to achieve the desired outcomes during the interactive and breakout group discussions. Speakers from a given country were asked not to produce papers that imperatively determined what other countries’ (or international organizations) should do. We did hope that incentives and a form of distribution of responsibilities should emerge from discussions during the workshop.

And here the notion of scenarios planning/building came up into the picture. Scenarios are stories about how the future might unfold and how this might affect an issue that confronts a certain actor today. Scenarios do not predict the future, but they do illuminate the **drivers of change**, whose understanding could help managers to take greater control of the situation. Drivers of change are social, technological, economic, ideological, cultural, political, security, as well as geopolitical factors which may change the long-

term direction of trends. Over the long run, we might equate the researched *outcomes* and *conditions* with *drivers of change* leading into scenarios of peaceful resolution of conflicts.

In the programme and workshop outline, the co-chairs proposed the following questions to spur thinking among invited speakers: Could the experience of the relations between East and West Germany, or between Germany and France over the European Coal and Steel Community or other similar parcelling out of sovereignty be useful? Could we revisit previous solutions proposed by the RSSC SG to generate spill-over effects in the region, such as the workshops on energy security or those addressing the role of the media in conflict resolution? What were the solutions suggested by impartial participants to the peace process? Were the Madrid Principles dead? What other forms of autonomy simultaneously respectful of national aspirations could be reconciled with the concept of territorial integrity? Could “progressive (or temporary) autonomy” be considered? Should international legal constructs be redefined to account for different forms of statehoods? Could regional economic integration support the depoliticization of autonomous governance and territorial integrity? What would it take to overcome the post-Soviet legacy in terms of borders and regional integration? What temporary methods for achieving regional stability would be recommended until a new European order was built? The co-chairs emphasized that those prompts were not aimed at constraining out of the box thinking in any way. On the contrary, they were designed to trigger positive, constructive, compromise-oriented dialogue among participants. They were not indicative of any national policy nor were they prescriptions. However, they were also expected to offer indications on what solutions could not be pursued.

The agenda of this workshop was structured into three main panels: the first addressed contemporary and historical examples where ambivalent statuses have not been fully recognized (or achieved), and yet, relatively harmonious relations were nevertheless maintained to permit the accomplishment of individual rights. Next two panels addressed scenarios for conflict resolution from the points of view of the South Caucasus state actors, and of local conflicts’ stakeholders from Abkhazia, South Ossetia, Nagorno-Karabakh, respectively.

Scenarios are particularly useful in developing strategies to navigate organizations and public institutions in highly uncertain times. We thought that by proposing to policy makers from relevant capitals and international organizations realistic scenarios for conflict resolution we might be able to contribute to breaking the current deadlocks in the South Caucasus. Consequently, throughout the latter scenario-oriented panels, the aim was not to inform what the sides should do, but rather to describe the *conditions* and *outcomes* (equated with the *drivers of change* leading into “win-win” scenarios), as well as, implicitly, possible “carrots” that were required to move the peace processes forward. This should have included, but not limited to, issues such as: the non-use of force, confidence-building measures, the return of internally-displaced persons, peacekeeping force deployments, peace-building initiatives, scenarios planning, overcoming the legacies from the past, as well as issues pertaining to relative autonomy, short of nationhood. The latter might include novel conceptions of shared geographical and political space, shared autonomy, constitutional renewal and the like. In all cases, attention should be focused on producing *outcomes* that can withstand the test of the rule of law at national and international levels.

The panels have demonstrated that participants were not short of ideas for building scenarios leading to breaking the deadlocks towards regional stability and peace in the South Caucasus. Speakers have put forward a number of *drivers of change* which might be used in planning strategies leading the various regional actors from now towards a peaceful future in the South Caucasus region. They have also highlighted the constraints preventing the achievement of the desired outcomes. Those might have been critical ingredients for developing constructive and concrete roadmaps leading into plausible scenarios for the resolution of conflicts over Abkhazia, Nagorno-Karabakh and South Ossetia during the Interactive and Breakout Groups discussions, where participants were expected to agree on what were, and how to reach the most satisfactory scenarios for peaceful conflict resolution, in the foreseeable future.

This was in theory. However, in practice, during the Interactive and Breakout Groups discussions participants could not agree on much beyond what had been usually agreed in diplomatic talks over the subject conflicts’ resolution. For example, in the “Da Vinci Breakout Group”, Armenian and

Azerbaijani participants could not agree on “What scenario would outline a win-win solution for the status of Karabakh that would satisfy both Armenian and Azerbaijani interests in 2025-2030?” Neither could they agree on much over “How to reach there?” The minimal bilateral agreement that could be reached in that Breakout Group was upon a number of very broad and uncontroversial principles (also known as the “Brussels Consensus on Post-conflict Regional Integration Scenarios in the South Caucasus”) which should be included as *outcomes* and *conditions* to the win-win scenario. Those principles were outlined back in 2014, during a series of three workshops aimed at “Exploring the Role of Economic Incentives as Peace Building Tools in the NK context” by the European Geopolitical Forum, Brussels and they were listed in the enclosed Policy Recommendations. Beyond that point, the Breakout Group discussion got stuck into sterile exchanges on which of the so-called “Madrid +” three principles and six elements would be consistent with the “win-win” scenario, if any. Unfortunately, an endless and deeply controversial discussion on the validity of those principles and elements in the third decade of the 21<sup>st</sup> century (using the well-known arguments by each of the parties to the Nagorno-Karabakh conflict) didn’t leave enough time for discussing a number of other possible *drivers of change* that could have been added to the roadmap of the “win-win” scenario, such as:

- Applying peace-building initiatives, such as the South Caucasus Energy Community, and the Strategic Peacebuilding Group under the Eastern Partnership.
- Possible use of the ambivalent statuses (such as “guided” or “trial” separation, “shared sovereignty” formulae,) to allow the accomplishment of individual rights of citizens.
- Concluding temporary agreements for achieving regional stability until a new East European order was built, such as:
  - “engagement without recognition” with local authorities by relevant regional actors (states and international organizations);
  - a regional convention on the protection of human rights, freedom of movement, and human security (would be to the credit of all the actors involved in the conflict, and to the benefit of their constituents, wherever they currently live) to prepare the

respective constituencies to co-exist regardless of the final status by raising awareness of the benefits of confederative solutions- as proposed at RSSC SG8;

- a “condominium” solution for Karabakh, as proposed at the RSSC SG11, where public administration would be mixed. The intent was to share authority, and jointly administer the area within the interest of both communities. For example, Joint Commissions might be tasked to develop and publish a concrete program for bilateral reconciliation and reconstruction in Karabakh, as well as joint policies and a bilateral program dealing with refugees and Internally Displaced Persons (IDPs).
- Pursuing regional economic integration as an incentive for peace.
- Overcoming the legacies from the Soviet or pre-Soviet past.

At the end of this booklet, the full version of the Policy Recommendations summarized the discussions in each part of the workshop and introduced targeted policy recommendations that had been unanimously agreed (by silence procedure that ended on November 18, 2019) by all workshop participants.

Finally, the article written by Emeritus Professor Alan Whitehorn on “Towards 2040: A View From the Diaspora On Emerging Geopolitics In The Caucasus”, generously offered for inclusion in this SGI booklet by its author, addressed a simple but quite controversial question: “What needs to be done to promote greater integration and cooperation in the South Caucasus at the horizon of the year 2040?” This author’s perspective, as Armenian Diaspora in Canada, was definitely less emotional than that of ardent nationalists from the South Caucasus region. Professor Whitehorn is a pragmatist who proposes possible avenues of *functional integration*,<sup>1</sup> which is in fact very much consistent with the topics of the RSSC SG20 and upcoming RSSC SG21 workshops. As he noted towards the end of his article, whereas in the past, coal and steel were seen as key strategic building blocks for functional integration, today they might be the oil/gas pipelines, the nuclear electrical transmission lines, the rail links, or the crucial

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<sup>1</sup> See Ernst B. Haas. The Uniting of Europe and also Beyond the Nation State.

issue of water in a semi-arid parts of the South Caucasus. His concrete concluding proposals not only made the link to the theme of the RSSC SG 21 “Peace Building through Economic and Infrastructure Integration in the South Caucasus” to be held in Tbilisi (Georgia) on 26-29 March 2020, but they also paved the way towards a most relevant conclusion reflecting one of the premises of the founding and operation of the RSSC SG:

“The Caucasus can lurch from one crisis to another and descend into a potential Hobbesian realm. Or it could look for constructive and visionary paths to regional and global governance. [...] As we look ahead towards 2040 in the Caucasus, we need to ask ourselves: What sort of region do we envision? What sort of world do we wish for our children and grandchildren? The challenges are enormous. The risk and probability of failure are great [...]. But we must try. In the long shadow of Mount Ararat,<sup>2</sup> we must try.”<sup>3</sup>

The editors would like to express their gratitude to all authors who contributed papers to this volume of the Study Group Information (SGI). They are pleased to present the valued readers with the proceedings and recommendations from the 20<sup>th</sup> RSSC SG workshop and would be happy if the enclosed Policy Recommendations could help, in the long run, achieving a series of constructive and concrete roadmaps for each of the unresolved conflicts in the South Caucasus, building upon the identification of those *drivers of change* that were required to break the current deadlocks in moving towards peace and regional stability.

Nevertheless, we (the editors of this SGI booklet and co-chairs of the RSSC SG) have sought to maintain as much as possible the intent of the contributors and did our best to avoid significant changes of meaning against what was presented by the authors. To that end, we have sought to present the papers in the best light possible, with minimum repetition, maximum clarity, and adequate style. In the end, the content of the contributions is that of the signatories, and in no way reflects the position of the Austrian National Defence Academy, or that of the PfP Consortium. We are very much looking forward to proving this publication most beneficial and inspiring to its readers.

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<sup>2</sup> The imagery of Ece Temelkuran’s book title *Deep Mountain* is particularly evocative in this regard.

<sup>3</sup> Emrt. Prof. Alan Whitehorn. “Towards 2040: A View from the Diaspora on Emerging Geopolitics in the Caucasus”, *infra*, pp. 173-187.



## Acknowledgements

Work of this scope would not have been possible without the support of the Austrian National Defence Academy, the Austrian Ministry of Defence, the Partnership for Peace Consortium of Defense Academies and Security Studies Institutes and the Dialogue of Civilizations Research Institute (DOC/RI), as well as the contribution of the authors and participants. Too often we neglect the graceful facilitation offered by those who work in the background. We therefore want to recognize here Ms. Klara Krgović of the Austrian National Defence Academy for helping make this event and the resulting Study Group Information (SGI) possible.

The RSSC SG has just completed its 20<sup>th</sup> workshop with the release of this SGI. It has come to the attention of the co-chairs and the sponsors that our work has helped inspire policy makers in the South Caucasus to take practical steps towards stabilization based on the RSSC SG policy recommendations. We congratulate all those concerned who have taken those courageous steps, and salute all those from the RSSC SG whose initiative make such steps possible.



## Abstract

The Regional Stability in the South Caucasus Study Group (RSSC SG) of the PfP Consortium of Defense Academies and Security Studies Institutes held its 20<sup>th</sup> workshop, on 07-10 November 2019, at Chateau Rothschild, in Reichenau/Rax (Austria). It gathered academic representatives of Armenia, Azerbaijan, Belarus, Georgia, Russia, Turkey, and civil society experts from Sukhum/Sukhumi and Stepanakert/Khankendi, as well as a group of international experts. The aim of this workshop was to achieve a series of constructive and concrete roadmaps for each of the unresolved conflicts in the South Caucasus. It was expected that by exploring particular aspects of conflict resolution, such as the commitment of all parties to the non-use of force and good neighborly relations, conditions might be created to tackle thorny issues, such as that of status definition, and thereby breaking the current deadlocks. The panels have demonstrated that participants were not short of ideas for building scenarios leading to breaking the deadlocks towards regional stability and peace in the South Caucasus. Speakers have put forward a number of *drivers of change* which might be used in planning strategies leading the various regional actors from now towards a peaceful future in the South Caucasus region. They have also highlighted the constraints preventing the achievement of the desired outcomes. Several participants emphasised that although new ideas are welcome, fully implementing older ideas was also a solution in its own right. This Study Group Information publication is a compilation of all written contributions of the speakers. Therefore, it provides a broad view of the expert dialogue at this workshop and of the Policy Recommendations consensually agreed on that occasion.



**PART I:  
CONTEMPORARY AND HISTORICAL  
EXAMPLES**



# The Solution of Frozen Territorial Conflicts — One Size Does Not Fit All! History Tells Us What Might Work and What Not.

*Michael Schmunk*

“Now what belongs together will grow together”  
*Willy Brandt, former Chancellor of the Federal Republic of Germany, Berlin, 1989.*<sup>1</sup>

“World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it. Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity.”  
*Robert Schuman, Foreign Minister of the French Republic, Paris, 1950.*<sup>2</sup>

“We can move the clocks ahead — time however does not go faster, and the ability to wait for the circumstances to change, remains a precondition of practical policies.”  
*Otto von Bismarck, Letter to Freiherr von Werthern, 1869.*<sup>3</sup>

## I. Preliminary note<sup>4</sup>

This 20<sup>th</sup> Workshop of the South Caucasus Study Group took place on the 30<sup>th</sup> anniversary of the fall of the Berlin Wall, the “Iron Curtain”, on 9 November 1989 — marking the end of the East-West division, the Cold War and the beginning of the German-German reunification. The symbolic power of this geopolitical event for this Workshop, and even more for this important Study Group should not be underestimated — divisions and

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<sup>1</sup> Brandt, Willy. *Speech on the fall of the Berlin Wall*, at Rathaus Schöneberg, Berlin, 10 November 1989, <[www.willy-brandt.org/willy-brandt/bedeutende-reden.html](http://www.willy-brandt.org/willy-brandt/bedeutende-reden.html)>.

<sup>2</sup> Schuman, Robert. *Declaration of 9<sup>th</sup> May 1950*. Salon de l’Horloge, Quai d’Orsay, Paris (Original in French): <[www.robert-schuman.eu/en/declaration-of-9-may-1950](http://www.robert-schuman.eu/en/declaration-of-9-may-1950)>.

<sup>3</sup> Original in German, translated by the author; “Wir können die Uhren vorstellen, die Zeit geht aber deshalb nicht rascher, und die Fähigkeit zu warten, während die Verhältnisse sich entwickeln, ist eine Vorbedingung praktischer Politik.”

<sup>4</sup> This essay follows my contribution to the publication of the 19<sup>th</sup> Workshop: Schmunk, Michael. *Epilogue*. In: Labarre, Frederic/Niculescu, George (Eds.): Geopolitical changes of European security in the South Caucasus and Ukraine. Study Group Information 16/2019, Vienna, October 2019, pp. 153-161.

secessions happen, but do not have to be irreversible. As a young German diplomat, posted to Washington, D.C. in the 1980s, I delivered numerous lectures and speeches countrywide, followed by the inevitable question from American audiences regarding the possibility of German reunification. My standard reply: “Honestly, not in my lifetime!” Soon after my return to Bonn, still the capital of “West-Germany”, I was proven wrong.

## II. Geopolitics’ tireless ingenuity: The birth of the ‘Frozen Conflict’

Battles and wars for *territory* have dominated human history, with different, though recurring constellations and protagonists, such as:

- disputes between two sovereign countries over territory and the respective borders claimed by both;
- disputes between a parent state/titular nation and a break-away region not granted the required autonomy or sovereignty;
- disputes between a sovereign country and a third state that claims some of the former’s territory, already occupying or even annexing it.

Territorial and border conflicts have existed since humans have organized themselves territorially, claiming land, rivers, lakes and mountains as theirs. Legal historians assure us that the oldest known political-legal agreement was that between the city states of Lagasch and Umma, in the wider region of Mesopotamia, in 3100 B.C. — ending a territorial and border conflict defining their dominions.<sup>5</sup> History has shown that the resolution of such territorial struggles is by far among the most complex, complicated and intractable of problems. In most cases, bloodshed has been involved; in many cases, the conflict ended by the bleeding dry of the losing party. Since the end of World War II, the proportion of diplomatic, negotiated solutions has increased, although in many situations only after some initial bloodshed. In particular, international or multilateral organizations such as, for example, the United Nations, international courts and tribunals, the International Committee of the Red Cross, the OSCE, and coalitions and conferences of the willing, contributed to such peaceful conflict resolutions, in several cases guaranteed by international peacekeeping forces or

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<sup>5</sup> See Arnould, Andreas von. *Völkerrecht*. 2<sup>nd</sup> edition, Heidelberg, 2014, p. 8.

foreign guarantor powers. Not in each and every case, however, were such diplomatic efforts crowned with success and international recognition. Sometimes, the smallest common denominator consisted of the (controlled) fixation of the status quo (line of contact; demarcation line; administrative boundary line; line of separation; line of occupation; ceasefire line).

In the last 30 years or so, the answer to momentarily insoluble territorial disputes and armed struggles has been the *freezing* of such conflicts, which means (in principle) ending the bloodshed (with the help of international peace organizations, peacekeepers and/or foreign guarantor powers/patron states), and surveilling the situation politically-diplomatically, also by establishing fora for low key contacts and talks.

This has been the hour of birth of the so-called ***frozen conflicts***, a term that was originally used for the territorial conflicts in the post-Soviet sphere.<sup>6</sup>

Frozen Conflicts are not always and at every stage static geopolitical and military situations. In most cases, at least minimally, internationally organized political and military observation has been assured (e.g. by the Minsk Group; the Geneva Discussions), thus low-level “dynamics” remain inherent. Those international observer and consultation fora have mainly served, quietly “on behalf” of the great and regional powers involved, as smoke detectors and guarantors of political-military immobility, adding dry ice whenever the frozen conflict appears to become “hot” again — in a ritualized process of routine trips into the region, issuing deliberately meaningless bulletins. Periodically, frozen conflicts can become activated again, positively (resumption of talks and negotiations), and negatively (resumption of military fighting) — we can speak pictorially of “semifreddo” conflicts. Frozen conflicts have long become a powerful foreign policy tool, a geopolitical instrument, as have divisions, separations, occupations and annexations of territory. The question, to whom, to which state or country,

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<sup>6</sup> See, among others, Bebler, Anton (Ed.). “Frozen Conflicts” in Europe. Toronto, 2015; Racz, Andras. The frozen conflicts of the EU’s Eastern neighbourhood and their impact on the respect of human rights. European Parliament Study, Brussels, April 2016, <[http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578001/EXPO\\_STU\(2016\)578001\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/578001/EXPO_STU(2016)578001_EN.pdf)>.

a certain territory belongs, has not only been burdened with legal and political aspects, but also — if not mainly — combined with strong emotions. People and peoples have many times fought for “their” land, their country’s land. These strong emotions, be they patriotic, nationalist or chauvinistic, can, as history has shown time and again, in many cases easily be exploited by those controlling the territory in dispute. Freezing such conflicts, in most, if not nearly all cases, helps foremost the separatists, dividers and occupiers. They have the better bargaining chip in their hands — when it comes to negotiations for a settled agreement, be their action legal or in violation of international law. The grim fighting of Eastern Ukrainian separatists and Russian mercenaries (and probably regular Russian troops) demonstrates this “territory grabbing” strategy impressively.

The idea of freezing something, with the intention of keeping it in the condition as it is — putting it aside at the same time unchanged in order to win time — until one is aware of what could or should be done, can be found in many areas of life. In particular in the medical world, people who die of an untreatable disease, order in their will that their frozen body should be defrosted at the moment of a then realistic chance for a cure. We can find similar ideas in the field of reproductive medicine. The basic idea is the same everywhere — to wait for better times, to wait for fundamental change, be it in science or in politics. In all cases, though, there is also an element of suppression — and one of tactics!

Freezing a geopolitical conflict, in particular a highly emotionalized territorial one, may well also have positive aspects. It can end bloodshed, at least for the moment, provide a basis for a ceasefire, and offer a chance for peaceful political dialogue — preventing the parties to the conflict from resorting to military hostilities.

### **III. What can we learn from the post-World War II historical and current cases?**

The last 75 years have produced around 30 major territorial conflicts, including those in the South Caucasus region, constituting a mixed bag of reasons for the divisions, separations or secessions and corresponding ways to solve or maintain them. One size does not fit all problems; leaving the mechanics of conflict resolution baffled and helpless. Time wise, there

seems to be a paradox. The longer territorial conflicts last, the more a final solution becomes impossible. On the other hand, some types of such territorial conflicts obviously need some time, until they become ready for first steps towards an eventual solution. In some cases, everyday reality solidifies and deepens the split, complicating any chance of a solution, in particular the return to the *status quo ante*.<sup>7</sup> In other cases, in the separated or breakaway area, there is growing awareness — relative to the other part of the formerly joint country or the parent state — of inferiority, disadvantages and weaknesses, mostly economic and social, but also political freedoms, in particular freedom of movement.

For the purpose of this brief study, 15 territorial conflicts and frozen conflicts (apart from the South Caucasus) have been selected and analyzed very roughly, two of them though in more detail — the overall research results will be presented in parts IV and V:

*1. Resolved and Unresolved historical and current territorial disagreements, disputes and conflicts beyond the South Caucasus (selection):*

- Republic of Ireland – Northern Ireland/UK (independence/civil war) (1916-19/1949/1998)
- Saarland – Germany/France (French protectorate/annexation) (1945/1957)
- The Two Germanies – (division/rapprochement/reunification) (1945/1949/1972/1990)
- North Korea – South Korea (division 1945)
- Italy – Austria – South Tyrol (division/incorporation/conflict over autonomous status) (1945-49/1971-72/1992)
- India – Pakistan – Kashmir (division/line of control) (1947/1965-71)
- Taiwan – China (1949)
- North Vietnam – South Vietnam (division/reunification 1954-1976)

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<sup>7</sup> This study uses the term “breakaway state” for the areas discussed. Other terms frequently used are de facto state, quasi state, para-state, self-proclaimed state, aspirant state, all with a nuance of political qualification and an element of the political standpoint of the respective analyst.

- Republic of the Sudan – Republic of South Sudan (secession; civil war; mutually agreed separation) (1972-1983/2005-2011/2011)
- Republic of Cyprus – Northern Cyprus (division 1974)
- Moldova – Transnistria (secession) (1992)
- Serbia – Kosovo (UN-protectorate/self-declared independence) (1988-89/1999/2008)
- Czech Republic – Slovak Republic (mutually peaceful dissolution 1993)
- Ethiopia – Eritrea (mutually peaceful dissolution/war over borders) (1993/1997/2018)
- Russia – Ukraine – Crimea (Russian occupation/annexation) (2014)

## *2. Detailed lessons from two German territorial conflicts*

### 2.1 The “Saar Statute”

#### 2.1.1 Background:

The territory of the Saar (Saarland), named after its major river, is located in the Southwest of Germany, and bordering France in its west and south. The Saar is one of Germany’s 16 federal states. Historically, France and Germany struggled for centuries over the Saar, finally yet importantly because of its strategic location and its valuable commodities (above all coal and iron, which were at the time of strategic importance). France gained and lost sovereignty over the Saar several times in the course of wars, while the region most of the time belonged to Germany, with a predominantly German-speaking population. After World War I, 1920-35, the Saar came under international administration and, after a pro-Germany referendum in 1935, back to Germany. After World War II, in 1945, in the process of reestablishing West-Germany, the Federal Republic of Germany, although already having adopted a new, democratic constitution and supposed to become one of the 11 West-German “Länder”, France, as part of the victorious Western alliance, brought the Saar back into its fold. French President Charles de Gaulle claimed the entire left bank of the Rhine as a French security zone, mainly consisting of Alsace and Lorraine (Elsass-Lothringen) which Germany had lost forever, but also the economically rich Saar. The other three allied powers, however, resisted such a permanent French annexation of the Saar. Negotiations between Germany and France started, the allied powers included. Still, in 1947, the French post-war Saar protec-

torate, an outcome of the Four Powers military-administrative occupation regime, was separated from the French occupied zone in Germany and entered into a customs, economic and monetary union with France — blocked though eventually by the other Western allied powers, USA and UK. France, hesitant at first, but then, in the conciliatory spirit of the 1951 Treaty establishing the “*European Coal and Steel Community*” (ECSC, also called “*Montanunion*”), gave in to German and international pressure, entering negotiations for a final settlement of the territorial conflict. This change of policy happened not least in the new spirit of the beginning Franco-German reconciliation, which started with the European Declaration of *Jean Monnet and Robert Schuman* in 1950, pursued by *Charles de Gaulle and Konrad Adenauer*, resulting in the Franco-German *Élysée-Treaty* of 1963 (now followed by the “*Treaty of Aachen*”).<sup>8</sup>

In October 1954, both countries signed the “*Paris Agreements*”, which, amended by the referendum of the electorate of the Saar, resulted in the adoption of the Saar-Agreement (*Saar Statute*, 1956), and the return of the Saar to Germany. On 1<sup>st</sup> January 1957, the Saar became fully politically reintegrated — and the 11<sup>th</sup> state of the Federal Republic of Germany. A longstanding territorial conflict was solved successfully.

### 2.1.2 Analysis and specific lessons learned:

The whole conflict resolution process happened completely peacefully, with no drop of blood spilled. Although a winner of the war over Nazi-Germany,

- France followed international legal standards and democratic rules;
- France respected the outcome of the referenda of the German population;
- the other Allied Powers and the International Community, above all the Council of Europe, opted and pushed for the return of the Saar solution;
- The overall political climate change, meaning the beginning of Franco-German reconciliation, and the beginning of the European integration

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<sup>8</sup> Signed by Germany and France on 22 January 2019, <<https://www.diplomatie.gouv.fr/en/country-files/germany/france-and-germany/franco-german-treaty-of-aachen>>.

process, created an increasingly favorable atmosphere for a positive outcome of the negotiations;

- The new European cooperation vision embodied in the *Montanunion* was based on the idea of preventing a return of armed conflict through the transnational integration of key economic (mining) sectors important to armament industries. For the first time in European history, through shared executive powers, even though only in a small, but strategically relevant areas, the outbreak of any future armed conflict could be prevented successfully. It only worked, however, because *all parties* involved politically *favoured* this model of cooperation and sovereignty sharing;
- All wanted the return of the Saar to the titular nation; the Germans, the people of the Saar, and after a while even France, who was among the victorious powers.

## 2.2 The German Basic Treaty and the German-German Unification

### 2.2.1 Background:

As a result of the outcome of World War II, Germany was divided into West-Germany (Federal Republic of Germany) and East Germany (German Democratic Republic, GDR), according to the geopolitical division of the world into a global East and a global West. Germany as a whole was stripped of its land gains (at its Western and Eastern borders) and lost in particular the territories “captured” in Poland and in the Soviet Union. While West-Germany kept the international recognition of the whole of Germany’s Eastern border open, East-Germany recognized it with the “*Görlitz-Agreement*” of 6 July 1950. West-Germany’s so-called “*Hallstein-Doctrine*” prescribed that the FRG would not establish or maintain diplomatic relations with any state that recognized the GDR — an example that seems to have been readily followed in the South Caucasus.

The following 20 years were dominated by the Cold War’s negative influence on both Germanys drifting politically, ideologically, economically and culturally apart. Both Germanies became respectively integrated into the Western, respectively into the Eastern Bloc. The Soviet Union, East Germany’s patron, erected the Berlin Wall and the Iron Curtain, killing citizens that tried to escape from the GDR party dictatorship on its borders. Still,

on the Western side, the idea of a reunification and reconciliation was never given up, neither politically nor legally. On the Eastern side, a majority of citizens at least kept quietly their hopes and dreams alive. This situation, miserable for the GDR citizens above all, lasted for nearly two decades; West German governments by then had tried in vain to enter into a dialogue with the GDR and its Soviet protecting power to, first of all, help improve the inner German people-to-people relations and the living conditions in the East. Both sides refused to recognize each other under international law and questioned each other's status. There was also no desire on the East German government's side, to work on a territorial-political unification.

The situation began to change, however, when the social democratic Chancellor Willy Brandt came into power, initiating with his so-called "*Ostpolitik*" fundamental change in German-German relations. The ice broken, and after the entry into force of the "Four-Power Agreement" of 1971, both sides agreed to start negotiations over a "Basic Treaty" ("*Grundlagenvertrag*")<sup>9</sup> that, for the first time in German-German history, would regulate day-to-day relations, above all for the benefit of the people living on both sides of the Iron Curtain. As a basic precondition, it was agreed in the forefront that the central question of the status of the two states on German ground<sup>10</sup> would be solved, with the participation of the U.S., the Soviet Union, the United Kingdom and France, at a later stage (final peace agreement for Germany as a whole). The signing of the "Basic Treaty" on 21 December 1972 in East Berlin paved the way for the two German states to be recognized by the international community. In particular, in 1973, both German states were admitted to the United Nations. The final step became possible within the context of the end of the Cold War, the dissolution of the Soviet Union and the peaceful revolution in the GDR. The GDR was significantly weakened, above all economically, close to collapse, with a desperate population prepared to resist, recognizing a unique political window of opportunity for change. This dramatic disparity served as a power-

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<sup>9</sup> Text of the Basic Treaty of 21 December 1972: [http://ghdi.ghidc.org/sub\\_document.cfm?document\\_id=172](http://ghdi.ghidc.org/sub_document.cfm?document_id=172).

<sup>10</sup> One (German) nation, two states (systems).

ful catalyst regarding the “peaceful revolution” in the GDR.<sup>11</sup> The so-called “Two plus Four-negotiations” (the two German states and the four Allied Powers)<sup>12</sup> signed on 12 September 1990 in Moscow, ended the “Four Powers Regime” over Germany and cleared the way for the political and territorial unification — with the GDR being subsumed into the Federal Republic of Germany (“*Vertrag der Deutschen Einheit*”, Unification Treaty, 30 August 1990).

### 2.2.2 Analysis and specific lessons learned:

The German-German conflict, again, was a very special example of a political-ideological, but also a territorial struggle. Neither East- nor West-Germany split from the other. Instead, the country was divided after war by the victorious powers, to provide the winners with influence and control — and to ensure that no risk and harm would arise from that country anymore.

- With the mutual agreement, to leave aside the political-legal definition of the status of both German entities for one another, the way was open for the principles of a German-German rapprochement in everyday life, also called “Politik der kleinen Schritte” (policy of small steps) — or “Wandel durch Annäherung” (change through rapprochement). The idea on the West-German side was to bring about a psychological “climate change” between governments (also with a view to the great powers standing on the geopolitical sidelines). Step by step, the opposite side should be convinced that they could trust the Federal Republic. But, above all, the hearts and minds of the GDR’s citizens were to be won, with living standards and material enrichment in their daily lives, and easier travel between sides at the top of the list;
- Both parties met on the same level, negotiating as equals;
- Both parties wanted a negotiated settlement;
- Willy Brandt’s special advisor, *Egon Bahr*, had formulated these pioneering ideas for that protracted conflict, but also beyond, already in 1963:

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<sup>11</sup> See, among others, Niblett, Robin and Bhardwaj, Gitika. *Why we build walls: 30 years after the fall of the Berlin Wall*. Chatham House, 8 November 2019, <<https://www.chathamhouse.org/expert/comment/why-we-build-walls-30-years-after-fall-berlin-wall>>.

<sup>12</sup> Text of the Treaty of 12 September 1990: <[http://ghdi.ghi-dc.org/sub\\_document.cfm?document\\_id=176](http://ghdi.ghi-dc.org/sub_document.cfm?document_id=176)>.

In Europe, we (Germans) find ourselves in a unique position of being a divided people (...) The first conclusion to be drawn from applying this strategy for peace to Germany is that the policy of all-or-nothing must be ruled out. Either free elections or nothing, either all-German freedom of choice or an obstinate “no,” either elections as the first step or rejection – all this is not only hopelessly antiquated and unreal, but in a strategy of peace it is also meaningless. Today it is clear that reunification is not a one-time act that will be put into effect by a historic decision on an historic day at an historic conference, but rather a process involving many steps and many stations. If what Kennedy said is right, that the interests of the other side also need to be recognized and considered, then it is certainly impossible for the Soviet Union to let the Eastern Zone (East Germany) be snatched away from it for the purpose of strengthening the West’s potential. The Zone must be transformed with the approval of the Soviets. (...) If it is correct, and I believe it is correct, that the Zone (East Germany) cannot be snatched away from the Soviet sphere of influence.<sup>13</sup>

#### **IV. From the geopolitical cookbook: What is needed to solve a territorial conflict?**

Recent history has shown that only a small number of territorial disputes and conflicts have been solved completely peacefully through diplomatic negotiations; with no cases of secession of an integral part of a titular nation or annexations among them. But even some cases that seemed to be hopeless, suddenly found themselves within a geopolitical environment favourable to a sustainable solution. In practically all those cases, the will to find a solution from within (parent state and break-away territory or the two parts of a country divided by external powers), was not sufficient. It needed the political willingness, consent and support of external actors, be they great powers or patron states, or both. In the cases where it has not worked so far, a clear lack of political preparedness or will to find a solution has been evident, at least on the side of one party to the conflict; all breakaway territories refuse to enter into any talks about a reunification with the titular nation or country of origin. All cases of territorial conflict in the South Caucasus or Eastern Europe are among them, notwithstanding the political motive and the benefit for the secession or division may be. What, for instance, did the breakaway territories in the South Caucasus win? Why are they better off now than before the separation? Was it about

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<sup>13</sup> Bahr, Egon. *Wandel durch Annäherung (Change through Rapprochement)*. Speech delivered on 15 July 1963, at the Evangelical Academy in Tutzing, Bavaria. (Translated by Amb. M. Schmunk).

“freedom”? About national self-determination? About national identity? About livelihoods? About language and cultural heritage? Has there ever been a neutral stocktaking of the pros and cons of the secession for the break-away territory? Surprisingly, not many substantial answers were given to these legitimate questions.

Despite this unsatisfying situation, we have been able, over the course of these disputes and armed struggles, to fill our manuals and tool boxes with concepts and instruments. Whatever the reason for the land dispute or war, in whatever form land was taken away by inner or external forces, and whatever political-legal shape that territory took or was given, find here a listing of valuable experiences and findings, about what, general and specific, might help (or not) a peaceful settlement — as a result above all of decades-long personal-professional work in the field of conflict resolution, as a diplomatic practitioner and a think tank scholar and researcher:

1. Territorial conflicts are **not like two peas in a pod**. Accordingly, this applies also to their solution; **one size does not fit all**. Each solution therefore needs a proper model, in nearly all cases that existed and exist — with a customized design. Some elements and tools, though, are generic, applicable in nearly all cases.
2. The first and by far major precondition for any talks, consultations or negotiations to end the (armed) conflict is the **political will of both parties** to the conflict to come to a settlement of the question, to whom that land belongs, if it should be returned to the titular nation, if the people want to return to the former (historic) state formation, or if the two or more parts should be reunified.
3. Territorial conflicts are the **most complex, difficult and emotional** ones to be solved. Their settlement needs, beyond patience and the right geopolitical window of opportunity, a very special toolbox.
4. Geopolitical conflicts, between a parent state and a break-away territory, as in the South Caucasus, are especially complex politically, legally and technically. They seem to be locked against any attempt of resolution. History proves however, that, sometimes, in the simmering or even frozen period, intermediate steps can be made to at least reduce

tensions and hostilities — thus improving **climate and trust** between the parties to the conflict.

5. Another major precondition is the legal-political status of those who own the land at the moment and those that reclaim it. Is there a chance for negotiations at the **same eye level**? Can third parties (today: a patron state or major external powers, in history: colonial powers) be kept out or are they rather needed to provide success? Or are they needed moreover to act as catalysts to reach a deal? If patron states are involved; make sure not to violate their sphere of interest and influence, for example trying to snatch away the territories of conflict out of their “cordon sanitaire.”<sup>14</sup>
6. Given that a political-legal agreement would be found, is there a high chance if not a guarantee that the **populations** affected will **accept permanently a settlement** agreed upon? In which way will they be involved? Will there be a democratic opportunity to legitimize the outcome of the negotiations with their votes? Make sure that the populations concerned are gradually, but always truthfully prepared for the possible solution.
7. Are there any **factors that could favour or facilitate** a peaceful territorial settlement? Is one or both parties to the conflict under strong political, economic or social *inner* pressure by their citizens to at least start such negotiations? Or is there external pressure from an external protecting power, a group (alliance) of powers, or an international organization?
8. Do not begin such negotiations with the most remote target — the country’s or territory’s status definition. Rather aim at **small, concrete steps** for living standard improvements for the people — the rest might be tackled in a larger scale peace arrangement.

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<sup>14</sup> See in this context for example Shifrinson, Joshua. *The fall of the Berlin Wall almost ended in war*. In: Foreign Affairs, 22 November 2019, <<https://www.foreignaffairs.com/articles/germany/2019-11-22/fall-berlin-wall-almost-ended-war>>.

9. The unfreezing and eventual solution of a territorial conflict is not a one-time act, but rather a **process** involving many steps and stations (change through rapprochement).
10. **One size does not fit all:** Do not insist from the beginning on a status quo ante solution — instead also explore other alternatives, for example models of confederation, federalism, autonomy, power-sharing/shared sovereignty, etc.

## V. Waiting for Godot?

For the South Caucasian parent states Azerbaijan and Georgia, plus Armenia in its role as occupier, and the breakaway territories of Abkhazia, Nagorno-Karabakh and South Ossetia, this list of lessons-learned might be used as a helpful “manual” for the tackling of their territorial conflicts — should there be the mutual political will to seriously get engaged. It does seem highly unlikely though, that an unexpected, sudden *deus ex machina* will come upon the long-suffering region offering proposals for easy solutions. Nearly all imaginable ideas, respecting international law, have been tested already. But what does this mean for the protagonists involved? The **assumption** is:

- that the patron states Azerbaijan and Georgia will not relinquish their claims that secessions shall be reversed, the break-away territories be reintegrated and illegal occupations be ended;
- that the break-away territories, not recognized by the international community except for Russia (and a handful of countries), will continue to exist in their current configurations as “de facto-states” (or, as they see it, as sovereign, independent states) — showing no interest in joining their parent state in any form of reunification or cohabitation — rather intensifying their bonds with their patron state Russia, or even joining Russian-dominated alliances, communities and unions;
- that Armenia will not withdraw from the larger occupied region surrounding Nagorno-Karabakh — rather continuing to deepen the separation with Azerbaijan and solidify the basic “Armenian character” of the occupied territories (“de-Azerification”);
- that the Russian Federation (at least under President Putin’s rulership) will not see any strategic, geopolitical advantage in ending the destabili-

zation at its southern border, keeping up a “cordon sanitaire” (controlled instability) through client or proxy “states” against the West. For Russia, as it has been underlined frequently, the “promotion” of these break-away territories at its southern belt seems to be an answer also to the West’s support for Kosovo’s declaration of independence:

In February 2008, one year after his contentious Munich speech, Putin referred to the West’s recognition of Kosovo as a ‘terrifying precedent’ that ‘is breaking open the entire system of international relations that have prevailed not just for decades, but for centuries’. (...) When Russia occupied South Ossetia and Abkhazia after the Russo-Georgian war of August 2008, Moscow justified its intervention by adopting America’s bright and shiny liberal rhetoric and invoking human rights. This sneering parody of US rationales for foreign intervention was repeated after the annexation of Crimea.<sup>15</sup>

- that the international community will most likely never recognize these break-away territories as sovereign, independent states, not in principle, and not in the individual cases. In particular, the most relevant international organizations for the future of the region, such as NATO and the EU, with consideration for Russia’s political and security interests, will, for the foreseeable future, not harm these interests, for instance by offering memberships to the parent states — even if in principle they keep their doors open for such an eventuality.

If these assumptions apply, **what remains to be done? Who has a new, fresh idea?** For the parent states, for the break-away territories, for the international community?<sup>16</sup>

- **Waiting is not a viable policy. Definitely, parties to the conflict should not give up working for a negotiated solution, based on a step-by-step rapprochement process<sup>17</sup> to prepare the ground and build**

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<sup>15</sup> Krastev, Ivan, and Holmes, Stephen. *The light that failed. A reckoning*. London, 2019, p. 90 ff, and Jolicoeur, P., and Labarre, F. (2014) “The Kosovo Model: A (Bad) Precedent for Conflict Management in the Caucasus?”, *Connections: The Quarterly Journal*, 13, pp. 41-57.

<sup>16</sup> Similar questions were recently asked by Thomas de Waal, though with different answers: De Waal, Thomas. *Uncertain territory. The strange life and curious sustainability of de facto states*. In: *New Eastern Europe* 32 (2018) 3-4, pp. 7-14 ([www.neweasterneurope.eu](http://www.neweasterneurope.eu)).

<sup>17</sup> See similar proposals at Comai, Giorgio. *The EU and de facto states: adjust expectations, support small steps*. In: *Osservatorio Balcani e Caucaso*, 13 February 2019, <<https://www.balcanicaucaso.org/eng/Areas/Russia/The-Eu-and-de-facto-states->

the trust, whatever the different visions of the actors involved may be. Everything below the threshold of full reunification, integration, federalization or autonomy should be sounded out. Recent history has shown that, within a generally changed geopolitical climate (e.g. the beginning of the era of Franco-German friendship; the start of *Glasnost* and *Perestroika* by Moscow; the German-German rapprochement and reunification in an era of thawing East-West relations), outcomes never thought possible before became reality.

- The parties to the conflict, (and here in particular the breakaway territories) should always be aware of a worsening situation at home, economically, socially, and eventually politically. Things do change. Breakaway territories, above all those that emerged from the former Soviet and Yugoslav empires may be structurally weak and not viable. They remain to a very high degree dependent on their patron state Russia, not only politically and security wise, but also financially and economically. In the German-German case for example, East Germany's economy stood at the brink of economic collapse, with vanishing support from the COMECON states, facing socio-political unrest, which even happened. All the more, the livelihood situation and perspectives in the breakaway territories should be discussed critically in detail, to provide those communities with a realistic picture and prognosis.
- In the long term, it seems fated that the parent states of the breakaway territories would join a European or at least a regional (Eurasian) alliance or union to gain both political-military protection and economic support. For the moment, memberships of NATO and the EU for the parent states are excluded.<sup>18</sup> Instead, Russia offers alliances and unions under its leadership; the Commonwealth of Independent States, CIS (Armenia, Georgia, Moldova); Collective Security Treaty Organization, CSTO (Armenia); Eurasian Customs Union; Eurasian Economic Union, EEAU (Armenia). Objectively seen, especially from a membership in the EU standpoint, the region would profit most — but the choice should be free, as in the case of Armenia, which became

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adjust-expectations-support-small-steps-192659>; De Waal, Thomas. *Uncertain ground: Engaging with Europe's de facto states and breakaway territories*. Carnegie Europe, Washington DC, 2018, <[www.CarnegieEndowment.org/pubs](http://www.CarnegieEndowment.org/pubs)>.

<sup>18</sup> See, among others, Warsaw Institute. *Post-Soviet frozen conflicts: A challenge for European security*. Special Report, Warsaw, 14 March 2019, p. 9, <[www.warsawinstitute.org](http://www.warsawinstitute.org)>.

an EEAU member despite already being a member of the EU's Eastern Partnership, EaP (Armenia, Azerbaijan, Georgia, Moldova, Ukraine). The EU, nevertheless, continues to have close ties with Yerevan. It could be worthwhile to check the advantages and disadvantages of all potential memberships for the parent states of the region — in a political-social and financial-economic simulation for the decades to come.

- Although legally “recognized” by Russia, the breakaway territories have only minimal, if any chances at all, of joining a Moscow-led organization. Regarding Western organizations such as the EU, even low key informal relations between the break-away territories and the EU remain the exception — with their parent states wary of any engagement, using all their influence to limit or block such contacts.<sup>19</sup> Under the roof of its Non-Recognition and Engagement Policy (NREP) for Abkhazia and South Ossetia,<sup>20</sup> the EU obviously has held numerous confidential consultations with breakaway territories of the region — meant to be part of a humanitarian-political rapprochement strategy and a concrete step-by-step approach. This also reminds us of some elements of the above-described German examples. The legitimacy and legal aspects of direct, official, even formal consultations, if not regular negotiations, between the (Western) non-recognizers (such as the EU) and the breakaway territories have to be kept in mind, and should not be sacrificed thoughtlessly. It is understandable that, in the search for new ideas, some impatiently and loudly think about if and how far the rules of engagement, within a framework of non-recognition, could be lifted for a moment to eventually become engaged more directly with de facto authorities “on a give-and-take principle.”<sup>21</sup> However, the lid of that Pandora’s box should not be opened except if in dire need.

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<sup>19</sup> See Caspersen, Nina. Engagement with the South Caucasus de facto states: A viable strategy for conflict transformation? In: *Caucasus Edition 3* (2018) 2, p. 5-23.

<sup>20</sup> See e.g. Fischer, Sabine. *The EU’s non-recognition and engagement policy towards Abkhazia and South Ossetia*. EUISS-Seminar-Report, <[https://www.iss.europa.eu/sites/default/files/EUISSFiles/NREP\\_report.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/NREP_report.pdf)>.

<sup>21</sup> See above, Comai (2019), referring to Thomas de Waal (2018).



## **The South Caucasus in the Foreign Policy of the Republic of Belarus**

*Andrei Rusakovich*

Belarus is a European state that pursues a balanced multi-vector foreign policy, is an active member of a number of international organizations, occupies an important place in the global and European security structure, and is developing partner relations with states on all continents. In the speeches of the President of the Republic of Belarus, as well as in the conceptual documents, the essence, the basic principles and the directions of this foreign policy are defined. Such constitutionally declared principles as; commitments to neutrality and nuclear weapon-free status determine the state's non-confrontational format of cooperation in the region. The implementation of a multi-vector policy as the fundamental principle based on respect for and compliance with international law, involves the development of constructive and balanced relations with the partners in all regions of the world. In the face of a complex international environment, a rigorous implementation of the enhancing international processes engagement policy is consistent with the national interests of the Republic of Belarus, being a state in unique geopolitical circumstances, for building a stable, just and democratic world order.

The historical experience of the development of the Belarusian nation and statehood reflects the complex and contradictory development processes in Eastern Europe. The diversity of the regional order, the increased level of conflicts, loss of life (during the period of the two World Wars), and the integration into various state entities have determined the relatively late formation of the Belarusian nation and the state. Being a state (“in-between”) located on the territory, which is in contact and interaction with various civilizations, cultures, traditions, and where the interests of various world centres of power intersect, Belarus traditionally undergoes significant foreign policy impact and, as a result, pays great attention to such issues as national security and sovereignty insurance, consolidation of the nation,

stable development of the economy, implementation of partner cooperation with all states of the region.

After the collapse of the USSR, Belarus acquired the status of a “new state” in the “new” region of Eastern Europe. In the early 1990s the formation of a new Eastern Europe region was carried out under the most difficult circumstances; the nuclear status of Belarus and Ukraine, the armed conflict in Transnistria, tensions in Russia-Ukraine relations, the social, economic and political crisis in the post-Soviet states are enough to recall. In theory, after the collapse of the USSR, Belarus could have been involved in territorial conflicts with the neighbouring states. For example, in the early 1990s the German researcher B. Weber analyzed the “critical issues” in the sphere of security of the Republic of Belarus; tensions with Lithuania over Vilnius, the problem of defining borders with Russia and Ukraine.<sup>1</sup> Ethnic and confessional conflicts were not removed from the agenda either. For example, the problem of the Polish minority rights and, the problem of relations between the Catholic and Orthodox churches. In the early 1990s the issue of the geopolitical orientation of Belarus was also a problem that could split the society apart. The idea of a “new Europe” as a new era of democracy, peace, and unity which was determined by the OSCE Paris Charter (1990), has proved to be impossible. The European Union and NATO, on the one hand, and Russia, on the other, invited Belarus to participate in various projects on regional security and cooperation. Russia sought to further membership of Belarus in integration, military and political unions in the post-Soviet space; The Treaty on Collective Security (1992), the Customs Union (later the Eurasian Economic Union), and the Union State of Belarus and Russia. Belarus was offered to cooperate with the European Union and NATO with a further prospect of becoming a member of these organizations. Under these circumstances the well-considered security issues approaches of the leadership of the Republic of Belarus have succeeded in avoiding conflict scenarios. Belarus complies strictly with all international obligations in the sphere of security, disarmament and arms reduction; it has renounced nuclear weapons, has reduced its armed forces in accordance with the Treaty on Conventional Armed Forces in Europe

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<sup>1</sup> Weber, Bernd. Das explosive Erbe der Sowjetunion. Sicherheitspolitische Problemfelder und verteidigungspolitische Absichten in der GUS und den Nachfolgestaaten der UdSSR. In: Osteuropa. 8/1992. pp. 652-668.

(CFE Treaty) without any preconditions. During the first years of independence (1992-1993), an attempt to realize its neutral status was made by the Republic of Belarus. However, at the end of 1993, a military, political and economic union with Russia and other post-Soviet states was chosen. In the mid-1990s the political changes in Belarus, which led to the framing of strong presidential power and the development of the social and economic model different from the neighbouring states, established a course for closer integration with Russia.

Participation of the Republic of Belarus in the integration associations and processes in the post-Soviet space is currently one of the most important priorities of the state's foreign policy. Since its establishment, Belarus has been actively participating in the main integration associations in the post-Soviet space: the Commonwealth of Independent States (CIS), the Union State of Belarus and Russia, the Eurasian Economic Union (EAEU), and the Collective Security Treaty Organization (CSTO) are among them. Among the key vectors of foreign policy, the development of cooperation of the Republic of Belarus with the European Union and its member states, and with the United States of America can be identified as well as strengthening relations of a comprehensive strategic partnership with the People's Republic of China, development of cooperation with the states of so-called "far arc" – Asia, Africa and Latin America. The mechanisms of multilateral diplomacy and primarily participation in the UN allow the Republic of Belarus to contribute to the solution of global and regional problems and to respond to modern challenges and threats adequately.

The role of the Republic of Belarus, which is defined historically and geopolitically as a "real bridge" between the West and the East, between Russia and the EU, between the structures of European and Eurasian integration, must be functionally filled with concrete proposals and ideas. The concept of "Integration of Integrations" as a key principle of cooperation, which assumes the compatibility of differential integration projects, is aimed primarily at a joint search for optimal ways of inclusive growth and sustainable development.

The regional dynamics over the last five years has become a challenging time for Belarus. Military operations in the south-east of Ukraine, the Russia-Ukraine conflict appeared to become new security threats to the state.

Under these circumstances, Belarus has pursued a political course aimed at stability and strengthening of the regional system of relations, cooperation between all the participants based on equal partnership and non-confrontation. Belarus has become a platform for negotiations to resolve the conflict in the south-east of Ukraine and put forward important initiatives to renew the dialogue strengthening confidence-building, security and cooperation, framing the “digital good-neighbourly belt”, and providing information security.

The South Caucasus region historically has been one of the important partners of Belarus in the post-Soviet space. Since the collapse of the USSR, the Republic of Belarus maintains strong partnership with the new states of the region – Azerbaijan, Armenia, Georgia. The Belarusian diplomatic activity in the region is based on the international law principles, based, *inter alia*, on resolving conflicts exclusively by peaceful means, respecting and ensuring sovereignty, territorial integrity and inviolability of borders as well as implementation of the UN Security Council resolutions and OSCE decisions. Belarus is also a member state of the OSCE Minsk Group, which offered its good offices for international efforts to resolve the conflict over Nagorno-Karabakh since 1992. Belarus does not have any borders South Caucasus states and this fact determines the level of the state’s presence and its interests in this complex region. At the same time, Belarus’ pragmatic relations of Belarus with all the states of the South Caucasus as well as membership in the projects such as the CIS, the EAEU, the CSTO, and the Eastern Partnership, the need to develop a common approach to the region with Russia within the Union state determine the involvement of the Republic of Belarus in the regional processes in the South Caucasus with the security issues in priority. Regarding security issues in the South Caucasus, Belarus adheres to the approach established within the UN and the OSCE formats, which is oriented towards the gradual resolution of existing problems. It should also be noted that Belarus has developed advanced relations with the South Caucasus neighbour states; strategic alliance with the Russian Federation has been achieved; Turkey is considered one of the priorities in the region and relations with Iran are developing steadily.

We consider that between the states of the South Caucasus and Belarus, three models of cooperation have developed.

The first model must be called “integration” and has been framed as a re-

sult of Belarus and Armenia cooperation. Both states have developed partner relations with Russia, being members of military and political unions. This circumstance determines the common agenda for the interaction of the two states. In 2014 Belarus, Kazakhstan and Russia supported the intention of Armenia to join the EAEU. The status of Nagorno-Karabakh was a real concern. During the meeting of the Supreme Eurasian Economic Council in Astana in May 2014, the president of Kazakhstan N. Nazarbayev invited Armenia to join the Eurasian Union without Nagorno-Karabakh territory. As a result of complicated negotiations, an acceptable decision for all the participants was reached and in October 2014, the Treaty on Armenia's accession to the Eurasian Economic Union was signed in Minsk. In general, it can be noted that the Belarus – Armenia political relations are ahead of economic cooperation. 75 bilateral agreements were signed between the states in addition to the multilateral agreements within the CIS, CSTO, EAEU. It should be noted that political dialogue at all levels is actively developing as well. After the political changes in Armenia in spring 2018, the general format of cooperation has not changed, although it must be said that the official Minsk considered the elections in Yerevan critically. A number of problem issues exist in Belarus-Armenia relations, which impede their development. For example, there is a rather low trade turnover between the states – nearly \$50 million USD (2018), of which Belarusian export comprise more than \$37 million USD and investment cooperation is also developing slowly. But political problems are more tangible. Thus, in its approaches to resolving the Nagorno-Karabakh conflict, Belarus occasionally emphasizes that it advocates a peaceful resolution of the conflict according to the generally recognized principles and norms of international law, primarily on the basis of respect for and ensuring the sovereignty, territorial integrity and inviolability of state borders.<sup>2</sup> This approach does not meet understanding in Armenia and usually causes diplomatic frictions. In April 2016, the Ambassador of the Republic of Belarus to Armenia was invited to the Foreign Ministry of Armenia, where he lodged a protest;

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<sup>2</sup> Statement by the Ministry of Foreign Affairs of the Republic of Belarus in connection with the events around Nagorno-Karabakh (April 2, 2016). <[http://mfa.gov.by/press/news\\_mfa/f4b5537fbfd0626f.html](http://mfa.gov.by/press/news_mfa/f4b5537fbfd0626f.html)>, accessed on 19.11.2019.

Such a statement does not correspond to the spirit of Armenia–Belarus relations and runs counter to the commitments made by the parties within the framework of the CSTO and other multilateral structures, and harms the negotiation process.<sup>3</sup>

There is also one more problem point in the bilateral relations related to the supply of the “Polonaise” missile systems and other weapons from Minsk to Baku. Yerevan considers this fact unacceptable for states that are members of the military and political union, although this issue has not been resolved within the framework of the CSTO. In 2018-2019 a dispute broke out between Minsk and Yerevan over the problem of appointing a CSTO Secretary General. The previous Secretary General, the representative of Armenia, Y. Khachaturov, resigned from the post as a result of criminal prosecution in his country. Referring to the “consolidation” of this position for itself for the three years term, Yerevan proposed an appointment of another representative of Armenia instead of him. However, the other CSTO states insisted on appointment of a representative from Belarus. In general, the problem was resolved in the second half of 2019, and from January 1, 2020, the representative of Belarus takes the post of the CSTO Secretary General. As experts note, in 2018 relations between Armenia and Belarus were marked by a crisis of confidence.<sup>4</sup> At the same time, neither side seeks to aggravate their relations and demonstrate their readiness to develop further cooperation. In July 2019 the President of the Republic of Belarus A. Lukashenko at a meeting with the President of Armenia A. Sargsyan stated that “we are allies acting from the same position and we have no differences even on the international agenda.”<sup>5</sup> For both states it is of vital importance to develop economic projects both bilaterally and within the framework of the EAEU. For example, Armenia borders on Iran, which formed a free trade zone with the EAEU in 2018. And in turn, it is of interest to Belarusian business. In particular, the format of cooperation between Armenia and the European Union and NATO is attractive

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<sup>3</sup> The Ambassador of Belarus was summoned to the Ministry of Foreign Affairs of Armenia because of statements regarding the conflict in Karabakh (April 3, 2016). <<https://www.newsru.com/world/03apr2016/erevan.html>>, accessed on 19.11.2019.

<sup>4</sup> Gabrielyan, Akop. *Whether Armenia and Belarus will reconcile in 2019* (January 17, 2019). <<https://eurasia.expert/pomiryatsya-li-armeniya-i-belarus-v-2019-godu>>, accessed on 15.11.2019.

<sup>5</sup> “Lukashenko: we have no closed off topics in relations with Armenia” (July 2, 2019). BelTA <<https://www.belta.by/president/view/lukashenko-u-nas-net-zakrytyh-tem-v-otnoshenijah-s-armeniej-353559-2019>>, accessed on 12.11.2019.

for Belarus. According to the Minister of Foreign Affairs of the Republic of Belarus V. Makey, the comprehensive and expanded Partnership Agreement, signed between Armenia and the EU in 2017, is a guideline to develop a legal framework between Belarus and the European Union.

The second model of cooperation can be called “neutralist” and it has formed between Belarus and Azerbaijan. The post-Soviet format of interaction in this case is being implemented only in the frames in the CIS format. Belarus and Azerbaijan are members of the Non-Aligned Movement, interacting at other international platforms. In May 2007, an agreement on friendship and cooperation between the two countries was signed, which determined the strategic nature of the partnership. More than 120 bilateral treaties have been signed between the two states and a high-level political dialog is being conducted.<sup>6</sup> Both countries’ political systems are close, and there is a high level of trust between the two Presidents. In general the relations between Belarus and Azerbaijan are characterized by good indicators of bilateral trade and economic cooperation (in comparison with other countries of the region). At the end of 2018, trade turnover amounted to more than \$ 460 million USD including \$ 450 million USD of Belarus’ export (this is the fourth indicator in importance of Belarus trade with the countries of the former Soviet Union after Russia, Ukraine, and Kazakhstan). A substantial part of Belarusian exports is weapons for Azerbaijan. Also, Minsk takes into account possibilities of Azerbaijan for investment projects financing. Joint projects are being implemented between the countries, and assembly plants for tractors, trucks and other Belarusian products have been set up in Azerbaijan. In 2010, I. Aliyev provided Belarus with an urgent amount of \$200 million USD to pay off debts to Russian “Gazprom.” The sphere of energy is a good prospect for Belarus-Azerbaijan cooperation. For example, Belarus is interested in the supply of oil from the region as an alternative to Russian hydrocarbons.

The third model of relations is typical for relations between Belarus and Georgia and can be called “classical bilateral.” The bilateral legal basis of cooperation between Belarus and Georgia comprises more than 60 documents. In 2018 the foreign trade turnover between Belarus and Georgia

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<sup>6</sup> “Belarus- Azerbaijan bilateral relations” (November 2019), [http://azerbaijan.mfa.gov.by/ru/bilateral\\_relations](http://azerbaijan.mfa.gov.by/ru/bilateral_relations)>, accessed on 12.11.2019.

amounted to more than \$ 110 million USD, including Belarus export of about \$65 million USD; structures for cooperation in the economic sphere were created and investment projects were developed. From the moment of the collapse of the USSR until 2007-2008, bilateral relations were dormant. This could be explained by geographical remoteness, the lack of unifying economic projects, the difference in the political models, the mismatch of approaches to the development of post-Soviet integration, the quality of relations with Russia and other states. Belarus, for example, was loyal to Russian policy towards Georgia, which was based on the support of Abkhazia and South Ossetia. After the “Rose Revolution” in 2003, the leadership of Georgia attempted to spread the experience of “democratization” to other countries, including Belarus. However, it met a negative reaction. The situation began to change after the “five-day war” in 2008, the launch of the Eastern Partnership program, the improvement of relations between Belarus and the European Union, and the more pragmatic approach of the Georgian authorities to relations with the countries of the post-Soviet space. Unlike Russia, which recognized the independence of such political entities as the Republic of South Ossetia and the Republic of Abkhazia in 2008 and signed security agreements with them, Belarus, like other countries of the post-Soviet space, did not follow this path, even if some steps regarding recognition were made in 2008-2010. The President of the Republic of Belarus has repeatedly noted that Belarus will necessarily consider this issue and probably will recognize these republics, but will do it independently, without any external influence, and the parliament would play an important role in this respect. The issue of South Ossetia and Abkhazia recognition was repeatedly discussed during the negotiations between the leaders of Belarus and Russia. According to experts, the common solidary position of the CIS countries on this issue, the negative position of the West, fears of a breakdown in the policy of improving relations between Belarus and the EU, and deterioration of relations with Georgia played a role in the decision. Both states maintain intensive bilateral relations at all levels with regular political interaction. The leadership of Belarus supports the idea of returning Georgia to the CIS and emphasizes the need to use the experience of Belarus’ participation in the EAEU and implementation of the association agreement with the EU by Georgia. Belarus proceeds from the position of territorial integrity recognition of Georgia. During the negotiations at the summit in March 2018 in Tbilisi, it was high-

lighted that “the relations between the two states could be an example for many in the world.”<sup>7</sup>

Thus, the models of interaction between Belarus and the states of the South Caucasus, that have emerged over the past decade, take into account the complex configuration of relations in the region, as well as the policy of other “centres of power” relating to the region, and provide the necessary level of political presence. The non-confrontational nature of Belarusian policy, its proposals on confidence-building measures, experience of being a platform for international efforts to resolve the conflict in the southeast of Ukraine and participation in the OSCE Minsk Group on Nagorno-Karabakh issue, its “special” relation with Russia, and participation in the Eastern Partnership as a joint project can be the basis for a more active position of Minsk in solving challenging problems in the South Caucasus. It seems that the change in the regional paradigm of development of the South Caucasus region, the shift of focus from the sphere of security to dialogue, mutual reconciliation, social and economic development, the policy of “openness”, the implementation of multilateral projects in the region that give a push to stability increase, with the EU, Russia, the USA, China and other countries participating, understanding and taking into account the interests of partners with regard to the “time factor” can ultimately lead to the resolution of complex issues.

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<sup>7</sup> Negotiations with President of Georgia Giorgi Margvelashvili (March 22, 2018), <[http://president.gov.by/ru/news\\_ru/view/ofitsialnyj-vizit-v-gruziju-18372](http://president.gov.by/ru/news_ru/view/ofitsialnyj-vizit-v-gruziju-18372)>, accessed on 20.11.2019.



## **A Parcel, Not a Box: Western Policy Options and Conflict Resolution in the Caucasus**

*Michael Cecire*

This paper seeks to provide an analytical survey of key interests and factors with regard to the major outstanding territorial conflicts in the South Caucasus, with a focus on a Euro-Atlantic perspective and potential policy interventions. The perceived intractability of the so-called “frozen” conflicts involving the disputed territories of Abkhazia, South Ossetia, and Nagorno-Karabakh has seen, externally, a broad *de facto* acceptance (albeit begrudging, in many cases) of the status quo, and internally, a hardening of policy positions that may obviate opportunities for incremental resolution efforts, and essentially rule out any efforts to seek and obtain final status resolution. To identify potential vectors of status resolution, this paper offers an analytical framework to “map” conflict parties’ inferred preferences and identify policy windows that may align. In particular, this analysis emphasizes the role that Euro-Atlantic institutions and powers could play in advancing South Caucasus conflict resolution to these potential ends.

This paper is not meant to be an exhaustive account of every aspect of the three chief South Caucasus territorial conflicts, or a definitive examination of all policy permutations in service of their potential resolution. Instead, this paper offers an analytical framework of “desired outcomes” among the chief conflict parties as a heuristic in consideration of potential policy options. The emphasis on the role of Euro-Atlantic institutions and powers is not meant to necessarily privilege those entities over alternatives, but are elevated as an expression of (1) those entities’ stated and extant engagement with the South Caucasus states and regional conflict issues and, not unimportantly, (2) the author’s inevitably greater identification with the Euro-Atlantic space and the policy processes intrinsic to that area.

This paper considers these issues firstly by considering the background and situational context of the South Caucasus conflicts. In turn, the paper considers key Western and local priorities in the South Caucasus conflicts, and the way by which the Euro-Atlantic powers might play a role in facilitating

substantive conflict resolution processes. Subsequently, the paper offers an analysis of preferences in the respective South Caucasus conflicts in service of potential conflict resolution scenarios, which are considered as matters of potential policy options in conclusion.

## **Introduction**

As of this writing, the end of 2019 approaches nearly four years since the large-scale hostilities between Azerbaijani and Armenian forces in Nagorno-Karabakh in April 2016. It is just over 11 years since the five-day war between Russia and Georgia in August 2008, which initially centred on South Ossetia, expanded to Abkhazia, and resulted in a military outcome with broad implications for both territories. As ruinous as those conflagrations were, those episodes may be equally notable for the prospects they bore for far broader, more expansive fighting, with the potential of expanding regionally or even internationally,<sup>1</sup> and the ever-present spectre of renewed kinetic hostilities among the various parties to the conflict.

Those conflicts' ample tinder for wider, ever more destructive affairs casts the criticality of their management and resolution into sharp relief. However, those conflicts' destructive potential and inherent fragility may have contributed to a conflict management regime that privileges incident prevention and technical exchange over advancing efforts aimed to achieve political resolution. While incident prevention mechanisms are a necessary component for developing and preserving a baseline of stability, they are alone insufficient means of preventing the renewal of kinetic hostilities, much less appreciably advancing political resolution. This is not a reproach; technical mechanisms such as the OSCE-sponsored Geneva International Discussions (GID) are purposefully compartmentalized to address urgent issues of incident prevention and other grievances without being overcome by competing political priorities.

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<sup>1</sup> The crisscrossing alliance systems at potential odds in both conflicts, the proximity and interests of other powerful regional powers, and the existence of multiple other conflicts in adjoining theaters with which such conflicts could conceivably coningle or even merge render the South Caucasus conflicts a major potential threat to regional and international security.

However, it is also true that platforms such as the GID could be potentially scaled to include broader political and status resolution issues. It is also the case that participation in a technical platform like GID is itself a political act; just as the various parties may deign participation to be within their interests, non-compliance or suspension are also possible options as well. At the same time, while technical mechanisms are invariably tethered to political calculations, they do also represent an agreement of sorts to delimit the influence of those political elements within the confines of the platform.

This presents a dilemma of sorts. While President Zurabishvili's proposal may have been made out of frustration with the lack of tangible progress towards a political or final settlement of its conflicts, and/or could have reflected a belief that technical mechanisms can and should be leveraged for more comprehensive efforts, it is also a valid concern that using a technical mechanism for political goals — i.e., politicization — may rob the technical mechanism of the narrow technical remit that allowed it to find some measure of success (see Guiashvili and Devdariani 2016). Accordingly, when scaled to non-technical and expressly political ends, the chief value proposition of the technical mechanism is potentially undermined, and neither the technical nor the political issues are especially well served as a result.

Yet, Zurabishvili's proposals with regard to the GID does reflect a desire for more intensive engagement on conflict issues. This is relatively notable on its own, given that the Georgian government has seemed to range from a posture under the erstwhile ruling United National Movement (UNM) of being arguably too fixated on the unresolved conflicts — to ruinous ends, according to some, as 2008 may have demonstrated — to one of broad passivity under the current Georgian Dream (GD) government. Under GD, the chief policy objectives in this area appear restricted to enforcing its recognition blockade while securing supportive symbolic gestures in the United Nations or Western legislatures. In that binary of extremes, the sentiments underlying Zurabishvili's proposal may be considered a welcome return to the realm of ideas, politics, and policy, even if the specific proposal to empower the GID may be a functional nonstarter.

Welcome though it may be, the realm of the possible is as curtailed a landscape as ever, borne of years of simmering hostilities between the conflict parties, and leavened by media environments that, at best, failed to engage with the other sides, or at worst actively agitated against them. It is no secret that as late as the mid-2000s, prospects for peace and final settlements were far more advanced, where the last vestiges of a backroom post-Soviet understanding made for an informal platform where deals could be made, and progress secured. Today, no such commonality exists; it is no wonder that the GID was identified as a rock, however ill-suited and awkward, to build upon — little else exists.

This paper proceeds with broad descriptions of the South Caucasus politics, including the unrecognized territories, and then explores Western perspectives of the conflicts. The subsequent section attempts to analyse local positions and “map” those positions to identify areas for potential policy progress, or even breakthroughs. The results of the analysis are considered from a policy perspective, where questions of implementation, as well as further areas for research and consideration, are discussed.

On the whole, this paper privileges a consideration of conflict resolution over incrementalism. This is not because it is more likely, or because confidence building measures are unnecessary (they are) or considered unwelcome, but to fill what the author has identified as a broadening policy and rhetorical gap where conceptualizations of resolutions are increasingly subordinated near-term incremental “steps” of progress. Although smaller scale confidence building is a crucial component in the conflict resolution process, some space ought to be preserved where the broader objectives are elaborated upon. In this case, conflict settlement scenarios where various interests are integrated, and long held assumptions are scrutinized, interrogated, and contextualized. This is not to arrive at any one optimal solution, but to provide a “kit” of alternatives from which to approach the conflict space more constructively, and to develop common visions of the possible, a substrate within which confidence building and cooperative measures might find more able purchase.

## Regional Contexts

### *Abkhazia*

The crucial mitigating role of the GID notwithstanding, the Georgian conflicts offer little hope for optimism in the short- to medium-terms. The Georgia-Abkhazia conflict is an extended conundrum for both sides. In Sukhum/i,<sup>2</sup> Russian protection and recognition has provided a semblance of baseline stability to the de facto republic's political, social, and economic development; while Abkhazian politics continue to be fiercely contested affairs, the republic's existence is no longer in doubt, and the Russian alliance system is broadly agreed upon as the essential factor in service of Abkhazian autonomy. Meanwhile, however, the dominion of the Russian protectorate may be considered stifling in some quarters of Abkhazia, and perhaps even an impediment itself to genuine autonomy. While few in Abkhazia would conflate Russian hegemony with Georgian rule, it is evident that Russian influence — an otherwise understandable factor, perhaps — at once both serves and actively curtails the Abkhaz national project. If Russian patronage has enabled Abkhazian national aspirations to great extents, it is also a cap on those aspirations, subjected to the variable interests of Moscow, and capable of being jettisoned if and when those interests might change. Some Abkhaz may recall the Russia-enforced CIS blockade on Sukhum (see Gegeshidze 2008), and the period of tensions that accompanied it, as a potent example of the Abkhazian republic's potential vulnerabilities, and its paucity of formal remedies were Moscow to adopt an unwelcome policy course.

### *South Ossetia*

While broadly categorized alongside Abkhazia, the situation in South Ossetia is noticeably distinct. In terms of conflict resolution, South Ossetia may

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<sup>2</sup> For the purposes of this paper, the author will refer to Abkhazia's capital — the legal seat of the Autonomous Republic of Abkhazia, the capital of the de facto republic of Abkhazia, and as a metonym for the de facto Abkhazian government — as Sukhum, as a reflection of the contemporary circumstances of that city, the de facto republic, and in service of the metonym it represents. Similarly, “de facto republic,” following first usage, will be referred to as “republic.” These usages are not an endorsement of Abkhazian independence, or challenge Georgian territorial claims.

be simultaneously both more and less potentially receptive to a political settlement with Tbilisi as compared with Abkhazia. Unlike Abkhazia, South Ossetia's population is much smaller,<sup>3</sup> and more transient, and where there is far less evidence of a vibrant civil society or independent economic base. As a result, in relative terms, South Ossetia is more evidently overshadowed by the presence of Russian garrisons, and its de facto governmental apparatus reflects a more direct Russian influence in the form of seconded officials and unified military control under Moscow. As it pertains to prospects for conflict resolution, South Ossetia's overweening dependence on Moscow undermines much of its claims to agency. This is not to claim that there are no independent actors in South Ossetia, but that their current and latent influence relative to the comprehensiveness of Russian power is more evidently asymmetrical compared to Abkhazia. While this could be regarded as an immovable obstacle to conflict resolution, it also suggests a scenario where Moscow could override local sentiments if it were either supportive, or even positively agnostic, towards South Ossetia's reunification with Tbilisi.

### *Georgia*

While Tbilisi's nominal objective is reunification, it has neither tabled serious proposals to that end, nor positioned itself to effectively compete as an alternative for Abkhazian or South Ossetian preferences. This is not to suggest that Tbilisi has not engaged in constructive efforts at all; the GD government's early period in power saw a dramatic softening of previously antagonistic rhetoric and policies aimed at the separatist regions. In addition, Tbilisi's revised approach also saw the more rapid introduction of inclusionary policies as a means of codifying (albeit instrumentally) multinational edifices in Georgian law (specifically through an Abkhaz language law), encouraging population interactions, and promoting the utility of Georgian citizenship through access to healthcare, education, and international opportunities, to name a few. However, the various Georgian efforts, laudable though they may be in isolation, do not form a coherent policy in totality. Opportunities for mass population exchange are severely constrained by the security and political contexts, and extending the benefits of

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<sup>3</sup> South Ossetia's official population is approximately 60,000, but credible estimates tend to offer numbers closer to 30,000.

Georgian citizenship, though possibly significant in specific situations, are not necessarily obviously more attractive as compared to those from Russia (with which many Abkhaz and South Ossetians also have citizenship), and are not neatly separable from other issues of perception and identity that may overcome what may seem like otherwise simple calculations of utility maximization. Meanwhile, a feckless consensus on conflict resolution largely pervades Georgia's otherwise mostly contentious civil society, where the international recognition blockade is most privileged. Accordingly, there are few public ideas for compromise-oriented settlement scenarios, which is reflected in the political parties' virtual absence of policy proposals for effecting conflict resolution.

### *Russia*

Russia's position as the dominant regional power, and as the common, key player to varying extents in all the South Caucasus conflicts means it has an inescapable role to play in their continued trajectories, or in most any scenarios in which resolution is achieved. Large concentrations of Russian forces in Abkhazia, South Ossetia, and Armenia may have broader strategic implications, but they also have the evident effect of enforcing Russian strategic primacy in those polities and invariably complicating (but not necessarily cancelling) the potential for direct engagement between conflict parties, and confounding its own claims as an equitable, disinterested broker. More to the point, Russian strategic interests are arguably enhanced by a certain level of discord maintained by the regional conflicts; a resolution of the conflicts in mutual favour and the eviction of dependence on Russian security guarantees could conceivably sharply inhibit Russian influence regionally, and expose it to the unwanted prospect of a unified South Caucasus in pursuit of interests perceived of being at odds with Moscow's. Ultimately, Russia is tethered to a galaxy of various tactical socio-economic, security, and political interests, along with those connected to broader strategic considerations, in the region that ensure a certain durability of engagement.

### *Azerbaijan*

Azerbaijan's overriding objective appears to be territorial reunification. While its approach to its territorial conflicts is superficially similar to Geor-

gia's, which do bear certain similarities, Azerbaijan has expressly not rejected the use of military force as a means to prosecute its claims, and has pursued defence and security policies that make such an approach broadly credible. The 2016 Four Day War, while not a total military success, resulted in significant territorial gains and, perhaps more importantly, undermined the perception of Armenian martial superiority in place since the 1988-1994 active phase of the conflict. As a result, the apparent political intractability of the conflict, and evident success from Azerbaijani military action, might appear to validate Azerbaijan's continued reliance on direct force as a viable policy option in its conflict with Karabakh. At the same time, the Karabakh conflict is also instrumentalized by the ruling party as a means of marshalling and consolidating domestic political support; conversely, when faced with setbacks, Baku sometimes externalizes the issue to third parties, such as to Russia, the U.S. and the OSCE Minsk Group.<sup>4</sup> While such tendencies are not exceptional on their own in the region, to varying degrees, the Azerbaijani regime has tethered an aspect of its legitimacy to the notion of eventual success in Karabakh, and against Armenia (and, by some interpretations, the Armenian nation). However, internal political dynamics in Azerbaijan also allow the regime to define progress as it chooses, as long as it can be broadly understood as success.

### *Armenia*

Armenia continues to consider Karabakh, and its Armenian population, able to subsist only outside of Azerbaijani control. Relatedly, non-Karabakh occupied territories are perceived as essential for securing some element of strategic depth in the face of an Azerbaijani military offensives.

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<sup>4</sup> While there is ample evidence to support the claim that belligerents are leveraging the conflicts to their benefit, recent OSCE Minsk Group meetings held January 29-31 2020 in Geneva suggest that Armenia and Azerbaijan are inching closer. In effect, statements issued by the OSCE post-meeting make a mention of the need to prepare the respective populations for the prospect of peace, wording repeatedly counselled by the RSSC SG. See Joint Statement by the Foreign Ministers of Armenia and Azerbaijan and the Co-Chairs of the OSCE Minsk Group, Geneva, January 30, 2020, <<https://www.osce.org/minsk-group/445114>>. See also Labarre, F. and Niculescu, G. (2015). *The Media is the Message: Shaping Compromise in the South Caucasus*, Vienna: LvAk, pp. 117-123, and Labarre, F. and Niculescu, G. (2017) *Between Fact and Fakenry: Information and Instability in the South Caucasus*, Band 2/2018, Vienna: LVAK, p. 233.

While Azerbaijani forces were able to retake some territories in 2016, the re-eruption of intense fighting appeared to validate some Armenian views that any negotiated return of non-Karabakh occupied territories, per the Madrid Principles, could cripple Armenian security. However, the notion of Armenian intransigence contributes to a feedback loop of sabre-rattling by Azerbaijan, which further validates that same sense of territorial obstinacy. Yet, in a more recent development, the elevation of a reformist government in 2018 following the so-called Velvet Revolution may have contributed more than any other single variable to a period of relative calm and cordiality between Azerbaijan and Armenia, even though basic policy positions on both sides have not appreciably changed. While this has created some new space for renewed contact and even limited negotiations, it is unclear to what extent the underlying dynamics of the conflict may have shifted as a result of monadic democratization. One possible explanation is that, having greater organic democratic legitimacy, the current Armenian government does not necessarily depend so greatly on legitimacy through the Karabakh conflict, and has prioritized more prosaic issues. However, the durability of this suggested shift is as much an open question as the fate of the new government's democratic project.

### *Nagorno-Karabakh*

Karabakh has for long existed largely as a functional extension of Armenia proper, with its disputed status and ambiguous official standing (including with Armenia itself) serving as an asterisk more than any kind of impediment to its integration with the Armenian state. However, the recent democratic revolution in Armenia — which initially was stridently opposed by the previous Karabakhi authorities (whom were strong backers of the previous Armenian regime) turned vocal supporters — has revealed political dissonance between the revolutionary government in Yerevan and the autocratic *ancien regime* in Karabakh. This has elevated the stakes for Karabakhi elections in February, which are expected to be genuinely competitive for the first time and could result in a new relationship dynamic between the unrecognized statelet and Yerevan. Longstanding practices and mores regarding Karabakh's status, position with regards to Armenia proper, and its own agency may become newly relevant in a way that it has not in the past. At the same time, Karabakh's longstanding position as an Armenian protectorate is unlikely to change, and local attitudes favouring

that arrangements may even harden further under a more democratic system.

## **Western Perspectives**

While local priorities and constraints are the principal factors undergirding the South Caucasus conflicts, Western actors have a role to play as partners (or adversaries) of various conflict parties, and in their stated goal of ensuring a baseline of stability and aiding regional reconciliation in some form. In that sense, Western policies may appear constructive individually in isolation, but against the context of local objectives or constraints, may be as likely to serve as barriers to progress as carriers to conflict resolution. In broad terms, the three Western “powers” heavily involved in the South Caucasus are: the United States; the European Union; and the North Atlantic Treaty Organization (NATO). All three overlap considerably in terms of their various policies towards the region, and obviously in terms of membership, but can also be said to have distinctive relationships with the South Caucasus sub-region as a whole and their relationships with the individual states and polities therein. There is additional texture below this level on the part of individual EU or NATO states, and especially major powers such as France, the United Kingdom, Germany, and Turkey, but that level of granular analysis is beyond the scope of this discussion.<sup>5</sup>

### *United States*

The US plays an active role in the region both as part of its role as a leading NATO state as well as in its capacity as an independent global power. While its positions as a major NATO power and promoter of the EU’s development and global role are intertwined with US foreign and security policies, they do not represent the frontiers of its perceived role or interests in the region. In broad terms, US policy in the South Caucasus is buttressed by two pillars of longstanding US foreign policy priorities: first, liberal

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<sup>5</sup> Turkey, in particular, plays a unique role in the South Caucasus, being a kind of Caucasus power itself with significant economic, security, and political interests throughout the wider region. Turkey’s role in the South Caucasus, apart from its role as a NATO member and EU customs area member, is particularly distinctive and deserves a detailed exploration on its own, which is beyond the scope of this paper.

democratic activism; and second, a quasi-imperial preoccupation with regional stability. In many respects, these two principles might be considered contradictory (see, for example, Slater 2006 and Ayers 2009); on its face, the US adhering to policies associated with both revisionist and status quo powers. However, U.S. strategic activism favouring its liberal democratic system is reconciled endogenously with the prevailing notion of a global liberal democratic consensus that (1) must be preserved where it exists and/or (2) extended where it is not.

Such is the case in the South Caucasus, which subsists as a regional unit in the netherworlds between the “consolidated” liberal democratic West and those regions that subsist outside that structure. In broad terms, the U.S. favours and encourages South Caucasus policies that are simultaneously in accordance with its engrained liberal democratic biases, but also in maintaining a baseline of stability to allow for the flow of commerce, energy, and access.

### *NATO*

NATO policies towards the South Caucasus are related to but distinctive from US policies. In some respects, NATO might be considered one structural manifestation of the US-led liberal democratic consensus, but focused primarily on security matters within Europe. While it was originally developed as a bulwark against the Soviet Union, the collapse of the USSR saw NATO reformed as a broader political-military platform to project that liberal democratic consensus beyond Western Europe. Although Russia’s revitalization as a major military power has seen NATO once again re-trench to its traditional territorial defence role, particularly since the 2014 Ukraine crisis, NATO’s activities and efforts in the South Caucasus continue to be artefacts of the erstwhile status quo, where the region assumed a privileged position as an energy corridor, distribution route for alliance operations in Afghanistan, and potentially membership expansion opportunities, particularly for Georgia. Although NATO continues to officially adhere to its open door policy, expansion has been and remains largely a political decision reliant on alliance consensus, which has rendered the prospect of Georgian (or other South Caucasus) membership unlikely for the foreseeable future, if ever. Instead, NATO’s role in the region has adapted to these broader political considerations and seeks to cultivate partnerships

and alternative integration mechanisms where possible, while also contributing to conflict resolution and stability favouring Western interests.

### *European Union*

Like NATO, the EU could be considered an expression of a Western liberal democratic consensus, albeit one with a more decidedly Europe-driven purpose, and oriented primarily to economic and political integration over security considerations. Like NATO, EU policies in the South Caucasus resemble “good neighbour” policies over mechanisms to enable membership, though those areas of cooperation have and do include various economic integration and even certain political coordination mechanism. However, unlike NATO, integration mechanisms are not treated as potential precursors to membership perspectives, as the EU does not possess a comparably longstanding open door policy like NATO, and has made no such formal overtures or statements to regional governments to encourage such thinking. With regard to the regional conflicts, however, the European Union has traditionally had greater latitude in its engagement with separatist territories compared to the U.S. or NATO, given its “softer” image and longstanding emphases on economic and cultural cooperation. However, the EU is no less interested to advocating for liberal democratic policies, and would not countenance unilateral separatism.

### **Analysis of Conflict Opportunities**

In “mapping” the positions of the relevant parties above, one can see constraints but also potential areas where the contours of resolution might be engaged more systematically. For summarization purposes, the positions of the relevant parties are tabulated below.

Table 1. Mapping Demands and Red Lines

<b>Polity</b>	<b>Key Demands</b>	<b>Red Lines</b>	<b>Comments</b>
<b>Abkhazia</b>	National expression, independence, security, international integration, trade	Georgian domination, foreign domination, disarmament, demographic decline	

<b>South Ossetia</b>	Regional integration, human security, trade	Georgian domination	Highly dependent on role of Russia-backed leadership
<b>Georgia</b>	Civilizational continuity, independence, reunification with separatist regions, security, integration with West, human security/IDPs	Russian domination, separatist independence, other foreign domination	
<b>Russia</b>	Privileged regional position, reduced role for external powers, leverage over local powers	Euro-Atlantic expansion, regional conflagrations, large scale influence of other power, regional unity neutral or adversarial to its interests	
<b>Azerbaijan</b>	Independence, territorial restoration, security, human security/IDPs	De jure or de facto consolidation of Armenian occupation, stability of status quo, Armenian occupation of “buffer” territories, Karabakh independence	
<b>Armenia</b>	Armenian civilizational existence, civilizational continuity, independence, security, non-isolation	Ceding strategic depth, exposing Armenian populations in Karabakh to Azerbaijani control,	
<b>U.S.</b>	Regional stability in service of broader interests, maintenance and extension of pro-West disposition	Regional conflagrations, Russian or other adversarial domination, irregular threats, threats to trade/energy flows	
<b>NATO</b>	Regional stability, liberal democratic leanings	Regional conflagrations, Russian or other adversarial domination, irregular threats, energy security	Primarily in security spheres
<b>EU</b>	Regional stability, liberal democratic leanings	Regional conflagrations, socio-economic contagion/spillover, energy security, Russian or other adversarial domination	Primarily in economic and political spheres

The identification of key demands and red lines are meant to be illustrative, and do not necessarily represent an exhaustive accounting of issues and considerations among the respective parties. However, they can be considered to be reasonable heuristics for the purpose of analyzing where the varying polities stand, and for illuminating potential intersections of interests that can be capitalized upon for envisioning pathways towards conflict resolution. Such pathways are considered according to the constituent conflicts below. These are also meant as analytical exercises rather than formal proposals, and should be taken as possible bases for further exploration. Moreover, these pathways do not necessarily meet all parties' demands perfectly, but may do so "well enough" to be considered worthwhile for discussion.

### **Georgia-Abkhazia Conflict**

Chiefly, the key tension in the Georgia-Abkhazia conflict is between Georgian demands for territorial integrity and Abkhazian demands for external self-determination; competing visions for both of these principles have led to the current situation, in which Georgians broadly conflate territorial integrity with unitary dominion over Abkhazia, and Abkhazians conflate self-determination with independence from Georgia (and, at least for now, an asymmetrical dependence on Russia). However, certain pathways could accommodate broad elements of both parties, though all would face severe internal resistance out of a sense of mistrust.

#### *Pathway: Confederation*

A Georgian-Abkhaz confederation could potentially satisfy both seemingly competing demands of territorial integrity and self-determination. The constituent territorial units of Abkhazia and Georgia would be largely self-governing, but with a joint and coequal confederal government. A confederation could include ethnic quotas in one or more of the confederal entities (such as in Abkhazia to assuage anxieties over demographic decline), and no-fault cash settlements to IDPs and/or their survivors could be used to at least partially satisfy concerns over right of return. Meanwhile, external guarantors may be necessary to provide confidence that autonomy would be maintained and respected in perpetuity. Turkey, which has good relations with Georgia as well as a unique relationship with Abkhazia, may

be well positioned to provide such a guarantee in coordination with Russia and Western powers.<sup>6</sup> Foreign policy neutrality may be constitutionally necessary to provide certain assurances to Russia, which may preclude the confederation from joining Euro-Atlantic structures. However, the unlikelihood of Georgian accession to these structures anyway may make such a measure more palatable, and the security and socio-economic benefits of membership in these organizations could be replicated in other ways, such as provisions to join into the European Economic Area, the EU customs union, and maintaining Georgia's current privileged position with NATO without membership alongside alternative security relationships.

### *Pathway: Charter Republic*

This pathway is comparable to the confederation pathway, but retains Georgia as the titular “parent” country with Abkhazia as an asymmetrically autonomous entity within it. However, unlike other asymmetrical federations (or confederations), Abkhazia is granted — and presumably assumes guarantees — as a “charter republic.” This concept is an extrapolation of the “charter city” concept proposed by economist and Nobel Laureate Paul Romer. In Romer’s concept (2010), charter cities allowed for countries to designate special zones for entirely new rules free of the parent state’s indigenous legal context in pursuit of economic progress. While Romer’s concept was presented and considered as a means to provide developing countries with new mechanisms to stoke economic growth, this alternative “charter republic” would be to provide a space where a parallel political system could exist and subsist almost entirely autonomously from the titular state. In classical political scientific terminology, this is functionally no different from structured autonomy, but in the region the semantic difference may be important given longstanding connotations between *federalizatsiya* as a euphemism for either separatism on one hand, or decentralization in name only on the other. In addition, Romer’s charter city concept went beyond internal rules for governance, but also even included potential provisions for certain functions normally reserved for national governments — certain zone-based immigration rules, parallel police and security

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<sup>6</sup> There is also precedent in that Turkey is the guarantor of the Georgian Autonomous Republic of Adjara’s autonomy as a party to the Kars Treaty.

forces, and/or special trade policies. These particular innovations could also be imported into the charter republic context as well.

*Pathway: Land for Peace*

This pathway would represent a kind of negotiated divorce, but one that provided for certain mutual concessions. In exchange for Georgian and international diplomatic recognition, as well as a mutual treaty of non-use of force, Abkhazia would cede all or negotiated portions of the largely ethnic Georgian-inhabited Gal/i district to Georgia. While this would result in a considerable loss of territory for Abkhazia, it would also represent a kind of demographic relief, as the ethnic Georgian population there is sometimes perceived internally as fifth columnists and make up nearly one-fifth of the Abkhazian population by some estimates. Although Georgia would not see total territorial restoration, it would achieve some partial restitution in the form of Gal/i, a resolution of a major conflict, and an opportunity to rebuild amicable relations with Abkhazia.

### **Georgia-South Ossetia Conflict**

The Georgia-South Ossetia conflict is distinctive from the Georgia-Abkhazia conflict largely in that South Ossetia is considered to possess fewer attributes that would make it a viable independent state. South Ossetia is largely underpopulated, and the population there is highly transitory, particularly with neighbouring North Ossetia but also with other Russian republics and even Georgia itself to some degree.

*Pathway: Russia-Georgia Condominium*

Reminiscent of Andorra's status as an independent diarchy headed by the President of France and the Catalan Bishop of Urgell (Spain), South Ossetia too could function as a separate entity from both Georgia and Russia, but be locally administered with the Presidents of Georgia and Russia (or North Ossetia, perhaps) as co-heads of state. Additional political innovations could be introduced, such as through quotas of seconded governmental personnel; in some ways, this is already a practice in South Ossetia, which relies on seconded Russian personnel for elements of its administration.

*Pathway: Charter Republic*

In some respects, South Ossetia is a more appropriate candidate for the charter republic concept than Abkhazia with its smaller territory and population. As a charter republic, South Ossetia could serve as a kind of “international zone” between Russia and the Republic of North Ossetia on one hand and Georgia on the other. In theory, South Ossetia as a charter republic could also simultaneously be a condominium of Russia and Georgia. In both cases, however, certain assurances will have to be lent on all sides to avoid future conflicts over status and territorial jurisdiction.

**Nagorno-Karabakh Conflict**

Unlike the Georgian separatist conflicts, the Karabakh conflict features two sides that both lay claim to the territory as effective extensions of their de facto (Azerbaijan) or de jure (Armenia) boundaries. This makes the prospects of integration with one or the other a potential nonstarter without significant shifts in local attitudes and political circumstances.

*Pathway: Armenia-Azerbaijan Condominium / Charter Republic*

A demilitarized condominium between Armenia and Azerbaijan, with full right of return and external guarantees of its status, could provide both sides with just enough to declare victory in service of an outbreak of peace. Similarly, a jointly-headed charter republic could create a special status for Karabakh distinctive from the other South Caucasus entities.

*Pathway: Constituent Republic in a Confederated Caucasus*

An extrapolation of the Georgia-Abkhazia confederation discussed above could be extended more broadly to include South Ossetia, Azerbaijan, Armenia, and Nagorno-Karabakh, with similar provisions extended throughout. Right of return could be addressed through a combination of cash settlements and limited resettlement, with various external guarantees and internal provisions to enshrine certain ethnic compositions in the governments of the confederal entities and the confederation at large. As a whole, a unified South Caucasus confederation would have a combined population of nearly 20 million, making it a more viable market for both domestic con-

sumption and international investment, and would possess relatively significant territorial depth and economic power.

## **Other Considerations**

### *Pathway: Unified Caucasus*

As an interim step, the South Caucasus entities could promote cooperation under a joint quasi-confederal or coordinating body. This organization could work to promote economic interconnectivity, cultural and educational exchanges, and other confidence-building measures. In addition, this body could also be able to distribute status neutral passports for the entire region; citizens of the six constituent entities — Georgia, Abkhazia, South Ossetia, Azerbaijan, Armenia, and Nagorno-Karabakh — could choose to take a passport coded to the internationally recognized country of residence, or one with no designation. The organization would not be a confederal government, per se, but could lay the organizational and political framework for such an eventuality in the future.

## **A Parcel, Not a Box: The Western Role**

A distinct challenge for Western states and organizations is to ensure that their various interests and constraints are carriers for progress, and not impediments to conflict resolution. In practical terms, this means avoiding sending mixed messages to local actors which may result in perceptions and policies that are at odds with contributing to the outbreak of peace in the region. For example, while declarations of neutrality are understood in the region as subscribing to de facto Finlandization, a well-crafted and nuanced neutrality policy leavened with Westernization elements could potentially satisfy Russian anxieties without sacrificing security or prospects for Europeanization. Similarly, regional connotations of autonomy or con/federalization are largely negative, and efforts to promote even basic decentralization have occurred in fits and starts, and largely in isolation from broader concepts of decentralized governance — which are normally considered more in the contexts of fiscal administration and/or services delivery.

In addition, and more urgently, the Western role should be to bring its considerable economic strength, security influence, and moral authority to bear in establishing confidence building measures, coordinating guarantees, and developing the infrastructure so that the policy windows for peace can be exploited when they do open. In this sense, the “big ideas” for conflict resolution — confederations, charter republics, condominiums, etc. — can serve not only as conceptualizations of an imagined peaceful future, but also as “overhead” to which incremental gains can be tethered.

There are limitations to this approach of course. Even engaging in such conceptual exercises is enough to stoke passionate opposition in quarters of every community in the region; no “side” wants to believe their compatriots’ blood was shed in vain or, worse, as part of a force for injustice. Moreover, the inter-ethnic, identity-leaven conflicts in the South Caucasus defy simple taxonomy and thus, resolution; it is unclear whether solving the territorial issues — even if somehow to everyone’s satisfaction — is doing any more than addressing symptoms to other underlying issues.

At the same time, conflict is so ingrained and so normalized that incremental steps on their own may be insufficient in providing an outlet to peace. A vision for a future free of conflict, even disruptive ones, may be necessary to shift local perceptions of the status quo as immutable “facts on the ground” to conditions that are within their power to change. Western powers have a major, overriding stake in facilitating this shift — one that overrides more prosaic, short term commercial or even security interest — as the simmering conflicts looms over and threatens the security of the broader Eurasian space, the opportunity cost for which wreaks havoc on whatever minor short term gains might be eked out from more immediate transactions amid the fragmentation.

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## **De Facto States in Eurasia**

*Tomáš Hoch (transcribed by F. Labarre)*

This piece is generated from the notes taken at the 20<sup>th</sup> RSSC SG by Frederic Labarre, co-chair, and from the PowerPoint slides presented by Dr. Hoch. It presents a historical overview of the emergence of de facto states, and is divided into four parts. The first provides a conceptualization of de facto statehood in relation to commonly-agreed international legal principles. It also examines the resulting polemics that have arisen regarding this concept.

The second and third parts are devoted to the examination of two historical periods that have seen de facto states emerge more frequently. The fourth and final portion highlights the parallels between the two periods and the commonalities found in all de facto state narratives regardless of period.

### **Conceptualization of de facto statehood**

The epithets to describe political entities that lack external sovereignty are numerous; de facto state, para state, proto state, self-proclaimed state, separatist or breakaway state, pseudo state, unrecognized or partially recognized state, quasi state, etc. None are helpful in providing a definition. Most are counterproductive in seeking a conflict resolution approach.

This does not change the fact that most, if not all, nominally meet most of the criteria for statehood, as prescribed by the 1933 Montevideo Convention on the Rights and Duties of States. The 1933 Convention defines statehood as a) a permanent population, b) a defined territory, c) a government, and d) capacity to enter into relations with other states (we will address this feature later).

Those political entities that have seceded or that seek secession from their parent state and that nevertheless exercise near-unchallenged control over their territory, have a working administration desirous of providing services to its population, generally seek to obtain international recognition. Such

recognition has lately been granted not at all, or only partially. In the former Soviet Union, such de facto states are Abkhazia, Nagorno Karabakh, South Ossetia and Transnistria. This is not a post-Soviet phenomenon only; other de facto states can be found far and wide; Northern Cyprus, Somaliland, Kurdistan, Taiwan and Palestine are all examples of de facto states or borderline cases.

Historically, cases of de facto statehood have been applied to unrecognized entities that emerged after the Second World War. The real abnormality is the resistance to recognition. Although the nature of the phenomenon is the same as after the Napoleonic Wars, the international system and international law have changed significantly.

In the long century that spanned the Congress of Vienna and the end of the League of Nations (roughly 1815-1930), independence was expressed through the empirical (i.e. evident) manifestation of military, political and economic power over a territory and its population. In other words, recognition came when government effectiveness in preserving its position in the international competitive order was manifest. Naturally, this attitude carries with it the seeds of recurring competitive inter-state depredation (see Michael Schmunk's piece in this booklet and his references to Saarland, between France and Germany). In practice however, this principle served modern-day imperial designs of great powers in less-developed but resource-rich areas of the world.

From the 1930s to the 1990s, recognition shifted from the acknowledgment of manifest coercive capacity for independence to the acknowledgment of an entitlement to independence as provided by international (namely, under the 1933 Convention). The practice of state recognition, during this period at least, became consistent as it shifted from empirical to juridical statehood.

In the 1990s, the question of recognition became one of policy more than in the previous decades, and began being granted selectively. Much of the effort of recognition hinged on particular interpretations of international law. Other concepts, such as that of self-determination, became more refined. For instance, there is a difference between internal self-determination and external self-determination. The former is the normal privilege of mi-

minorities able to determine for themselves who shall govern them in their own locality, but within a larger state, whereas the latter refers to full independence. Usually, the latter is granted recognition in cases of gross abuse of human rights by the central powers over seceding minorities. This has been the ruling over Kosovo, in part.

### **First wave of political restructuring in Eurasia**

Before the advent of the 1933 Convention, a state was defined in its Westphalian terms; a single population, language, and religion over a permanent territory.

So in the period of collapse of the Russian empire and the emergence of Bolshevik administration, from roughly 1917 to 1925, dozens of more or less independent or at least self-governing entities appeared in various areas of the collapsing empire. They were of three categories; the first were revolutionary or provisional bodies whose goal was not necessarily independence, but rather local integrity sustainment in the hope of joining a larger political unit later on (Bolshevik or White, depending on the case). The Baku Commune, the Donetsk-Krivoi Rog Soviet Republic, the Odessa Soviet Republic, the Don Soviet Republic, the Centrocaspian dictatorship, the Almighty Don Host, the Idel-Ural State, etc., are examples. The second category is more familiar; these are ethnically-defined political entities; Finland and the Baltic States, the states of the South Caucasus (Armenia, Azerbaijan and Georgia), Ukraine and Belarus are example. Most of these had their independence only during the interwar years, before being absorbed for one reason or another into the solidifying Soviet state. Third were groupings defying definition; the Kuban People's Republic, the Republic of North Ingria, the Aras Republic, the Far Eastern Republic, the Duchy of Courland (modern-day Latvia), etc. are examples of short-lived attempts at independence.

The 1933 Convention obliterates these conditions by making the principles of statehood more general – in effect seemingly more “attainable.” This said, the memory of past independence and autonomy remained with the populations throughout the Soviet experience. Towards the end of the 1980s, however, the spirit of transformation and openness pushed by Mikhail Gorbachev exposed the Soviet Union to fragmentation.

## **The second war of political restructuration in Eurasia**

In 1977, the Soviet Union adopted a new Constitution, of which Art. 72 enabled constitutive Republics (Soviet Socialist Republics, or SSRs) to secede from the Union. This matter did not play important role during Brezhnev, Chernenko and Andropov era, but during the second half of the 1980s, the process of ethno-nationalism received new impetus. Buoyed by Gorbachev's openness, by the decentralization of the administration of power towards the region, and by the general lack of coercive drive from the centre, that smaller political units began demanding changes to their status. Many sought to move from an oblast or autonomous republic to an SSR status, which would, eventually, open the door to the possibility of legal secession from the USSR.

From December 1989 to September 1991, 29 entities in total (mostly autonomous republics and oblasts) passed sovereignty declarations, in addition to the 15 SSRs (including Russia) which, by December 1991, consummated the dissolution of the USSR. Seven non-SSR territories declared outright independence. The legacy of this fragmentation is one we still live with today, and the prospects of recognition and conflict resolution, not to mention territorial integrity as the case may be, is ever more remote.

Imperial fragmentation – whether tsarist or Soviet – is what provided the background for the emergence of de facto states. In nearly all cases, the de facto states were economically and politically weak. In nearly all cases as well, it is the reality or the belief in the myth of prior outrage that bolstered ethno-national ambitions to emancipate from the central power. The mere idea that a national minority may have been abused was sufficient to generate loyalty to a program of separation, regardless of the costs involved (say, in retirement pensions). In some cases, it must be admitted, patron states supported separatist claims. Such are the commonalities of the emergence of de facto statehood across periods. They have become a sui generis phenomenon.

## **De facto states in the international system**

In Western academic and policy circles, de facto states are considered anomalous. A sort of temporary geopolitical peculiarity. In fact, they are not. It is no coincidence that de facto states have emerged. There is a utilitarian quality to them; they serve the interests of patron states, or large powers. Far from simplifying the relations between separatists and larger sponsors as a patron-puppet relationship, de facto states have their own logic and their relations with the outside world is a reflection of internal as well as external factors. Nowhere has this been better demonstrated than in the case of the Donbas, between the Luhansk and Donetsk republics and Moscow.

This said, there is a paradox; de facto states lack one 1933 Convention condition to be fully “in compliance” with the definition of statehood; the ability to enter into relations with other states. This means, broadly, having a diplomacy, a foreign ministry and the arena with the international audience, that would be willing to accept the fact of their existence. Though, some of current de facto states obtained partial international recognition, and a number of international treaties were concluded with these entities, still their capacity to enter into necessary international relations are very limited. Many de facto states have established “honorary consuls”, a decorative title which manifests those de facto states’ desire to achieve that fourth condition. In terms of conflict resolution capacity, parent states are reluctant to accept breakaway regions or de facto states as party to a conflict, preferring to insist that the dispute is internal and not international. The paradox is that the more the parent state denies the de facto states’ ability to enter into international relations, the more it ends up confirming the political cleavage, legitimizing the separation between the parent state and the separating state. This is not only counter-productive on the conflict resolution aspects, but ultimately, makes the prospect of recovering territorial integrity all the more remote.

Under the current practice of state recognition, leaning more on juridical acknowledgment of an entitlement to independence in international law than on empirical reality, we shall have to get accustomed to the presence of de facto states on the world map. This practice makes de facto states rather a permanent part of the Westphalian system, than an anomaly.



**PART II:  
SCENARIOS FOR CONFLICT RESOLUTION  
FOR ARMENIA, AZERBAIJAN AND GEORGIA**



## New Developments regarding the Nagorno-Karabakh Conflict

*Stepan Grigoryan*

It is well known that effective conflict resolution requires a number of conditions to be present. These “necessary conditions” are virtually the same for different conflicts. However, final resolution of a conflict requires also the presence of “sufficient conditions,” which vary from one conflict to the other, because they reflect the specificities of a particular conflict. Hence, what is presently required for the resolution of the Nagorno-Karabakh conflict? And more broadly, what needs to be done to resolve any conflict?

Although all conflicts are different, and for each case, conflict resolution possibilities should be considered in the light of specific circumstances (such as correctly identifying all the parties to the conflict, taking into consideration the historical context, etc.), all conflicts around the world, regardless of the region in which they occur, have common elements, which are the “necessary conditions” for conflict resolution. Some of them are listed below, including an assessment of each one in the context of the Nagorno-Karabakh conflict.

1. **Political will of the leaders of the states (parties) in conflict.** The political will of the leaders of the states (parties) engaged in the conflict is clearly of utmost importance. The courage of leaders to take unpopular decisions, including concessions in conflict resolution yields a chance for peaceful resolution of the problems. However, in real life, we unfortunately see the opposite, when many participants of conflicts not only fail to take bold steps, but also use the conflict to retain power. In this sense, the present situation with respect to the Nagorno-Karabakh conflict is dire. However, the situation has somewhat improved, because following the 2018 April Velvet Revolution, the people that came to power in Armenia did not have experience of participating in the hostilities in Nagorno-Karabakh in the 1990s — people that are capable of taking a fresh look at the Nagorno-Karabakh conflict. 43-

year-old Nikol Pashinyan, newly-elected as Armenia's Prime Minister in May 2018, enjoys enormous popular support, and therefore can use his influence for non-standard actions. In the first two years since the election, the leaders of Armenia and Azerbaijan have already met six times. The first official meeting between Mr. Pashinyan and Mr. Aliyev took place in Vienna on 29 March 2019. It lasted over three hours. The other five "standing" meetings were on the margins of various international fora and were informal. An acquaintance meeting took place in Moscow on 14 June 2018 at the FIFA World Cup Opening Ceremony. The leaders interacted behind the curtains and even in the elevator ("elevator diplomacy") in Dushanbe at the CIS Summit on 28 September 2018. Nikol Pashinyan and Ilham Aliyev met on the margins of the informal summit of CIS countries leaders in Saint Petersburg on 7 December 2018. Armenia's Prime Minister had another informal meeting with the President of Azerbaijan in Davos on 22 January 2019 at the Economic Forum. Finally, Aliyev and Pashinyan discussed the Nagorno-Karabakh conflict in Ashkhabad on 12 October 2019. The meeting in Turkmenistan's capital took place during the break of the meeting of Heads of States of the CIS. The meetings have yielded certain results; the number of ceasefire violations along the contact line between Azerbaijan and Nagorno-Karabakh, as well as the number of servicemen killed by snipers has fallen drastically over the last year. Besides, in the framework of the summit of CIS Heads of State, which took place in Dushanbe on 28 September 2018, Pashinyan and Aliyev agreed to instruct their respective defence ministers to reduce the border tension, reiterated their commitment to the Karabakh peace talks process, and agreed to create a hot line line between the parties in order to be able to clarify who violated the ceasefire.<sup>1</sup> The parties have stated that the hot-line has been used repeatedly. A key positive message conveyed by Nikol Pashinyan to the leadership of Azerbaijan's was that the Nagorno-Karabakh conflict resolution cannot be without the agreement of societies of Azerbaijan, Armenia, and Karabakh. Clearly, parallel to these positive steps, the parties have made statements that do not facilitate the creation of an atmosphere of trust (viz.; the statements by Azerbai-

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<sup>1</sup> A "hotline" for conflict management between the Armenian and Azerbaijani capitals has been repeatedly recommended by the RSSC SG in the wake of the 4-day war in April 2016.

jan's top leaders about Zangezour (Armenia's southern region) and Yerevan being "Azerbaijani lands"). In response to these outbursts, Nikol Pashinyan stated, at the Pan-Armenian Summer Games that were held in Stepanakert in August 2019 that "Artsakh (NK) is Armenia, period." In any event, the small signs of progress noticed in the Nagorno-Karabakh conflict are encouraging, and continue to this day; in January 2020, the foreign ministers of Armenia and Azerbaijan met for several days in the framework of the OSCE Minsk Group, which stated that the parties were busy preparing their respective populations for peace.<sup>2</sup>

- 2. Readiness of the parties for peace through talks and mutual concessions.** This is the most serious problem with respect to the Nagorno-Karabakh conflict. Indeed, all three societies — the Armenian, the Azerbaijani, and the Karabakhi (meaning, the NK Armenians) — are clearly not ready for compromise. It is in part due to the many years' of propaganda of hate implemented by the authorities of all sides. Therefore, it is necessary to launch a serious process for putting in place confidence measures between the parties. After the Four-Day War in April 2016, Armenia and Azerbaijan agreed, during meetings organized by the OSCE Minsk Group (the primary format for conflict resolution) in Vienna and Saint Petersburg, to an increase in the size of the monitoring mission along the contact line between Azerbaijan and Nagorno-Karabakh, as well as to installation of devices and equipment along the contact line for detecting the ceasefire violators. The mood in all three societies can change if cooperation emerges in the economic, energy, communications, water, and other sectors. Another potentially strong factor can be humanitarian and scientific cooperation between the parties to the conflict, as well as more active contacts between civil society representatives and achieving tolerance in our societies. Armenian-Azerbaijani joint projects in the frameworks of cooperation with the EU, the USA, and potentially China as well, could help improve the atmosphere between our societies.

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<sup>2</sup> Joint Statement by the Foreign Ministers of Armenia and Azerbaijan and the Co-Chairs of the OSCE Minsk Group, Geneva, January 30, 2020, <<https://www.osce.org/minsk-group/445114>>. See also Labarre, F. and Niculescu, G. (2015). *The Media is the Message: Shaping Compromise in the South Caucasus*, Vienna: LVAk, pp. 117-123, and Labarre, F. and Niculescu, G. (2017) *Between Fact and Fekery: Information and Instability in the South Caucasus*, Band 2/2018, Vienna: LVAk, p. 233.

3. **Developed civil society institutions (civil society and non-governmental organizations, think tanks, expert communities, as well as the mass media).** While civil society organizations lack a mandate for conflict resolution, their advancement, active engagement, and influence in shaping public opinion play a key role in the creation of an atmosphere of trust between the societies in conflict. The situation regarding the Nagorno-Karabakh conflict is not easy, because civil society in Armenia is rather developed (it did, in fact, play a crucial role in the 2018 March-April revolution events in Armenia), while in Azerbaijan, restrictions on political freedoms, including restrictions of the activity of civil society institutions have in the last five to six years reached serious proportions. Many public figures, experts, and journalists either are under arrest or have left the country. Therefore, the so-called “second-track” has not worked in recent years to soften the heightened atmosphere of mistrust and hate between Armenian and Azerbaijani societies in the last five to six years. As noted above, the situation has improved in Azerbaijan, and there is a chance for tapping into civil society’s potential to create an atmosphere of trust, especially as Azerbaijan has strong experts and leaders of non-governmental organizations. For this process, it will be very important for European countries and the USA to react swiftly in order to support and implement cooperation projects between civil society institutions of Armenia, Azerbaijan, and Nagorno-Karabakh.
  
4. **Existence of a primary format and option for conflict resolution.** For the Nagorno-Karabakh conflict, the primary format for conflict resolution is the OSCE Minsk Group. The goal of the OSCE Minsk Group is to search for peaceful resolution options. The OSCE Minsk Group co-chairs are Russia, France, and the USA. The other members of the Minsk Group are Belarus, Germany, Italy, Sweden, Finland, and Turkey, as well as Armenia and Azerbaijan. The OSCE Minsk Group co-chairs play a decisive role in the search for a solution. It can be said with confidence that, for many years, this format has been optimal and has reflected well the key international players that can help the parties to the conflict to find its resolution. In recent years, the situation in the world has changed, including the international policies of global actors such as the USA and Russia. Presently, it is unclear whether Russia is interested in swift resolution of the conflict. There is another problem

related to Russia, as well; it is selling state-of-the-art weapons to both Azerbaijan and Armenia. Mediators should not stimulate militarization of the South Caucasus. Moreover, the countries of the South Caucasus have in recent years been cooperating actively with the European Union and China, which has led to a significant increase in their roles in the South Caucasus. Without commenting the multimillion-dollar projects of Azerbaijan with Georgia and China, it should be noted that China's trade with Armenia has already exceeded 650 million USD in 2019. The emergence of new players in the South Caucasus may in turn trigger discussion of the need to increase the number of co-chairs in the OSCE Minsk Group with a view to more fairly reflect the realities and the roles of international players in the South Caucasus region.

5. As to the primary option for resolution of the Nagorno-Karabakh conflict, the Madrid Principles were formulated by the OSCE Minsk Group co-chairs and proposed to the parties to the conflict in 2006. The Madrid Principles include three principles of conflict resolution (the principle of the territorial integrity of states, the principle of the right of peoples to self-determination, and the principle of non-use of force), as well as a number of steps for its final resolution (removal of the troops from the territories around NK, fixing the status of NK, return of refugees to their homes, deployment of peacekeepers in the conflict area, unblocking communications, and so on). The parties to the conflict, which Azerbaijan and Armenia have been recognized as, have repeatedly stated that the Madrid Principles could serve as a basis for resolving the Karabakh conflict. However, after many years of talks, the situation entered a deadlock, and starting from 2011-2012, there were no reasons to proceed. Moreover, both Nikol Pashinyan and Ilham Aliyev rarely refer to the Madrid Principles, which may be a sign of tacit refusal by the parties to consider them.

The “sufficient conditions” for resolution of the conflict reflect the specificities of each particular conflict. Two of the “sufficient conditions” for resolution of the Nagorno-Karabakh conflict that are lacking are listed and analyzed below:

1. **The absence of the elected representatives of Nagorno-Karabakh in the peace talks.** The fact that the elected representatives of Nagorno-Karabakh do not participate in the peace talks is a serious omission, despite the fact that they signed all of the conflict zone ceasefire agreements in May 1994. In fact, the *de facto* parties to the conflict are Azerbaijan, Armenia, and Nagorno-Karabakh. However, in the peace talks held under the auspices of the OSCE Minsk Group, only Azerbaijan and Armenia participate. How can the conflict be resolved without the participation of the people that directly inhabit in the conflict zone? This is a feature of the Nagorno-Karabakh conflict, which should be taken into consideration in the future in order to increase the chances of resolution. Furthermore, differences of opinion have emerged over time between the positions of Armenia and Nagorno-Karabakh.
2. **The historical context.** The historical context, too, does not favour the building of trust between the parties to the conflict. The history of the Armenian-Azerbaijani conflict around Nagorno-Karabakh and the problem of Nakhijevan are related to the period of World War I and the events that followed the collapse of the Russian Empire. That was the time when NK and Nakhijevan became the stumbling block between Armenia and Azerbaijan, each of which declared their independence in the year 1918. Later, after the USSR was created, in the early 1920s, the Nakhijevan Autonomous Republic (with a predominantly Armenian population) and the Nagorno-Karabakh Autonomous Region (with almost a 100 percent Armenian population) were created and, mysteriously, made a part of the Azerbaijani Soviet Socialist Republic. Interestingly, the Nakhijevan Autonomous Republic did not even share a border with Azerbaijan. Already then, the Bolsheviks were apparently planting slow mines in order not to permit the sovereign development of the South Caucasus countries, because the existence of artificially-created territorial disputes guaranteed to them that Armenians and Azerbaijanis would be contained within their zone of influence. Most importantly, the factor that leads to wariness of the Armenian sides to the conflict (Armenia and NK) is that this territorial policy of the Bolsheviks and Azerbaijan led to a situation in which no Armenians are left in present-day Nakhijevan. This is why the Armenians of Nagorno-Karabakh do not wish to remain a part of Azerbaijan, so as not to suffer the fate of the Nakhijevan Armenians.

The factors listed above are only some of the conditions “necessary” and “sufficient” for solving the Nagorno-Karabakh conflict. However, even their implementation will sharply increase the chances of solving this protracted conflict. There is clearly no reason to be optimistic that it will happen quickly. However, persistent work in this direction should be initiated, because the only alternative is a new war that would have devastating consequences for both Armenia and Azerbaijan.



# Mapping the Nagorno-Karabakh Conflict and Drivers for Resolution Scenarios

*Nilufer Narli*

## Introduction: Problem Statement and Background

Speaking at a 16<sup>th</sup> Annual Meeting of the Valdai International Discussion Club in Sochi in October 2019, the President of Azerbaijan responded to Armenian Prime Minister Nikol Pashinyan's claim that "Karabakh is Armenia – that's all" by saying that "Karabakh is Azerbaijan and exclamation mark!" (Akbarov, 2019). Does this mutual antagonism indicate that there is no feasible solution for the Nagorno-Karabakh conflict? Nagorno-Karabakh, which Armenians call the "Artsakh Republic", is a *de facto* state within occupied Azerbaijani territory. Nagorno-Karabakh is considered an "intractable conflict", whose parties have not compromised despite long-lasting mediation efforts. It is an explosive issue that seriously threatens peace and security throughout Eurasia, as recently emphasized by the four-day war in April 2016. Armed conflict between Azerbaijan and Armenia has been made more likely by the latter's continued occupation of 20 percent of Azerbaijani territory, its increased military spending, and the belligerent rhetoric of both Armenian and Azeri leaders that they may use military force to defend or liberate the "territory" (Paul 2010; Sapmaz & Gökhan, 2012).

Against this background, this paper focuses on the following questions: What are the drivers of possible scenarios for settling the Nagorno-Karabakh conflict? How can Azeri and Armenian disputants, both officials and civil actors, reach an agreement? Is it this conflict ripe enough to push for a substantive resolution rather than continued conflict management efforts? To address these questions, the study maps the Nagorno-Karabakh conflict by identifying the conflict type that best describes the Armenia-Azerbaijan conflict, identifying the relevant actors, and determining the key drivers, including political, economic, and cultural factors, as well as regional dynamics, that affect the Nagorno-Karabakh conflict resolution process. A conflict is "ripe" for resolution when the conditions exist for that

conflict to be resolved through negotiation (Haass, 1988). Based on this analysis, the paper then proposes progressive and creative ideas for conflict resolution, with a specific focus on track two diplomacy because it recognizes the need for new ideas to support the official conflict resolution efforts of the OSCE Minsk Group and others.<sup>1</sup>

The OSCE Minsk Group proposed its draft framework peace accord to the conflicting parties in Madrid in 2006. The Madrid Principles envisaged Armenian withdrawal from virtually all seven Azerbaijani districts around Nagorno-Karabakh that are fully or partly controlled by Nagorno-Karabakh Armenian forces. However, this was unacceptable to the Armenians so the mediation efforts failed. Armenia and Azerbaijan blamed each other for the failure of the conflict resolution. The intensive Aliyev-Kocharyan efforts during the early 2000s also failed. The OSCE Minsk Group mediators continued their resolution mission with an important step in 2010 by conducting a Field Assessment Mission to the seven occupied territories October 7-12, 2010 to assess the overall situation there, including humanitarian and other aspects.<sup>2</sup> Their report concluded that the conflict needed urgent settlement due to the “harsh reality of the situation” in these territories. The Co-Chairs concluded that “the status quo is unacceptable, and that only a peaceful, negotiated settlement can bring the prospect of a better, more certain future to the people who used to live in the territories and those who live there now” (OSCE Minsk Group, 2019). They explained the “harsh realities” through their observations;

In traveling more than 1,000 kilometers throughout the territories, the Co-Chairs saw stark evidence of the disastrous consequences of the Nagorno-Karabakh con-

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<sup>1</sup> Several supra-national actors and non-governmental organizations are working on a settlement of the Nagorno-Karabakh conflict: OSCE Minsk Group, European Union, Council of Europe, United Nations, European Partnership for peaceful settlement of the Conflict of Nagorno-Karabakh (EPNK), European Movement International and National Councils, and several Europe-based civil society organizations, including International Alert, Conciliation Resources, the Helsinki-based Crisis Management Initiative (CMI), the Swedish-based Kvinna till Kvinna, and London Information Network on Conflicts and State Building (LINKS) (Klever, 2013).

<sup>2</sup> On this trip, which was the first mission by the international community to the territories since 2005, and the first visit by UN personnel in 18 years, the Co-Chairs were joined by the Personal Representative of the OSCE Chairman-in Office and his team and by two experts from the UNHCR and one member of the 2005 OSCE Fact-Finding Mission. (OSCE Minsk Group, 2019).

flict and the failure to reach a peaceful settlement. Towns and villages that existed before the conflict are abandoned and almost entirely in ruins. While no reliable figures exist, the overall population is roughly estimated as 14,000 persons, living in small settlements and in the towns of Lachin and Kelbajar (OSCE Minsk Group, 2010).

The report noted potential for further armed conflict, erupted in 2016 as the four-day war after almost 22 years of stalemate. This incident, which cost the lives of over a hundred soldiers on both sides, indicated the urgency of settling the Nagorno-Karabakh conflict.

Since this brief war, the Minsk Group has focused its efforts in 2019 on conflict management. In May 2019, the group met Armenian Prime Minister Nikol Pashinyan in Yerevan to discuss the resolution process, including the formation of a peace-conducive atmosphere. To create such an environment, Pashinyan and the Minsk Group mediators focused on ways of promoting humanitarian initiatives and people-to-people contacts (*Panorama*, May 5, 2019). Such contacts are also recommended in this paper. In September 2019, the Co-Chairs (Igor Popov of the Russian Federation, Stéphane Visconti of France, and Andrew Schofer of the United States of America) met separately and jointly with Azerbaijani Foreign Minister Elmar Mammadyarov and Armenian Foreign Minister Zohrab Mnatsakanyan in New York on the margins of the UN General Assembly. The Co-Chairs encouraged both sides to lessen the use of rhetoric that was “inflammatory” or “prejudged” the outcome of negotiations (OSCE Minsk Group, 2019).

These meeting took place in a shifting context where concrete conflict settlement steps were expected from Armenia following the 2018 Velvet Revolution that had swept Armenia’s former elites from power. However, unlike Ukraine’s Maidan revolution, it did not influence the discourse concerning the Nagorno-Karabakh conflict. These expectations are linked to the return of the occupied territories, as the U.S. Ambassador to Armenia, Richard Mills, stated in October 2018 before his departure. Mills added that “the status quo is no longer in Armenia’s favour” for several reasons, ranging from “closed borders to the strain on the country’s material and human resources to corruption risks associated with the conflict” (Mehdiyev, October 2018). Having lost two precious decades of stability when the conflict

could have been addressed diplomatically (Cheterian, 2019), both countries need to show remarkable urge to resolve the conflict.

## **Conceptual Framework**

The conceptual framework of this study draws on Yamskov (1991), Zartman (2000), and Haass (1988; 1990). Yamskov (1991) has analyzed conflicts in Transcaucasia by distinguishing four types of ethnic conflict: (i) “socio-economic” linked to inequalities in access to resources; (ii) “cultural linguistic” associated with demands to protect language and identity; (iii) “territorial-status” due to the USSR’s national state structure; (iv) “political” including demands for independence.

Yamskov identifies three major factor clusters affecting these conflict types, particularly those in Transcaucasia. The first is factors that “continually influence ethnic relations in the region and that cannot be eliminated in the foreseeable future.” (Yamskov, 1991: 634). These

“include the historic past, i.e., the record of interrelationships between the effected ethnic groups (e.g. wars and invasions, relations of political domination and subordination); religious differences; and cultural differences in the broadest sense (these may range from differences in domestic patterns of behavior to variations in political culture)” (Yamskov, 1991: 635).

The second cluster includes the key conditions and processes, both regional and global, within which ethnic relations have developed in the region. These conditions “have evolved over long periods of time and can be changed only as a result of a radical transformation in the region’s social life and government structure” (Yamskov, 1991: 635), indicating the difficulty in dealing with the conflict. It also implies that a radical and innovative approach is needed for this type of intractable conflict. The third factor cluster includes “the direct causes of the aggravation of ethnic relations”, which represent the four immediate factors contributing to the Nagorno-Karabakh conflict specifically: “national-cultural”, “linguistic”, “socioeconomic (resulting from inequalities in living standards or group representation in prestigious professions, high status groups, or government bodies), and “ethno-demographic causes” (Yamskov, 1991: 635). This conceptual framework is useful for investigating the dysfunctional conditions that produced the stalemate over the Nagorno-Karabakh conflict.

Ending such a stalemate requires a mutually shared perception of the desirability of an accord rather than sustaining the conflict. This is defined as “ripeness” by Zartman (2000) and Haass (1988; 1990). The notion of ripeness, which refers to a state in which the disputants share the idea of settlement, is an analytical tool to examine under what type of conditions mediation can be effective in conflict resolution. Zartman (2000) conceptualizes ripeness as a cost-benefit analysis with two pillars. First, the leadership on both sides must perceive that there is a “mutually hurting stalemate”, which is a subjective analysis of the situation. Critical changes in the intensity of a conflict can make both parties identify a “right moment” to start talks. The second pillar is that the opposing parties can envisage possible solutions or a way out. They must also be convinced that the other side can plausibly negotiate a solution. Ripeness is thus subjectively determined in that it largely exists in the minds of the conflicting parties. Jonsson (2002) defines this as an objective condition for negotiations, as discussed below under the conceptual framework.

Like Zartman, Haass also notes the crucial importance of the parties’ subjective analysis in desiring an accord to end the conflict. Haass (1988) outlines four prerequisites of ripeness. The first is a shared perception that a compromise is desirable, stemming from the perception of a “mutually hurting stalemate.” The element of time is a determining factor in the ripening process in the sense that the disputants need to understand that no accord can make it worse for them, whether in absolute terms, relative terms, or both. The parties should also conclude that time is not in their favour. He notes that when one side perceives time as working in its favour, it may delay coming to the table, which delays ripeness. The second prerequisite is the ability of political leaders to agree to a desirable accord. Leaders measure their “sufficient” strength or weakness in evaluating if they have enough internal leverage to permit a compromise. The third and fourth prerequisites are both related to the question of reciprocity. The third is that agreements must be based on a sufficiently “rich” compromise to allow leaders on both sides to convince their colleagues and citizens that the national interest has been protected. Finally, the disputants should agree on what is compromised and should accept the procedure to further deal with their conflict (Haass, 1988).

Both Zartman (1986) and Haass (1988) discuss how the mediator can make disputants believe that the moment is ripe. The mediator's leverage, which may include military, political, or economic punishments and rewards, is a critical factor for Zartman. However, the most important factor is the mediator's ability to persuade the disputants. He warns that it is risky and counterproductive for a mediator to use leverage without careful calculation when there are deep divisions in the political landscape of the conflicting countries. He also advises assisting factions within parties, particularly if they favour settlement, to strengthen their negotiation positions. Haass (1988) also mentions the use of military assistance, intelligence support, security guarantees, and the commitments of an alliance. The key is the mediators' skills in extending or holding back these rewards and punishments to persuade leaders to take risks for conflict resolution and building a peace accord.

### **Mapping the Nagorno-Karabakh Conflict: Historical and Regional Context, Actors, Shifts in Alliances, and Key Regional Drivers**

Understanding historical antecedents, which provides insight into the previous relationship between the sides and examining the characteristic of the regional context are critical to identify the characteristics of any conflict. Previous relationship between disputants is what Yamskov (1991) refers to "historic past" dynamics and the key conditions and processes, both regional and global, under which ethnic relations between the conflicting parties have developed in the region. Historically, the regional context of the Nagorno-Karabakh conflict is characterized by a negative relationship among the three major ethnic groups of the Transcaucasus (the Armenians, Azerbaijanis, and Georgians), which goes back over the Russian annexation of the region in the early nineteenth century (Yamskov, 1991). Since then, Russia has been key to war or peace in the South Caucasus because it seems to be the only player that can halt fighting between Azerbaijan and Armenia, as in the recent four-day war of April 2016.

Historically, the trajectory of the Nagorno-Karabakh conflict was shaped by changes in the regimes and political organization of regional powers, particularly Russia and the Ottoman Empire. These changes also altered demographic traits and population densities in the Nagorno-Karabakh region. It initially developed in the pre-Soviet era, when there were several

conflicts between the two communities. The first erupted in Baku on the eve of the Russian Bourgeois Revolution in 1905 before spreading throughout the region (Mahmudlu & Abilov, 2018). In the same year, armed conflict began between the two communities in Karabakh while a second conflict broke out in Baku, resulting in the massacre of the civilian population in 1918 (Mahmudlu & Abilov, 2018). After the first Azerbaijani and Armenian nation states were established in 1918 within the USSR, the conflict escalated to an interstate level. The USSR granted Nagorno-Karabakh to Azerbaijan SSR in 1923 as an autonomous oblast (region) (Gonca, 2016). Although there was no overt conflict under the Soviet rule, there was discontent in the Karabakh Armenian community, who decided to write a collective letter to the Soviet authorities in 1967 outlining their local grievances. This letter pleaded for “salvation” and accused the “Azerbaijani authorities of engaging in a series of reprisals for an earlier petition to unify Mountainous Karabagh to Armenia” (Weltt, 2004: 74). After the collapse of the USSR, the Nagorno-Karabakh War broke out due to mutual antagonism instigated by both states (Söker, 2017). After initially flaring in February 1988, Armenia and Azerbaijan engaged in a fully-fledged war in 1992. Russia imposed a ceasefire in 1994 and a Line of Contact (LoC) was established between the parties (Mustafayeva, 2018). The OSCE Minsk Group, founded in 1992, then began conflict management and resolution by organizing several meetings and initiating various proposals.

The main source of the conflict is territorial status due to Armenia’s territorial demands to Azerbaijan regarding Nakhchivan, Karabakh, and Zangezur, which are mainly populated by Azerbaijanis (Dadayev, Mahmudlu & Abilov 2014: 77). Against this background, divergences between ethnic boundaries and the political boundaries of Nagorno-Karabakh seem irreconcilable because both communities have bitter memories of wars, which are kept alive by their negative perceptions of the other and by their leadership’s belligerent rhetoric that deepens ethnic hatred. Strong mutual distrust, fed by hostile discourses and the political use of the conflict to promote national identity in both countries have hampered the Minsk group’s negotiating efforts over two decades. This is particularly true in Armenia, where politicians use the Nagorno-Karabakh issue for their own legitimacy (Klever, 2013).

History and memory are negative dynamics that prevail in the conflicting historical and ethnic narratives and highlight the ethnic dimension of this conflict. Both countries have arguments to support their territorial claims. Armenia claims that Nagorno-Karabakh was part of an early Christian kingdom, referring to the presence of ancient churches as evidence (Gonca, 2016). Conversely, Azeri historians argue that the churches were built by Caucasian Albanians, a Christian nation that they regard as descendants of Azeris (Gonca, 2016; Tuncay, 2010). Soviet documents show that Nagorno-Karabakh was mostly populated by ethnic Armenians in 1921 (Cohen, 2016). This population density, Kodaman (2014) notes, resulted from Armenian migration after the disintegration of the Ottoman Empire and the Russian Empire's migration policy in the Caucasus after it annexed the region in the early 19<sup>th</sup> century.

The territorial dispute behind the Nagorno-Karabakh War is sustained by ethno-demographic and national cultural factors according to Yamsov (1991). It is a century-old ethno-political conflict between Armenia and Azerbaijan, which has become an intractable conflict, hence "recalcitrant, intense, deadlocked, and extremely difficult to resolve" (Coleman 2000: 429). The stalemate over Nagorno-Karabakh is further complicated because both the Azeri and Armenian communities are skeptical about the mediation process (Klever, 2013), which is a challenge for regional actors and regional cooperation.

In considering both historical and current conditions, one should identify the key actors involved in the conflict and determine the patterns in the positions and policies of the major regional actors, Russia, Iran, and Turkey, which all have ethnic and cultural ties with Armenia and Azerbaijan or alliances based on economic and security interests. Studies on the Azeri-Armenian conflict devote considerable attention to the actors, categorized under three groups: actors in the conflict (Armenia and Azerbaijan); regional actors (Russia, Turkey, Iran, and Georgia); and great powers like the United States and their policy towards the Nagorno-Karabakh conflict and the Caucasian region in general (Cornell, 2001). Figure 1 shows the position of each actor, strategic alliances, and shifts in these alliances due to the regional drivers in the Nagorno-Karabakh conflict.

In representing “Caucasian strategic alignments”, Cornell identifies two critical axes: “a west-east axis” of the United States, Turkey, Georgia, Azerbaijan, and Uzbekistan; and “a north-south axis” of Russia, Armenia, and Iran (Cornell, 2001). The United States has played a key role in building the former axis by involving the Commonwealth of Independent States (CIS)<sup>3</sup> countries in United States and Western-oriented military-political alliances (e.g. NATO) or by building bilateral partnerships with CIS countries like Azerbaijan, Uzbekistan, and Kazakhstan (Kakachi, 2011: 16). The increased US involvement in the Caucasus and US pressure for a resolution is another political driver shaping the conflict. This pressure is best exemplified in the words of the former United States ambassador to Yerevan, Mills (2018); “...the harsh reality is that any settlement is going to require the return of some portion of the occupied territories” (Mehdiyev, 2018: 1). There was an emphasis in his statement that the return of occupied lands is one of the core principles of the Madrid Principles, “one of the proposed peace settlements for the Nagorno-Karabakh conflict”.

The west-east axis alliance is more stable than the other, which has shifted in the last five years due to the increased interaction and cooperation between Russia and Turkey. One of the key political drivers in Figure 1 is increased Turkish-Russian economic and strategic cooperation, which complements Russia’s Grand Eurasia strategy while emphasizing Armenia. Russian arms sales to Azerbaijan is another tension factor for Armenia, which has responded to these security stress factors by increasing its interaction with both China and the West. This challenges Russia (Boyajian 2019) because it considers its influence in the Caucasus as a critical strategic issue after losing control over Georgia and Azerbaijan. Armenia does not want to lose Russia, and it is seemingly ready to alter its alliances if they are detrimental to the Russian-Armenian alliance. For example, Armenia gave up its decision to sign a Deep and Comprehensive Free Trade Area Agreement through Association Agreement (DCFTA) with the EU at the Vilnius summit in 2013. Instead, it joined the Eurasian Economic Union under Russia’s leadership (see below for this organization) in response to Putin’s visit to Azerbaijan in 2013 (Gonca, 2016).

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<sup>3</sup> Commonwealth of Independent States, an intergovernmental military alliance, was established on 15 May 1992.

Regional Actors    Recent Political and Regional Dynamics Shaping Drivers (2010s ->

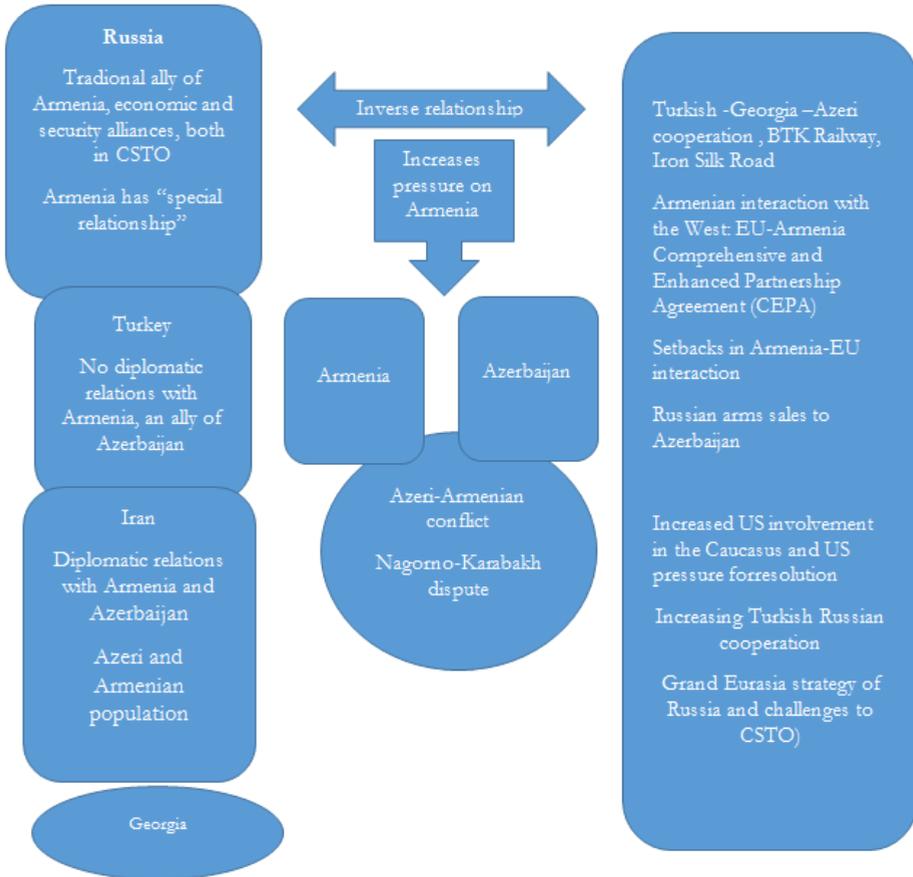


Figure 1: Conflicting and Involved Actors, Shifting Alliances, and Regional and Global Processes Affecting the Azeri-Armenian Conflict over the Last Decade

Amongst the key regional economic and political drivers, Turkish-Georgian-Azeri cooperation, strengthened by the BP-led Baku-Tbilisi-Ceyhan oil pipeline and the Baku-Tbilisi-Erzurum gas line, has gained further importance with the Baku-Tbilisi-Kars (BTK)<sup>4</sup> railroad project,

<sup>4</sup> The Baku-Tbilisi-Kars (BTK) railway project was first discussed in 1993 after an existing railway line to Baku via Armenia was shut down due to the Nagorno-Karabakh conflict. The completion of the Baku-Tbilisi-Ceyhan oil and Baku-Tbilisi-Erzurum gas pipelines in 2006 encouraged the idea of a rail connection. In 2007, the leaders of

launched in 2017. Crossing Azerbaijan, Georgia, and Turkey, the line establishes a cargo and passenger link between Europe and China that bypasses Russia as a bridge between Asia and Europe. It connects the southern Caucasus to Europe and Asia and it lays a corridor of cooperation across the Caucasus, a region that is becoming a crossroads of Eurasia. Its construction is an important step in the Iron Silk Road (Cirulis & Cirulis, 2019), which will connect the Caspian Sea region to Turkey and beyond to Europe. It is thus a potential game changer (Kohli et al., 2019) in both the South Caucasus and Central Asia. Armenia is isolated from this regional railway due to its tense relationship with Azerbaijan and Turkey. Its only open borders are with Georgia to the north and Iran to the south, which prevents it benefitting from the New Silk Road. The trilateral Azerbaijani-Georgian-Turkish axis is a driver that defines the eventual routing of Caspian oil and gas pipelines and infrastructure. It has also drawn Azerbaijan into a westward strategic orientation that excludes Armenia (Broers, 2016).

#### *Russia: Traditional Ally of Armenia?*

Russia, Armenia's major ally, has been in the region for more than two centuries, with interests in the South Caucasus going back to the 18<sup>th</sup> century. The first Russian military involvement in the South Caucasus was in 1722, when Peter the Great's armies crossed the Caucasus to conquer the Caspian coastline, including Baku (Kopeček, 2010). In the post-Soviet era, Russia and Armenia have maintained strong ties and alliances. Armenia is economically dependent on Russia as it supplies nearly all of Armenia's natural gas and oil, and has a significant position in its energy infrastructure. They signed a bilateral agreement on the deployment of a Russian military base in Armenia (1995) and are members of a military alliance formed on May 14, 2002, the Collective Security Treaty Organization (CSTO),<sup>5</sup> along with four other ex-Soviet Central Asian states (Kazakhstan,

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Azerbaijan, Georgia, and Turkey met in Tbilisi to sign an agreement launching the project.

<sup>5</sup> In May 2002, the Collective Security Treaty of the CIS renamed itself the Collective Security Treaty Organization (CSTO). Borrowed from NATO's Article V, CSTO members commit in Article IV to treat an attack on one as an attack on all. It is one of the four institutional networks of Grand Eurasia, namely the Eurasia Economic Union, the China-led One Belt One Road Initiative, and the Shanghai Cooperation Organization (SCO).

Kyrgyzstan, Tajikistan, and Uzbekistan). The CSTO's focus under the framework of the Commonwealth of Independent States (CIS) is to preserve territorial integrity. It is a mutual defense alliance for Russia, Belarus, Armenia, and the Central Asian states, except for Turkmenistan.

To what extent is Russia willing to push for a resolution to the Nagorno-Karabakh conflict? Is it beneficial to Russian interests? The Nagorno-Karabakh conflict seems to be a security challenge to Russia's grand Eurasia strategy because it reveals weakness in the CSTO. The escalating tension between Azerbaijani and Armenian forces over Nagorno-Karabakh has made this challenge critical to the strength of the CSTO's mutual security clause. The clause obligates Russia to respond to any Azeri attack on Armenia, which raises the question of whether Russia's commitment remains strong. It was so in January 2016, when Nikolay Bordyuzha, CSTO Secretary General stated that he "did not rule out the possibility that the CSTO will use its military potential in the event that Azerbaijan attacked Armenia." (Global Security, 2019) Since then, however, regional dynamics and shifting alliances have evolved, including Russian arms sales to Azerbaijan, increased economic and strategic cooperation between Russia and Turkey, and the convergence of Russian and Turkish interests in Syria despite some disagreements (e.g. Ankara-Damascus tensions). These present major challenges for Russia's strong commitment to Armenia's security, particularly increased pressure on Armenia to negotiate. In response, Armenia has tried to gain time and balance these challenges by increasing its interaction with the West.

### *Iran*

As a regional actor, Iran shares borders with both Azerbaijan and Armenia and has cordial relations with both neighbours. Iran sees Armenia as a regional strategic trade partner (Ramezani, 2015), which explains why their economic cooperation have not been affected by U.S. sanctions. The value of trade between Iran and Armenia reached a record high of 364 million USD in 2018 (Abdi, 2019).

The Nagorno-Karabakh conflict is a security challenge and domestic issue for Iran (Dejkam, et al., 2016). The spillover effect of the conflict along Iran's northern border territory could trigger security threats there

(Mahmudlu & Abilov, 2018). In addition, Iran's own Azeri and Armenian populations make the domestic dynamics more critical for its position. Any direct or indirect role by Iran in mediation efforts needs to be sensitive to the demands of both groups as Iran's Azeri population increasingly expects Iran to take its side: "strong public opinion and pressure, especially from the Azerbaijani population of Iran" is encouraging "Iran to take sides with Azerbaijan against the Armenian invasion" (Mahmudlu & Abilov, 2018: 37).

Another issue related to regional peace is Iran's competition with Turkey and the US. Turkish-Iranian competition in the Caucasus since the early 1990s (Narli, 1993) has been accompanied by cooperation based on mutual interests whereas it became rivalry with the US following increased US investment in the Caucasus. There is now a potential clash of interests between Iran and the US, as foreseen by Ramezani (2015). Given these regional rivalries, the critical question is to what extent Iran can play a role in the resolution of the Nagorno-Karabakh conflict.

### *Turkey*

Azerbaijan and Turkey have close cooperation based on shared language and culture, and convergent geopolitical and economic interests, as outlined above. Azerbaijan sends its Caspian Sea oil and gas westward through Georgia and Turkey. Relations between Armenia and Turkey are not cordial, with Turkey having no diplomatic relations with Armenia. Turkey's relations with Azerbaijan and Armenia have become more complex with respect to the Nagorno-Karabakh conflict. Turkey initially considered it as an internal 'post-Soviet' affair and remained reluctant to get involved directly. However, after rediscovering cultural ties with the people of the Caucasus in the 1990s, Turkish politicians and public opinion became more interested in regional conflicts in the Caucasus. This affected Turkey's foreign policy and made South Caucasus issues more prominent on the agenda of the Turkish parliament (Azer, 2011). The sufferings of Azeri people in the 1992 war, was also reported in the Turkish media, which galvanized public opinion. Turkey's close cultural ties with Azerbaijan and the Central Asian republics constitute Turkic elements in Turkish geopolitical thinking. That is, a cultural dynamic has gradually gained leverage since the early 1990s

(Narli, 2018). This has implications for regional peace processes and Turkish-Armenian rapprochement prospects.

Cordial relations with Turkey are vital for Yerevan, given Armenia's lack of friendly neighbours in its immediate region. Turkey also provides a route for Armenia to receive international humanitarian aid and commerce. Such isolation and the recently enhanced alliances between Russian, Turkey and Azerbaijan, (e.g., Russian arms sales to Azerbaijan and military and energy deals with Turkey), require Armenia to reconsider its status quo vis-à-vis the Nagorno-Karabakh conflict. Despite this tension, Turkey actively endorsed Armenia's integration with regional organizations, as exemplified by Ankara's invitation to Armenia to join the Black Sea Economic Cooperation (BSEC) in 1992 as a founding member (Turkish Ministry of Foreign Affairs, 2019). However, following Armenia's occupation of Azerbaijan's Kelbecer province in 1993, direct trade between Turkey and Armenia, and road, rail, air links were blocked while the border was shut (Turkish Ministry of Foreign Affairs, 2019). For Ankara, Yerevan's recognition of Azerbaijani sovereignty over Nagorno-Karabakh is key for Turkish-Armenian rapprochement.

In September 2008, President of Armenia, Serzh Sargsyan, invited Turkey's former President, Abdullah Gul, to Armenia to watch a football match between the two countries' national teams. However, this rapprochement effort failed. As part of this rapprochement, Armenia and Turkey launched a bilateral normalization process with Swiss mediation, after which they signed the Turkish-Armenian Protocols in Zurich on 10 October 2009. "Protocol on the Establishment of Diplomatic Relations" and "Protocol on the Development of Bilateral Relations" provided a framework for normalizing bilateral relations. Both countries were to submit the protocols to their parliaments. Ankara submitted it to the Grand National Assembly of Turkey for approval whereas Armenia sent them to the Constitutional Court to have their constitutionality approved. The court ruled that they did not conform sufficiently to the Constitution of Armenia (Turkish Ministry of Foreign Affairs, 2019). The 2009 Turkish-Armenian rapprochement effort was not well received in Azerbaijan, which perceived it as unsettling geopolitical dynamics across the Caucasus and the wider region, and a move that questioned traditionally-perceived axes of threats and alliances (Shiriyev & Davies, 2013). Since then, Turkey has made no official rap-

prochement efforts as it has been dealing with its Syrian refugee crisis and security problems stemming from the Middle East since the early 2010s.

Despite the historical adversity associated with bitter memories of past atrocities, everyday people-to-people relations have not been affected. Between 60,000 and 100,000 Armenian citizens live and work in the care industry in Turkey, with a female majority (96 percent) (Grigoryan, 2018). Because these irregular female domestic workers live in the houses where they work, they can remit their monthly income of around 500-650 USD to their families (Ozinian, 2009). Due to the lack of a direct open land route, they travel from Armenia to Turkey by bus via Georgia.

### *Georgia*

Georgia has a policy of neutrality regarding the Nagorno-Karabakh conflict despite placing itself in the Western axis and having close economic cooperation with Turkey and the West. Having an Armenian population who are unhappy with the construction of the BTK and Georgia's partnership in it (Lussac, 2008), Georgia needs careful calculations. One recent event that raised questions about Georgia's neutrality was the unveiling of a monument of an Armenian combatant in the Karabakh war in an Armenian-inhabited village (Garibov, 2019). This shows how symbolism matters in instigating conflicting sentiments in the South Caucasus.

### *A Global Actor: the United States*

The United States has become more visible in the Caucasus over the last two decades by increasing its interactions with CIS countries, as mentioned above. Currently, it has taken more interest in the Nagorno-Karabakh conflict following the current Armenian leaders' victory in the snap parliamentary elections of 2018. This raised US expectations that Yerevan would become more decisive in resolving the Nagorno-Karabakh conflict (Chitagov, 2019). Regarding the US role, it is important to understand the relationships of Azerbaijan and Armenia with NATO, where the United States has leverage. Their bilateral cooperation with NATO goes back to the 1990s, when both countries joined the North Atlantic Cooperation Council in 1992 and the Partnership for Peace (PfP) program in 1994. The former was succeeded in 1997 by the Euro-Atlantic Partnership Council. This

brings together all allies and partner countries in the Euro-Atlantic area. Both countries actively supported the NATO-led peace operations in Kosovo and Afghanistan. While distancing itself from any direct role in the Nagorno-Karabakh conflict resolution, NATO encourages all sides to continue their efforts for a peaceful resolution of the conflict (NATO, 2018). Recently, its aloofness has been questioned, with NATO being expected to play a more direct role (Abrahamyan, 2017).

The overall analysis of the position of all these actors and the shifting alliances amongst them shown in Figure 1 indicate that the conflict is ripe enough to push for substantial negotiations. As an unresolved conflict, it is not working in favour of Armenia. On the contrary, it is weakening its economy and preventing it benefitting from regional economic cooperation networks. Robert Kocharyan (November 2019) reached the same conclusions from his analysis of the current situation: the “Karabakh settlement in the context of global and regional processes” is not working in favor of Armenia. “There is a weakening of our negotiating positions due to gross mistakes of the Armenian side.” He also observed shifting power and alliances in the region, particularly “fundamental changes in world politics, when the undisputed US leadership is effectively challenged by new rising global players”. Therefore, shifting power calculations based on challenges to Russian-Armenian security cooperation, (see figure 1), Armenia’s economic isolation, and rising expectations of the United States for settlement of the Nagorno-Karabakh conflict may motivate both sides to reach a settlement.

A perception of being weakened could compel Armenia to compromise, which is a type of condition identified by Haass (1990) for further ripening. It is therefore important to help its leadership to gain enough power to take a risk for peace while mobilizing regional actors and second-track diplomacy resources.

How all these official negotiators are perceived by Armenia and Azerbaijan societies is important because these negotiations create great skepticism and cynicism among both Armenians and Azerbaijanis about a possible end to the conflict. Thus, exploring track two diplomacy drivers is significant.

## Track-Two Diplomacy for Conflict Resolution: Civil Initiatives, NGOs, and Lobbies

Promoting power brokerage requires “relationship restructuring” (Harutunian, 2010) to create broad support for the settlement. The Minsk Group, which operates at an official diplomatic level, can integrate NGOs, particularly youth groups, in its conflict settlement efforts. The literature emphasizes how track-two actors’ can help end hostilities and contribute to reconciliation by building trust, a collaborative spirit, and personal connections between the conflicting parties (Zartman & Touval, 1985; Princen, 1992; Bercovitch, 1997; Bercovitch et al, 2009; Svensson 2007; Kiel, 2014). These initiatives highlight the role of the growing number of non-state actors, including non-governmental organizations (NGOs), academic groups, religious institutions, and all types of civil initiatives in negotiating peace and mediating conflicts. Personal connections between intellectuals and artists can change perceptions of the “other”, until now seen as the evil enemy. Diasporas and popular figures in within them can play a positive role (Baser 2008). Track-two diplomacy formats are critical in overcoming hostility between the Azeri and Armenian societies. Through different projects, they can bring together intellectuals, artists, journalists, experts, and civil society representatives to create conditions to build trust and cordiality between the two societies. Various NGOs could be involved in such projects, such as *Imagine Dialogue*,<sup>6</sup> started in 2007 by Philip Gamaghelyan and Jale Sultanli, as an Azerbaijani-Armenian dialogue project. It has developed into an organization named the Imagine Centre for Conflict Transformation, which sustains networks of hundreds of individuals around the world committed to conflict resolution by creating linkages across divides and improving understanding between and within societies. It aims to improve dialogue between young generations in Azerbaijan and Armenia, and tries to generate joint learning, analysis, and ideas that contribute to conflict resolution. Another example is *Peace Dialogue*, founded in 2009 in Armenia by Edgar Khachatryan, which defines itself as a non-religious, non-political organization NGO. It has carried out activities directed “to the capacity building and empowerment of civil society representatives from Armenia, Georgia, Azerbaijan, Ukraine, and Russia in the sphere of peace building

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<sup>6</sup> See website for Imagine Dialogue at <<https://imaginedialogue.com/who-we-are/history/>>.

and human rights protection” (Peace Dialogue, 2015). This NGO has launched a specific project, “Let’s See... Let’s Choose... Let’s Change”, to resolve the Nagorno-Karabakh dispute. During its first phase, the target was mainly empowering young men and women in Vanadzor (Armenia) to become key actors in grassroots civic and peace activism. It then involved more young people, first from other cities and regions within Armenia, and then from the Nagorno-Karabakh area in 2012.

The project encourages young people to use their creative and intellectual potential to achieve understanding among conflicting parties, promote nonviolent problem-solving practices, and mobilize peers in their community (Peace Dialogue, 2015).

It is also vital to explore the potential of the Azeri and Armenian diasporas<sup>7</sup> in departing from the language of conflict to find innovative ideas for settling the Nagorno-Karabakh conflict. Similar formats may also be relevant for Turkish-Armenian society, which may, in turn, support normalization of bilateral relations.

Although Turkish Armenian relations are not cordial, it is worth exploring what Turkish civil society can offer for a resolution. Turkey-based civil actors can be mobilized to make a second-track diplomatic contribution. One Turkish daily newspaper and its network with potential to contribute is *Agos*,<sup>8</sup> published in both Turkish and Armenian. Founded by Hrant Dink and his friends in 1996, this daily has played a role in bringing Armenian and Turkish intellectuals together. They have made tremendous progress in building dialogue groups to discuss the Azeri-Armenian conflict. It provides space for the peace efforts of Armenian intellectuals, specifically Gerard Libaridian, Xaqani Hass, Gevorg Ter Gabrielyan, and Azer Cirttan Mamedov, who discuss the Nagorno-Karabakh conflict with respect to conflict resolution options (Diler, 2014).

## **Conclusion and Policy Recommendations**

A resolution of the Nagorno-Karabakh conflict is converging with the agenda of regional actors, Turkey, Iran, Georgia, as well as with those of the EU, U.S, and Russia for diverse security concerns elaborated above.

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<sup>7</sup> Cheterian (2019) also recommends communication between these two diasporas.

<sup>8</sup> Agos newspaper website accessible at <<http://www.agos.com.tr/en/home>>.

The continued animosity and “no solution” way of thinking is economically detrimental to both Armenia and Azerbaijan. The animosity not only has negative implications for both sides but also weakens the South Caucasus’s potential for prosperous development and stability, a region that has faced economic challenges over the past three decades. This is more severe for Armenia due to its isolation from regional energy routes, oil and gas pipelines, the Iron Silk Road, and transport networks. All these drivers are ripening the conflict. In addition, there is increased likelihood of conflict spillover, and in the worse scenario, renewed Nagorno-Karabakh fighting and direct engagement of larger regional powers, particularly Russia, Turkey, and Iran. This alarms both the disputants and regional actors. Thus, the official mediation actors have tried to persuade the leadership of the disputants to start negotiations based on fresh ideas.

At this point, creating larger societal support is vital to encourage these leaders to take a risk to find a compromise. These official peace efforts should be accompanied by empowering and engaging civil society in Armenia and Azerbaijan, and letting the youth and women own the resolution issue. Overcoming mutual distrust and the skepticism regarding mediation efforts need innovative ideas. Indeed, what is needed is a new narrative that can be embraced by the youth in Azeri and Armenian societies, and that can eliminate negative perceptions and ethnic hatred. This would be instrumental in securing public support for negotiation and compromise.

In the light of this analysis, the following suggestions can be made for creative progress, if not immediate solutions.

1. Mobilizing track-two diplomacy resources, including youth forums and women NGOs, and organizing problem-solving workshops to create new narratives.
2. Mobilizing business communities to contribute to conflict settlement through conferences and workshops to explore business opportunities in the region
3. Mobilizing the Azerbaijani and Armenian diasporas and promoting a common agenda to foster close cooperation.
4. Making all these track-two initiatives front-page news and informing the public about them to strengthen societal support for official negotiations.

Regarding the role of regional actors, the following can be suggested:

1. Russian support for the resolution is vital due to its leverage in the region.
2. United States and Russian dialogue would strengthen the Minsk Group's efforts for a settlement. Both need to jointly push for substantive negotiations to resolve the conflict.
3. The interests of the regional actors should be considered in peace talks to persuade them to act constructively in the process.
4. Turkish rapprochement with Armenia and cordial Russian relations with Azerbaijan could reduce historical ethnic and religious bitterness and support new peace-conducive narratives.
5. The gradual involvement of Nagorno-Karabakh's de facto authorities and Nagorno-Karabakh Azeri representatives in the peace talks would secure their buy-in to decisions that directly affect their life (Crisis Group, 2009).

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## **Resolving Deadlocks in the EU's Eastern Neighbourhood: What Role for Peace Support Structures?**

*Elkhan Nuriyev*

For years, unresolved conflicts in the EU's Eastern neighbourhood<sup>1</sup> are stuck in geopolitical limbo, breeding renewed tension, hampering economic integration, and disquieting to the public at large. As current circumstances around the prolonged stalemate do not inspire much optimism for rapid resolution, two major questions arise then: what can be done to prepare the ground for peace settlement and what particular steps should be taken to break the deadlocks in the entire region.

Perhaps the most important, yet unexpected key to success in reaching breakthrough is launching new innovative initiatives that would create dedicated structures focusing on mutual trust, understanding and reconciliation in Eastern Europe and the South Caucasus. This means that much more attention should be paid to concrete and practical solutions that may help stimulate people-to-people exchanges and so foster greater stability at the grass-root and community levels.

Clearly, the resolution of territorial disputes takes years and sometimes even decades to overcome the risk of recurrence of violence. Protracted conflicts move through painful situation of a “no peace, no war” that prevails in most countries of the EU's Eastern neighbourhood. What is more, peace process that does not lead to conflict transformation by addressing root causes will hardly be sustainable. For this reason, regional networks and intellectual platforms for wider communication should be set up so as to develop a variety of apolitical projects and programs.

### **The Need for Peace Support Structures**

In principle, peace-building serves the interests of all parties involved because it promotes interdependence and has the potential to bring conflict-

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<sup>1</sup> The Eastern neighbourhood countries include Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

ing sides together to achieve progress on negotiations. It is widely believed that peace-building offers better pathways and inclusive approaches to stability and peace when it is grass-roots and able to address the grievances that gave rise to the territorial conflict.<sup>2</sup> Likewise, it is well known that conflict resolution process includes peace support structures along with formal and informal mechanisms, as well as involves a multitude of stakeholders often during a long period of time. Government agencies and civil society actors are key in initiating, driving and supporting peace-building process. Creating infrastructure for durable peace highlights the importance of establishing ad hoc mechanism for cooperation through dialogue among conflicting parties, including more permanent networks to support peace process over time. The more the peace support groups are established in the region, the greater the local and international actors will advance peace process support.

Overall, peace support organizations may receive external financial aid, including in the form of capacity-building, advice and assistance with organizational development. It is, however, important that external actors devise a comprehensive, coherent and effective peace support strategies aimed at using leverage to encourage conflicting parties to engage more actively in the peace processes. In this regard, facilitating people-to-people contacts and confidence-building initiatives is considered a key to the conflict transformation and reconciliation process.

In essence, peace support groups on the ground can help in breaking stalemates through key elements of the roadmap to the win-win scenario with a view to paving the way for an eventual reconciliation between conflicting parties. For example, when dead end hinders the continuation of peace talks as seen in the thorny cases of Nagorno-Karabakh, Abkhazia, South Ossetia, and the embattled Donbas region of eastern Ukraine, it may be helpful to create Deadlock-Breaking Teams comprising problem solving professionals from each side who may find it easier to reach agreements on the contentious issues in this more concentrated setting.

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<sup>2</sup> For more details on this issue, see Pathways for Peace. *Inclusive Approaches to Preventing Violent Conflict*. United Nations/World Bank, Washington, DC: 2018, <[www.openknowledge.worldbank.org/handle/10986/28337](http://www.openknowledge.worldbank.org/handle/10986/28337)>, accessed on 29.11.2019.

More particularly, a dedicated group of experts can work hand in hand with government circles and international mediators to provide policy advice and well thought-out recommendations to decision-makers on how to move forward towards resolving the deadlock and achieving tangible progress on negotiations. The main goal would be to shape new narratives, mobilize resources and prepare public opinion for peace agreement. Under such a view, ad hoc or informal solutions are seen as acceptable tools of confidence-and security-building.

First and foremost, however, peace support organizations should aim to establish processes that actively include both the ruling authorities and the wider public down to the grassroots. This means that inclusivity and participation are indeed very important because they can bring conflicting parties closer to a consensus and may also help address deadlocks, since public opinion is often a contributory factor to process stalling.

On the other hand, public opinion and perception of deadlocked talks can give conflicting parties an impetus they need to move peace process forward. Ad hoc mechanisms like community-based dialogue spaces have a broader function and can actually serve as sustainable tools to protect peace process from collapsing. In the long term, such instruments include continuous peace-building initiatives, common spaces, local dialogues, and other civil society and expert engagements in the conflict resolution process. But one thing is already clear now: peace support groups should create such spaces as much as possible.

### **Breakthrough via Innovative Projects**

Unfortunately, post-Soviet societies are lacking fresh ideas on how to settle social prejudice and aversion. Novel proposals are now required to resolve deadlocks and promote trust, reconciliation and friendship. There is a strong need to launch innovative projects that focus on building bridges between estranged communities through local dialogues on opportunities for regional cooperation. More conferences and workshops with representatives of secessionist regions, and in particular, with participation of two communities, should be organized, which also implies extended formats such as inviting international organizations for finding the better ways in conflict resolution possesses.

These meetings should be devoted to academic, cultural and social aspects of the situation often between school teachers, environment specialists, doctors, cultural heritage experts, and entrepreneurs, businessmen having the same interests and willing to find mutual understanding in contributing effective conflict resolution. The main goal of such kind of events is purely people-to-people contact restoration through daily processes. Some local civil society organizations already work in all those directions, but greater efforts and proactive steps are still needed to reach tangible outcomes. Active involvement of youth and social activists in confidence building processes also requires much greater attention in this troubled region.

Each project and initiative devoted to peace-building activities can modify perceptions and expectations, which in turn can change relations and behaviours, and thereby alter the context of conflict resolution. In particular, there is a tremendous role the women activists could play in this direction. For instance, the contributions that women's organizations make to peace-building efforts are recognized,<sup>3</sup> as is the important role of women in peace-building.<sup>4</sup> Making progress in the conflict resolution process therefore requires inclusion of women in confidence building to bring their constructive role in peace dialogue to the agenda. Decision-makers, mediators, donors and other stakeholders wishing to contribute to making progress in the peace process should cooperate closely with women's organizations in Ukraine, Moldova and the South Caucasus to support their initiatives to gain greater influence and increased participation in peace-building.

Hence women's engagement is indeed essential because their greater involvement in a long-term perspective will create simple, yet good and powerful people-to-people contacts that can help break negative stereotypes, create new friendships and unite former colleagues. During the process, entrenched narratives on the cause and origin of the conflicts are usually challenged on all sides. This in itself may not solve the conflict, but it will certainly contribute to laying the foundations of sustainable peace.

Most importantly, international mediators should identify and actively contact women human rights defenders in Eastern Europe and the South Cau-

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<sup>3</sup> UN Security Council document, S/RES/1325/2000, 31 October 2000, paragraph 14.

<sup>4</sup> *Ibid.*, paragraph 15.

casus to ensure that their knowledge and experience is utilized in the peace process. Supporting women's participation in the peacebuilding is a significant strategic investment. It strengthens the prospects of women's security and long-term enjoyment of human rights, thereby contributing to the social, economic and psychological recovery and democratization of society as a whole. However, the window of opportunity provided by conflict resolution process for supporting women's participation in peace dialogue is far too often left unopened.<sup>5</sup> To energize the role of women's peace movement in the conflict-torn region, community-based dialogue spaces such as, for instance, a South Caucasus Women's Peace Association should be created.

Applying peacebuilding initiatives, which had been previously proposed by the author of this chapter, such as Free Economic/Trade Zones in and around Nagorno-Karabakh,<sup>6</sup> an Energy Policy Management Institution in the Black Sea-Caspian Basin,<sup>7</sup> and a South Caucasus Strategic Peacebuilding Group under the EU's Eastern Partnership,<sup>8</sup> may have to be revisited and supplemented by new and innovative ideas if necessary.

At the same time, commonly held interests should be defined as peacebuilding to promote a lasting reconciliation and bring about an eventual resolution of conflicts, focusing mainly on concrete projects that deal, inter

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<sup>5</sup> Private conversations with women activists who requested anonymity. Tbilisi, 19 September 2017 and Baku, 29 May 2018.

<sup>6</sup> Nuriyev, Elkhan. *Re-engaging Armenia and Azerbaijan in Reconciliation Process: Prospects and Incentives for Nagorno-Karabakh Breakthrough*. In: Felberbauer, Ernst/Labarre, Frederic (Eds.): *What Kind of Sovereignty? Examining Alternative Governance Methods in the South Caucasus*, Study Group Publication Series, National Defense Academy, Vienna, Austria, 3/2014, p. 177.

<sup>7</sup> For more details, see Nuriyev, Elkhan. *Future Energy Security in the Black Sea-Caspian Region: Towards Establishing an Energy Policy Management Institution in the Post-Conflict Situation*. In: Labarre, Frederic/Niculescu, George (Eds.): *Building an Energy Policy Management Institution for the South Caucasus*, Study Group Publication Series, National Defense Academy, Vienna, Austria, 7/2017, pp. 13-20.

<sup>8</sup> See Nuriyev, Elkhan. *Re-energizing Peace Process in the South Caucasus*. In: Labarre, Frederic/Niculescu, George (Eds.): *South Caucasus: Leveraging Political Change in a Context of Strategic Volatility*, Study Group Publication Series, National Defense Academy, Vienna, Austria, 5/2019, p. 214.

alia, with environmental issues, water management, human security, health care, academic/education programs, agriculture, and youth exchanges.

## **Moving Forward**

In order to overcome the existing political, cultural and societal clashes within and between the post-Soviet states, existing value systems, stereotypes, behavioral patterns in the political and the societal arena need to be adjusted so as to give way to a more prosperous and peaceful future. This, of course, cannot be achieved without the support and positive attendance of local and regional stakeholders. In addition, the long-term success of national and international initiatives to support and strengthen the development of democratic structures, civil society and peaceful cohabitation of the EU's Eastern neighbors relies to a greater extent on the ability and willingness of the young generation to contribute to and include themselves into future societal and political structures of their own home countries.

While working on reconciliation issue, it is important to have different parts of society involved in creating and developing new strategies on peace-building and conflict resolution. This needs to be guiding document covering concrete steps. The expectation that regional conflicts will be solved tomorrow and mutual understanding will be established immediately should not dominate the narratives. Instead, peace support organizations have to think strategically about a number of incremental, yet consistent, long-term oriented activities, avoiding any means of aversion or aggression. For this to happen, the Study Group on Regional Stability in the South Caucasus, as the region's premier track-two diplomacy platform, should encourage effective coordination between the national governments, local civil society actors and international mediators, so that they can agree on strategic approaches and take coordinated steps.

**PART III:  
SCENARIOS FOR SETTling THE STATUS OF  
ABKHAZIA, SOUTH OSSETIA,  
NAGORNO-KARABAKH**



# The Georgian Diaspora in Russia: Modern History and Prospects of Building Georgian-Russian Relations

*Georgy Turava*

## Theoretical Framework

According to the Oxford dictionary, the word “diaspora” itself is of Greek origin and is a composite of *dia* meaning “across” and *speirein* meaning “to sow or scatter seeds.” It also is interpreted exclusively through the prism of Jewish history and refers to the lives of only these people, thereby indicating that the first diasporas appeared after the destruction of Jerusalem. Then this word became a constant metaphor for people who suffered “loss of homeland and genocidal violence.”<sup>1</sup> It should be noted that the “diaspora” concept had referred to mostly religious groups in the 20<sup>th</sup> century.

The concept of “diaspora” entered the social sciences at the end of the 1950s and the beginning of the 1960s and was mainly used in American sociology and political science to describe a narrow number of situations, primarily in relation to the Jewish and African-American communities. In 1976, J. Armstrong published an article entitled “Mobilized and proletarian diasporas”,<sup>2</sup> setting the direction for study of political processes within diasporas and related to other diasporas. Besides Armstrong, the following Western researchers made a great contribution to the theoretical conceptualization of the diaspora phenomenon: R. Brubaker, G. Sheffer, J. Clifford, R. Cohen, W. Safran, D. Anand, K. Tölölyan and many more distinguished academics.

In Russia, research interest on this concept appeared only in the second half of the 1990s. Undoubtedly, the dissolution of the USSR forced the expert and academic community to pay attention to the diaspora phenomenon. Conditions for the free movement of people in the post-Soviet space

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<sup>1</sup> Tölölyan, Kachig. *Rethinking diaspora(s): Stateless power in the transnational moment*. In: *Diaspora: A Journal of Transnational Studies*, 1/1996, pp. 3-36.

<sup>2</sup> Armstrong, John A. *Mobilized and proletarian diasporas*. In: *American Political Science Review*, 76/1976, pp. 393-408.

arose, which contributed to the formation of powerful migration flows primarily from the former republics of Central Asia and the Caucasus. As a consequence, the process of diasporization began.

In this article I will rely on the concept of “accidental diasporas” proposed by R. Brubaker. According to the author, the emergence of these types of diasporas connect with the disintegration and dissolution of large state formations, leading to a change in political borders. The idea that the author places the core of “accidental diasporas” is not the movement of people across borders, but the movement of the borders themselves. These diasporas, in contrast to the already familiar historical or labor diasporas, arise instantly as the result of a sharp change in the political system, contrary to the wishes of people. They are more compact than labour diasporas, which tend to be scattered in space and weakly rooted in host countries.<sup>3</sup> This approach allows us to conceptualize the initial stage in the formation of Georgian diaspora in Russia.

Additionally, we will apply the classification of the diaspora formulated by Russian academic V. Popkov, which consists of eight criteria: 1) common historical destiny, 2) legal status, 3) circumstances of the emergence of diasporas, 4) the nature of the motivation for relocation, 5) the nature of the stay in the region of the settlement, 6) the presence of a “base” in the region of the new settlement, 7) “cultural similarity” with the host community, and 8) the presence of state entities in the country of origin.<sup>4</sup>

Consequently, the diaspora in modern conditions is institutionalized as a set of ethnophores possessing an updated ethnocultural identity, having outside its country of residence nation state (or claims to its formation), a system of internal and external ties aimed at maintaining their identity, maintaining contacts with the country of origin, the “historical homeland.”

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<sup>3</sup> Brubaker, Roger. Accidental diasporas and external “homelands” in Central and Eastern Europe: Past and Present. In: HIS Political Science Series, 71/22, pp. 1-19.

<sup>4</sup> Popkov, Vyacheslav D. *Nekotoryye osnovaniya dlya tipologii diaspor*. In: Diasporas, 1/22, pp. 6-22.

## Why does Georgia's Diaspora in Russia matter?

In order to assess the significance of the Georgian diaspora, one needs to look at the statistics. Nowadays it is very complicated to assert the exact number of Georgians living in Russia because numbers vary widely. According to the Russian Census of 2010 (the latest one), there are 158.995 Georgians in Russia,<sup>5</sup> compared to 197 934 in 2002. The State Commission on migration issues of Georgia provides us with the opposite figures. It says that Russia accommodates most of the emigrants from Georgia with the total number of 450 221 persons (the state of affairs by 2015).<sup>6</sup> According to information provided by the Office of the State Minister of Georgia for Diaspora Issues to the Institute for Development of Freedom of Information (IDFI), unofficially 1 607 744 Georgians reside abroad, and those residing in the Russian Federation (800 000) account for the largest share. Some experts consider that roughly one million Georgians live in Russia. As a consequence, the lack of reliable data on Georgian migration has a wide-ranging impact on Tbilisi's ability to adapt government policies to changing population patterns. Nevertheless, it is obvious that the Georgian diaspora in Russia is the largest one in the world.

As for money transfers to Georgia, according to the World Bank data, remittances to Georgia amount to a bit more than 12,5 percent of its GDP. In 2018, the amount of remittances was some 2 billion USD.<sup>7</sup> The share of transfers from Russia is more than 30 percent, though its share has been significantly decreasing over the past few years. One should also take into account the high volumes of physical export of cash from Russia to Georgia. Thus, the funds sent to their native country by emigrants are one of the important sources of foreign currency inflow to Georgia.

Many Georgian businessmen in Russia own large amounts of capital and occupy a special place in Russia's financial sector. According to research

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<sup>5</sup> Russian Federation Census Bureau. *Russian Census of 2010* <[https://www.gks.ru/free\\_doc/new\\_site/perepis2010/croc/perepis\\_itogi1612.htm](https://www.gks.ru/free_doc/new_site/perepis2010/croc/perepis_itogi1612.htm)>, accessed on 03.11.2019.

<sup>6</sup> Migration Commission of Georgia. *Migration profile of Georgia 2017* <[http://migration.commission.ge/files/migration\\_profile\\_2017\\_eng\\_final\\_.pdf](http://migration.commission.ge/files/migration_profile_2017_eng_final_.pdf)>, accessed on 03.11.2019.

<sup>7</sup> World Bank. World Bank Data <<https://data.worldbank.org/indicator/BX.TRF.PWKR.CD?locations=GE>> , accessed on 03.11.2019.

conducted by the Economic Policy Research Centre in 2012 that looks at the potential of the Georgian diaspora from the perspective of investments (including foreign investment), Georgian businessmen operating in Russia own more capital than any of the other six main target countries (USA, UK, Turkey, Russia, Italy, Spain and Greece).<sup>8</sup>

Today many scientists of Georgian origin work in Russia. It should be noted that many of these scientists are prominent representatives of their profession and receive wide recognition in Russia. Moreover, thousands of Georgian students study in Russia. These are all aspects of Georgia's huge human capital that have not been fully utilized.

In sum, one can observe that Georgians residing in Russia represent a significant force and great potential, which is often not used by the Georgian state, due to complex political problems, which we will touch upon later.

### **Georgian Diaspora Organizations**

The Georgian community in Russia after the collapse of the USSR took various forms. It was not just a meeting of compatriots or poorly organized communities by any means; rather, it has taken on institutional forms and acts under the purview of Russian law. In Russia, there have been a large number of diaspora organizations operating at the local, regional and federal levels. There also have been objective factors and external conditions that gave impetus to the establishment of organizations and determined their ideological foundations and ways of working. In most cases, the intensification of diaspora activity was impacted by political processes that took place at different times both in Georgia and Russia.

In this paper, I would like to single out three diaspora organizations operating at the national level: 1) Georgian Society in Russia, 2) Union of Georgians in Russia, 3) Georgian Federal National and Cultural Autonomy in Russia. Let us examine their activities in more detail.

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<sup>8</sup> Gachechiladze, Mariam. *Russia's Georgian Diaspora and Georgian-Russian Relations*, Research Report 2015. <<https://e.mail.ru/attachment/15726314721037473626/0;1?x-email=giorga939%40mail.ru>>, accessed on 04.11.2019.

### *Georgian Society in Russia (1990s – 2005)*

The late 1980s and early 1990s were a difficult period in the history of Georgia. On April 9, 1989, an anti-Soviet demonstration was dispersed by the Soviet Army, resulting in 21 deaths. Moreover, Georgia was involved in two interethnic and intranational conflicts: the Georgian-Ossetian and the Georgian-Abkhazian war. On a parallel track, a civil war in Georgia occurred; it was a struggle against the first elected President of Georgia, Zviad Gamsakhurdia. In the human dimension, these conflicts have led to the formation of a large number of refugees and internally displaced persons.

Under these conditions mentioned above, one of the first Georgian organizations – *Georgian Society in Russia* – was established. The organization had a quite distinct structure and regional branches. As far as its scope of activity was concerned, it often carried out round table discussions on Abkhazia and offered cultural and educational activities, such as a dance troupe and various courses on Georgian language, history, etc.

However, after the 2000s, the activity of the Society eventually began to diminish due to two factors. The first factor was connected with the decision to sell the building (“Mziuri”) that housed the Georgian Society in Russia. Then, the Ministry of Foreign Affairs of Georgia declared that the sale of the center “Mziuri” was due to the fact that the Ministry was planning to purchase embassies in a number of countries.<sup>9</sup> The second reason of termination of activities was the death of the president of the organization, Iveri Prangishvili.

### *Union of Georgians in Russia*

This Union was founded in 2007, the president of which till demise of the organization had been Mikhail Khubutia. Khubutia is a major Russian businessman and public figure. At one time, he worked in the public service, but later decided to focus only on his business. In the ensuing years, as it was stated, he headed the Union of Georgians in Russia. During one

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<sup>9</sup> “Novyy glava MID Gruzii nachal s prodazhi kul’turnogo tsentra v Moskve”, Lenta.ru, 25 October 2005, <<https://lenta.ru/news/2005/10/24/sold/>>.

interview, Khubutia claimed having spent 17 million USD on Georgian diaspora issues between 1997 and 2012.<sup>10</sup>

It stands to mention that the Union's activity had been very intense since the newspaper had been published; contacts were developed in cultural and scientific fields, and many other projects were carried out. It must be added that activity was primarily dependent on the financial capabilities of the president of the organization who often either sponsored events or found investors among his circle.

However, through the Georgian-Russian prism, the Georgian diaspora in Russia seemed to have fallen victim to political tensions between the two countries. With the advent of Mikheil Saakashvili, the foreign policy course of Georgia, which is oriented towards integration with NATO and the EU, was changing. At the same time, relations with Russia worsened, reaching their lowest point in 2008. In addition, Georgian rhetoric hardened with regard to its northern neighbour, which took on the image of the enemy in Georgian political discourse.

In reaction to this discourse and foreign policy shift, Moscow imposed an embargo on Georgian products, inflicting considerable damage on the Georgian economy and increasing pressure on the Georgian diaspora, culminating in the mass deportation of Georgians in 2006. In addition to arresting four Russian officers for alleged espionage, an anti-Georgian campaign was launched on the whole territory of the Russian Federation.<sup>11</sup> According to the Ministry of Justice of Georgia, 4636 citizens of Georgia were deported from Russia in 2006.<sup>12</sup>

Moreover, Khubutia was an overly politicized person. He came off as being close to the leadership of Russia. His views on the foreign course of Georgia diverged greatly from Saakashvili's approaches in foreign policy. Often, Khubutia was an ardent critic of the Saakashvili regime and insisted on

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<sup>10</sup> Gachechiladze, op. cit.

<sup>11</sup> Ibid.

<sup>12</sup> "ECHR rules Russia must pay Georgia €10 mn for forceful deportations, inhumane treatment of citizens in 2006", *JamNews*, January 2019, <<https://jam-news.net/echr-rules-russia-must-pay-georgia-e10-mln-for-forceful-deportations-inhuman-treatment-of-citizens-in-2006/>>.

immediate dialogue with Russia. In Georgia, the identity of the president of the Union also provoked a mixed reaction, often negative among the Georgian political establishment. He was not perceived as the leader of the Russian Georgians and had a negative background in the important matter of rapprochement between Russia and Georgia. Chief of Intelligence Services Gela Bezhuashvili stated eloquently that “Russia aims at toppling down the Georgian authorities and for this they have actively been working with the Georgian diaspora.”<sup>13</sup> Mikheil Saakashvili, too, argued that the Union of Russia’s Georgians was founded by the Kremlin, and for this reason there can be nothing in common between the Union and the Georgian Government.<sup>14</sup>

The leader of the Georgian diaspora in Russia enthusiastically greeted the new government in Georgia and expressed confidence that the new president, Margvelashvili, would be able to change the foreign policy course, which, according to him, should be more flexible.<sup>15</sup> In general, as one Georgian analyst put it,

...in spite of the fact that tension between Georgia and Russia has somewhat faded since 2012, it seems that the issues of the Georgian diaspora still remain a taboo on both political and public levels, which in turn provides evidence that Russia’s Georgian diaspora is constantly being considered from a “securitization” perspective.<sup>16</sup>

The organization ceased to exist in 2015 after inspections by the Ministry of Justice of Russia, which identified significant violations that led to its liquidation by the Supreme Court of Russia.

### *Georgian Federal National and Cultural Autonomy in Russia*

2016 is an important milestone in the development of the Georgian diaspora in Russia: in this year, a new all-Russian public organization, the Federal Georgian National and Cultural Autonomy, was created. Currently this is

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<sup>13</sup> Gachechiladze, op.cit.

<sup>14</sup> “‘Talk with Government.’ Saakashvili Tells Moscow”. In: Civil Georgia, 4.2.2009. <<https://old.civil.ge/eng/article.php?id=20373&search>>, accessed on 04.11.2019.

<sup>15</sup> Grigoriev, Aleks. *Gruzija: novyy prezident – novaya politika?* In: Golos Ameriki, 29.11.2013, <<https://www.golos-ameriki.ru/a/new-president-of-georgia/1778865.html>>, accessed on 04.11.2019.

<sup>16</sup> Gachechiladze, op.cit.

the only Russian federal diaspora association in Russia. The head of the organization, G. Tsurtsuniya, mentioned that the main goals of the organization are to unite and support Georgians and Georgian immigrants living in the territory of the Russian Federation, to improve the interethnic climate in the country, and to strengthen good-neighbourly relations between Russia and Georgia.<sup>17</sup> In general, the main focus of the organization is to provide assistance to youth. The Council of Young Leaders in the organization was established, which includes young activists from all over Russia. The main goal of the council is the promotion of Georgian culture and history, as well as the preservation of identity. Over the short years of its existence, the organization has managed to conduct a number of events, has provided assistance to youth student associations, and won a presidential grant for a project aimed at the adaptation, support, and cultural assimilation of people from the countries of the Caucasus region arriving in Russia.

### **Migration Framework in Georgia**

If one takes a closer look at the legislative and institutional framework on migration in Georgia, it seems that neither during Shevardnadze's presidency nor Saakashvili's did Georgia have any policy or declared strategy in relation to Georgians living abroad, including towards the Georgian diaspora in Russia. Before 2008, at the level of official departments, jurisdiction regarding the Georgian diasporas was divided among the Ministry of Foreign Affairs, the Ministry of Refugees and Accommodation, and embassies and consular offices in various countries. In 2008, the post of State Minister's Office on Diaspora Issues of Georgia was established. Also, in 2008, the Committee on Relations with Compatriots Residing Abroad was created, although in 2010 it was renamed the Committee for Diaspora and Caucasus Issues.

Policies related to emigration, diaspora engagement and return migration in Georgia are relatively new. In October 2010, the government created the State Commission on Migration Issues (SCMI) but it was not until 2012

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<sup>17</sup> "V Rossii poyavilas' novaya organizatsiya gruzinskoy diaspori", *Ekhokavkaza*, 1 February 2016, <<https://www.ekhokavkaza.com/a/27523695.html>>, accessed on 04.11.2019.

that it approved a much more developed migration strategy, which notably included an action plan to support it. In November 2011, the Georgian Parliament adopted a legislative framework for relations with the diaspora in the form of the Law on Compatriots Residing Abroad and Diaspora Organizations, which came into effect on 1 March 2012. In 2013, the Office of the State Minister developed a State Strategy for Diaspora Issues, aiming to define government policy on diaspora issues and promote the management of migration processes in relation to the diaspora. As of January 2017, the Ministry of Foreign Affairs has taken over responsibility for the strategy since in 2016, the Office was dissolved and merged with Ministry of Foreign Affairs (department for Relations with Diaspora).<sup>18</sup>

### **Main Challenges for the Georgian Diaspora in Russia**

Obviously, the Georgian diaspora in Russia faces many challenges. The first and foremost challenge is the lack of financial recourses. In addition to the federal organization, there are many diaspora associations in Russia, the lion's share of which has difficulty in financing their activities. Though there are a large number of Georgian-born businessmen in Russia, most of them are not much interested in diaspora issues.

The second factor that hampers the development of the Georgian diaspora in Russia is a lack of unity among diaspora organizations. Despite the fact that all organizations have one goal – the preservation of the identity of Georgians and the dissemination of culture – there is disunity, which is largely due to the fact that members of the diaspora have differing political views. The divergence of views and opinions leads to a third problem – the problem of distrust among members of the diaspora.

Last but not least, Georgian authorities do not pay much attention to the Georgian diaspora in Russia. As experience shows, in the process of normalizing Russian-Georgian relations, Georgia does not consider the diaspora factor. However, if until 2012 the Georgian diaspora in Russia bore the “pro-Russian” label in Georgian political discourse and the general back

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<sup>18</sup> Ministry of Foreign Affairs of Georgia, <<http://www.mfa.gov.ge/Home.aspx?lang=ka-GE>>, accessed on 04.11.2019.

ground in this direction was negative, then the approaches of the current Georgian authorities in this regards are clearly neutral.

### **Georgian Diaspora and Georgian-Russian Relations**

One can see that the Georgian diaspora in Russia holds great potential, because it is elementarily the largest one, and accordingly its possibilities are much wider than other diasporas have. Often, the diaspora becomes the subject of political speculation, which was especially evident during the presidency of Saakashvili and during the existence of the Union of Georgians in Russia. The parties often fell upon each other with accusations instead of consolidation. The new authorities took a rather neutral position with respect to the Georgian diaspora in Russia. No active steps have been taken by the Georgian authorities to build bridges between Georgia and Georgians in Russia.

Nevertheless, the Georgian diaspora can play an important role in Russian-Georgian relations. Properly arranged work with representatives of the diaspora allows for the attraction of significant financial and human resources for the implementation of large investment projects. In addition, the best representatives of former compatriots who do not lose or renew their ties with their homeland are able to be headlines of public opinion, participating in building an attractive image of the state. Thus, the diaspora can be considered as one of the most significant vehicles of “soft power.”

I would advocate that there is one important factor in relation to the interplay between diasporas and foreign policy. Above all, states are able to work closely with diaspora groups not merely as lobbying agents which is difficult because of the absence of diplomatic relations between Russia and Georgia, but as instruments of soft power that endeavor to shape social and public opinion within an inimical state (Georgia sees Russia as a constant threat to its development). This is extremely the case of Georgia, since, for instance, the increasing number of Russians believes that it is now dangerous to visit Georgia. Thus, the Georgian diaspora can contribute to creating a favourable background for political dialogue between the two countries.

In general, if Georgia continues to improve the organization of communications with the Georgian diaspora, i.e. if diaspora units are established under competent government departments, interactive web portals are created to provide online contacts with organizations and members of the diaspora, then the Georgian diaspora can become the “soft power” of Georgia. Of course, the existence of the potential of “soft power” does not mean the automatic possession of such power. Consistent, systematic work is needed to convert such potential into a real tool for achieving the state’s foreign and domestic political goals. It is also advisable for Georgia to turn to the international practice of using the institution of public diplomacy, being a tool for promoting “soft power.”



# The Transitional Period Framework for the Restoration of the Integrity of Armenian Statehood

*Hratchya and Armine Arzumanyan*

## Introduction: Historical and Strategic Contexts

The collapse of the USSR led to the formation of the post-Soviet space with its own logic and grammar. The absence of established political elites, as well as the power centers' consensus that the post-Soviet is a post-imperial one did not allow young states to go beyond proposed frameworks during assessing of national goals, challenges and threats. The problems of Armenian statehood, including the problem of Artsakh (Nagorno-Karabakh), can also be viewed through the lens of the post-Soviet frame.

The Artsakh conflict in its current form originated during the period of formation of the USSR. In its efforts to overcome the international isolation and achieve international recognition, the Soviet Union, upon a decision adopted within the framework of regulating its bilateral relations with the Turkey, transferred Artsakh and Nakhijevan into the Azerbaijani SSR. In 1923, on the part of the territory of historical Artsakh, the Nagorno-Karabakh Autonomous Oblast (region) was formed (NKAO). As a result of the collapse of the USSR by the end of the 20<sup>th</sup> century, two state formations came into being on the territory of the former Azerbaijani SSR: the internationally recognized Republic of Azerbaijan which declared itself the legal successor of the Democratic Republic of Azerbaijan of 1918-1920, and the unrecognized Republic of Artsakh that was forced since early days to organize its self-defense in an existential war. The logic and grammar of the post-Soviet space, as well as the pressure of the geopolitical centers of power, led to the fact that the concept of two states was chosen as a framework of Armenian statehood, which created many problems stemming from the disintegration of the space of Armenian statehood.

Qualitative changes in the world's political system and security environment lead to the dissolution of the post-Soviet space, which is becoming a part of political history. Currently, processes in the South Caucasus should

not be viewed in isolation from processes in the Greater Middle East, forcing post-Soviet states to adapt their policies and strategies to the emerging security environment. The finality of the post-Soviet period was clearly manifested in Armenia. Armenia's limited resources on the one hand, and the need to form a response to existential threats on the other led to a deep systemic crisis and awareness of the exhaustion and dangers of the post-Soviet frame. The velvet revolution of 2018, that made possible by the mobilization of the Armenian people during and after the April war of 2016, was the response of the Armenian people to the failure of the post-Soviet ruling elite eventually removed from power.<sup>1</sup> A process of systemic (revolutionary) reforms has begun in Armenia, and its implementation requires gathering the potential of the entire Armenian people.

The realization of the completeness of the post-Soviet phase of the Armenian history leads to the need to initiate a transition period, within which the negative consequences of the post-Soviet period will be overcome and conditions for further development will be created. The development of Armenian statehood in the transition period requires the development of a *framework for the transition period* that would inter alia close the gaps in the space of Armenian statehood and allow the creation of a United Armenia on the basis of two Armenian states and finalized the process of “Miatsum” (Reunification). Within the limits of this piece, precisely these aspects of the framework of the transition period are addressed.

## **1. United Armenia as an Element of the Transitional Framework**

The transition period framework should create the conditions for overcoming external and internal constraints and achieving de jure unification of the two Armenian states of the post-Soviet period. Given the complexity of regional and geopolitical challenges and threats, the framework suggests completing the architecture of Armenian statehood, when the Republic of

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<sup>1</sup> Arzumanyan, Hrachya. *Velvet Revolution in Armenia: Challenges and Opportunities*. In: Labarre, Frederic and Niculescu George (Ed.): *South Caucasus: Leveraging Political Change in a Context of Strategic Volatility*. 18<sup>th</sup> Workshop of the Study Group, National Defence Academy at the Austrian Ministry of Defence, Vienna, April 2019, pp. 105-118.

Armenia and Artsakh would be elements or units of a united state.<sup>2</sup> The three main forms of unification of the Armenian states can be outlined: confederation, federation and unitary state. The creation of a federal state of United Armenia with a presidential form of government seems to be the best solution in the evolving security environment.

In the process of building United Armenia, Armenian statehood will have a hybrid character since into the future federation will include states having different form of sovereignty,<sup>3</sup> statuses in the international arena and different types of state power organization. United Armenia will include the Republic of Armenia recognized by the international community and the de facto existing but unrecognized Artsakh. In addition, the Republic of Armenia today is a state with a parliamentary system of government, and Artsakh – a presidential one.

Thus, United Armenia within the transitional period framework is a hybrid federal state that will evolve or transform depending on the state-building strategy and the emerging context of the security environment. The development and implementation of a transitional framework will require the creation of a body, the Task Force, to coordinate the efforts of all branches of government of both Armenian states. The creation of the Task Force within the framework of the Security Councils of the Republic of Armenia and Artsakh seems most natural. At a certain stage of framework unfolding, the creation of an Interstate Commission may be required. The participation of the Armenian diaspora, as well as the powers and functions of the Task Force and the Interstate Commission are a political task that must be solved at the earliest stages of framework development.

An integral part of the transitional framework is the principles, strategy, roadmap and procedures on the basis of which it will unfold in time. The

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<sup>2</sup> Breuilly, J and Speirs, R. *The Concept of National Unification*. In: Speirs, R/Breuilly, J (Eds.). *Germany's Two Unifications. New Perspectives in German Studies*. Palgrave Macmillan, London, 2005.

<sup>3</sup> Arzumanyan, Hrachya. *Armenian statehood and sovereignty games*. In: Felberbauer, Ernst and Labarre, Frederic, (Eds.): *What Kind of Sovereignty? Examining Alternative Governance Models in the South Caucasus*. 8<sup>th</sup> Workshop of the Study Group Regional Stability in the South Caucasus, National Defence Academy, Vienna, 2014, pp. 133-148.

principles of reforming the constitutional field of Armenian statehood, the possible structure and functions of the main branches of power of the United Armenia, as well as the principles of the Artsakh settlement within the framework are discussed below.

### *1.1 The principles of reforming the constitutional field of Armenian statehood*

Within the framework of the transition period, it will be necessary to clarify the principles on the basis of which the constitutional field of United Armenia is to be created.

**The constitutional field will be developing on a large scale of time.** In the post-Soviet period, a negative trend was shaped in Armenia. The ruling elites make changes to the constitutional field based on the logic of power struggle instead of adapting to the shifts in the global political arena. The existing global experience unequivocally states that such an attitude to the constitution ultimately leads to degradation of society and the state. The development of the transitional framework will require updates in the philosophy of nation building when changes in the constitutional field and reforms take place on a larger scale of time.

**Creating conditions for restoring the integrity of the constitutional field of Armenian statehood.** The constitutional field of Armenian statehood in the post-Soviet period was torn apart as two different constitutions are operating in the Republic of Armenia and the Republic of Artsakh. Within the framework of the transition period, the constitutions of the Armenian states should be synchronized and brought to a common constitutional architecture. Thus, the necessary conditions will be created for the development of a shared constitution for United Armenia, restoring the integrity of the constitutional field of Armenian statehood.

**The constitutional field is the future of Armenia.** The constitutional field should not merely state current conditions, but also shape the future of Armenian statehood. In a sense, we can talk about projected activity and philosophy, when constitutional activity does not formalize, but forms Armenian statehood based on the 21<sup>st</sup> century vision of Armenia.

The Armenian people today is a global phenomenon. Up to 80 percent of Armenian people live outside of Armenia. The constitutional field should take into account the rights and obligations of this part of the Armenian people in relation to Armenian statehood. The Armenian constitutional field should also create the prerequisites for restoring the succession of Armenian statehood based on the decisions of the League of Nations, other international treaties concluded by the First Republic before its annexation by the USSR.

Thus, the constitutional field of Armenian statehood within the transitional framework should be able to describe the possible changes in the boundaries and status of Armenia in the turbulent environment of the Greater Middle East without the need to make changes to its architecture. The constitutional field should be able to shape both the Armenian statehood, localized in the Armenian Highlands, and the Diaspora, reflecting the realities of the Armenian people of the 21<sup>st</sup> century. The Armenian constitutional field should be inclusive, not exclusive, encouraging and supporting the openness of the Armenian society and people.

### *1.2 The structure and functions of the main branches of power of the United Armenia*

The following part briefly discusses the possible structure and functions of the main branches of power of the United Armenia, as well as the issues of interaction and the mandate of the Republic of Armenia, Artsakh and United Armenia within the framework of the transitional period.

**Executive power.** Relations between executive bodies of the United Armenia, the Republic of Armenia and Artsakh are hierarchical. The deployment of the executive power of the United Armenia would be based on the relevant institutions of the Republic of Armenia through the complication of the functions. Armenian statehood already has appropriate experience on the example of the formation of the Joint Armed Forces of Armenia on the basis of the Artsakh Defense Army and the Armed Forces of the Republic of Armenia.

**Representative power.** The deployment of a federal state will require changes in the architecture of representative power. The existing structures of representative power of the Republic of Armenia and Artsakh should be

supplemented by the bodies of United Armenia, organized in two chambers: the Supreme Assembly (lower house) and the Senate (upper house). The Supreme Assembly of United Armenia represents the interests of citizens residing in the territory of Armenian states. The Senate allows ensuring the integrity of the Armenian people by representing the interests, rights and obligations of the Armenian diaspora within the framework of Armenian statehood.

**Judicial branch.** The judicial system of United Armenia should also be unified. The existing judicial system of the Armenian states needs radical reforms. The implementation of judicial reforms to shape the judicial system of United Armenia is a complex problem given the large scale of time that developing such a system requires. For example, the new judicial system will have to redistribute power between local and supreme courts providing, on the one hand, a balance between the integrity and hierarchy of the system as a whole, and broad autonomy and independence of the judiciary at the local level, on the other.

## **2. Principles of Artsakh Settlement within the Framework of the Transitional Period**

The creation of United Armenia allows us to simplify the process of Artsakh settlement, bringing its description and interpretation closer to the existing reality. The conflict around Artsakh, as a legacy of the USSR, evolved in the post-Soviet period adapting to the changing security environment. The creation of United Armenia allows the international community to operate with one actor from the Armenian side, while retaining the opportunity to reach a settlement within the framework of various scenarios, depending on how the processes will develop in the international arena and how the format for resolving the Artsakh problem will evolve. Two possible scenarios of the Artsakh settlement and the way they are described in the framework of the transition period are discussed below.

*Scenario 1. The parties to the conflict recognize the existing reality.*

In this scenario, the long-term viability of the dynamic status quo is recognized and efforts are made to restore the distorted format of negotiations and return Artsakh to the negotiating table as one of the main parties to the

conflict along with Azerbaijan. Republic of Armenia preserves the role of the security guarantor of Artsakh, but is no longer perceived as a party of the conflict.

Within the framework of the transition period and the creation of United Armenia, Artsakh takes part in the discussion of the problems of settlement and retains the necessary foreign policy functions broadly transferred to the Foreign Ministry of United Armenia. The settlement around Artsakh in this case comes down to solving the problem of amendment of boundary between Azerbaijan and Artsakh, as two state actors formed on the territory of the Azerbaijan SSR as a result of the collapse of the USSR.

The conflict settlement in this case is limited to the territory of the former Azerbaijan SSR and allows to avoid increasing the scale of the problem and the number of actors involved in its resolution. At the same time, the international community will not have to find ways to formalize the status of Artsakh as a state entity within the framework of international law by virtue of Artsakh becoming a part of United Armenia and its succession to the Democratic Republic of Armenia.

The main problem of this scenario is for the international community to convince or coerce Azerbaijan to agree with the recognition of Artsakh as a party of the conflict and the main state actor with whom it negotiates without initiating large-scale hostilities as it used to be in 1992-94.

*Scenario 2. Recognition of the necessity to restore status quo ante by the parties of the conflict.*

Within this scenario, a problem arises with determining the point of return and clarifying the actors who are parties of the conflict and participating in the settlement process. By acknowledging the completion of not only the Soviet, but also the post-Soviet period, it seems appropriate to roll back to a point before the emergence of the USSR. In this case, the new frame will be built on international treaties signed after the end of the First World War and the decisions of the League of Nations. Azerbaijan, recognizing itself as the legal successor of Democratic Azerbaijan, appeals to this basis. The consent of United Armenia to move to the same basis will create the necessary legal prerequisites for the evolving of this scenario.

In this case, the existing statement of the Artsakh problem, which is the result of decisions taken within the USSR, is removed. The parties to the conflict are United Armenia and Azerbaijan, and the problem itself is reduced to clarifying the borders and signing a peace treaty between these actors. The Republic of Artsakh, as part of United Armenia, reserves the right to veto decisions made by actors if they do not take into account the interests of the Artsakh society.

Within this scenario, the Artsakh problem is being generalized as an element of the international Armenian issue when the borders between United Armenia and Azerbaijan should be clarified not only in the Artsakh direction, but, for example, in Nakhichevan. In addition, the circle of actors directly involved in the settlement process will expand. Nonetheless, reaching a settlement under this scenario will make it possible to achieve long-term peace with the inevitable revision of the role and place of geopolitical and regional centers of power in the South Caucasus.

### **3. United Armenia in a Regional and Broader International Outlook**

As discussed above, the necessity to establish a hybrid Armenian state through a unification of the recognized Republic of Armenia and the unrecognized de-facto independent Republic of Artsakh is a direct consequence of the growing inapplicability of general and regional policies and governance approaches typical for the USSR and the post-Soviet space to the current political and security environment of both the Armenian states and the South Caucasus as a whole. The existing international approaches and frameworks regarding the settlement of the Artsakh issue focus mainly on updating the status of Artsakh as related solely to that of Azerbaijan and not Armenia. Those frameworks, too, have proved to be practically inapplicable, lengthy and essentially fruitless for the past three decades.

This work views a unification of the two Armenian states as a better-applicable approach. Rather than altering the sovereign status of Artsakh as related solely to Azerbaijan and seeking international recognition for Artsakh's status separately, this piece suggests a mutually agreed unification of two democratic Armenian states into a hybrid federation and seeking international recognition for the newly emerged federation as a whole. The gross domestic bases of this unification have been in place for more than two decades, while rapid changes in regional and global politics and the

necessity of better-suited conflict settlement frameworks in the South Caucasus create space and opportunity for it. Two scenarios of Azerbaijan's potential response to this unification and the effect it would have on the settlement of the Artsakh issue have been discussed above. The following part of the work will address the expected regional and broader international responses to the emergence of Unified Armenia and its international recognition.

While assessing each of these responses separately, three important aspects of the unification scenario should be paid particular attention to. First and foremost, given that Artsakh has existed as a de-facto independent state, its will to form a federation with the Republic of Armenia upon mutual agreement as a new type of hybrid statehood cannot be viewed as an annexation of the Republic of Artsakh by the Republic of Armenia. This approach does not aim at promoting the Republic of Armenia to exercise direct sovereignty upon Artsakh, which would simply make Artsakh a new part of an already existing state. It aims to create a *new hybrid sovereign state* including both the Republic of Artsakh and the Republic of Armenia. It is not an annexation we would seek international recognition for, but a new form of Armenian statehood in general.

Second, Miatusum will alter the status of both Artsakh and Armenia while each one will preserve its own functions within the federation resulting in the formation of a new actor, thus responses to this unification are to be assessed as responses to the emergence of a new regional actor in the first place. In this context, the changes in Artsakh's status become a part of bigger updates and not *the main* update. Moreover, the issue of Artsakh's own recognition as an independent state grows essentially unnecessary in this scenario and can, thus, be omitted.

Third, the creation of United Armenia will solve a major power and security vacuum in the South Caucasus and broader regions. The roots of the Artsakh issue lay in the changes of administrative borders in the USSR as a deliberate act of creating a grey zone to make both Armenia and Azerbaijan, and the region in general more vulnerable and easy to control. The dissolution of this vacuum will leave Russia – the predominant geopolitical actor in the region for the past two centuries – and other center of power significantly less maneuvering space making the South Caucasus more sta-

ble which, given its crucial geographic location and geopolitical significance, contributes to stability in a broader strategic environment of West Asia and Eastern Europe.

Expected and/or potential responses of Georgia, Russia, Iran, Turkey, the West, China and Israel to the emergence of United Armenia are addressed below.

### *3.1 Georgia and Iran: Regional Stability as the utmost priority*

The Republic of Georgia and the Islamic Republic of Iran are Armenia's valued regional allies and nations with which Armenia shares millennia-long history of complex relations and friendship. Some of the most important shared values of the three nations are prioritizing regional stability and perceiving our lasting bonds with mutual respect. Of course, the decisions of each nation are, first of all, based on its own domestic and foreign policy priorities.

The main aspect of Georgia's foreign policy priorities that are interconnected with its potential response to the emergence of United Armenia is Georgia's worsening relations with Russia.<sup>4</sup> Given that the EU and NATO integration procedures are far from being finalized yet, the Russian-Georgian crisis suggests and requires increased volumes of regional cooperation.<sup>5</sup> This, once again, reassures that Georgia in the coming decade is most likely to prioritize regional stability. In case of the creation of United Armenia, Georgia would not want to put itself in a position where it has to choose between Armenia and Azerbaijan. Prioritizing regional stability and the intent to keep its relation with all regional states on a positive note, Georgia is most likely to stay neutral and urge its neighbors to sort out their relations as fast and efficiently as possible. Georgia's recognition of United Armenia is not expected in the early phases, but given that the creation of

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<sup>4</sup> Ragozin, Leonid. *What is behind the recent spat between Georgia and Russia?* In: Al Jazeera, 16.7.2019. <<https://www.aljazeera.com/indepth/opinion/spat-georgia-russia-190715132122083.html>>, accessed on 15.11.2019.

<sup>5</sup> Lebanidze, Bidzina and Grigalashvili, Mariam. *Not EU's world? Putting Georgia's European Integration in Context.* In: The Georgian Institute of Politics (GIP), 13.9.2018. <http://gip.ge/not-eus-world-putting-georgias-european-integration-in-context/>>, accessed on 15.11.2019.

United Armenia ultimately stabilizes the region Georgia is likely to consider recognition in the long term.

The main aspect of Georgia's domestic policy interlinked to the United Armenia scenario is the presence of the Abkhazian and South Ossetian issues. Georgia does put regional stability first in terms of foreign policy. However, how would solving the Artsakh issue by creating United Armenia influence the resolution of Georgia's own territorial issues?

The logic of a unification of the Armenian states is practically and essentially inapplicable for Abkhazia and South Ossetia. Miatsum is a unification based on shared ethnic, political, military and historic ties. The Republic of Armenia and Artsakh are two majority-Armenian states. As for South Ossetia, a similar unification with North Ossetia requires formal unification with the Russian Federation. If applicable, this unification would have taken place after the 2008 Russian-Georgian war and would in fact constitute annexation by Russia. The severe international response to the annexation of Crimea and the sanctions consequently imposed on Russia have severely damaged the Russian economy.<sup>6</sup> This, among other things, explains Russia's tolerance toward China's Central Asian takeover. Russia needs the economic alliance with China to redeem its suffering economy to an extent it accepted losing absolute strategic and economic dominance over Central Asia to China.

Given this severe reaction of the international community to the annexation of Crimea and its destructive effect on Russia's domestic and foreign politics, to risk the annexation scenario for an Ossetian unification considering its limited strategic significance is no option for Russia, making it a self-eliminating option for South Ossetia. Thus, a unification of Armenian states is not set to influence the Ossetian issue or give rise to new developments unfavorable for Georgia.

As for Abkhazia, there simply is no state – either recognized, unrecognized or federal – to consider an Armenia-inspired unification process with. The

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<sup>6</sup> Doff, Natasha. *Russia Still Paying Price for Crimea Five Years After Annexation*. Bloomberg, 17.03.2019, <<https://www.bloomberg.com/news/articles/2019-03-17/russia-still-paying-price-for-crimea-five-years-after-annexation>>, accessed on 15.11.2019.

only plausible scenario is unification with the Russian Federation, which, for reasons addressed above, is unlikely to take place. The only applicable option is to consider Miatsum as the precedent for the creation of a Georgian-Abkhazian-Ossetian confederation meeting the expectation of all parties of the conflict by giving the republics of Abkhazia and South Ossetia a certain level of sovereignty and preserving Georgia's conventional territorial integrity through shifts in the nature of statehood used over the territory. Notable, granting these regions autonomy within of a Georgian republic has proved to be an ineffective and unsustainable, but to grant the regions a status of republics equal to Georgia within a Georgian federation might work better and help satisfy the demands of the break-away regions. Consequently, it is safe to assume that the emergence of United Armenia would bear little to no unfavorable and/or harmful upheavals to Georgia's territorial disputes and cannot serve as a precedent for deepening the South Ossetia or Abkhazia issues. Georgia's overall domestic and foreign policy priorities, thus, are in line with Miatsum

The Islamic Republic of Iran, like Georgia, prioritizes regional stability. Nonetheless, Iran's foreign policy and the way it interacts with other regional and global actors are different from those of Georgia. The strategic and economic components to Iran's foreign policy do not necessarily coincide, unlike Georgia's. The volume of Iran's economic cooperation with Azerbaijan exceeds that of Armenia.<sup>7</sup> Nonetheless, though formally neutral on the Artsakh issue, Iran's long-term strategic disposition in the Caucasus goes in line with Armenia's. This is explained by Iran's aspiration to maintain a balance of power.<sup>8</sup> Azerbaijan's is richer of resources and Iran's active engagement with Azerbaijan is logical and easily comprehensible. However, Azerbaijan as a Turkic state and its close ties with Turkey and Israel build up a strategic environment unfavorable for Iran. Pan-Turkic aspirations of Azerbaijan and Turkey aiming to establish Turkic dominance

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<sup>7</sup> "Iran-Azerbaijan 6-month trade more than doubled". In: Tehran Times, 3.8.2019. <https://www.tehrantimes.com/news/438877/Iran-Azerbaijan-6-month-trade-more-than-doubled>, accessed on 15.11.2019.

<sup>8</sup> Giragosian, Richard and Sharashenidze, Thornike. *Engaging Iran: Implications for the South Caucasus*. In: The European Council on Foreign Relations. 18.9.2015. <[https://www.ecfr.eu/article/commentary\\_engaging\\_iran\\_implications\\_for\\_the\\_south\\_caucasus4022](https://www.ecfr.eu/article/commentary_engaging_iran_implications_for_the_south_caucasus4022)>, accessed on 15.11.2019.

create a strategic landscape where Armenia's and Iran's strategic priorities coincide.

The creation of United Armenia would bring four strategic shifts that contribute to the balance of power Iran seeks. First, by dissolving the now-prominent power and security vacuum, it would stabilize the Caucasus as a whole. Second, it would strengthen Armenia's positions facing pan-Turkic aspirations from its neighbors. Third, the resolution of the Artsakh issue would leave Turkey much less space for intervention in regional politics reducing the risk of expanding the conflict zone to an extent harmful for Iran. Another less significant factor is the decline of Russian influence that Iran can benefit from, though to a limited degree. It is, thus, safe to say the emergence of United Armenia meets Iran's strategic vision for the South Caucasus, and it would be reasonable enough to expect Iran to recognize United Armenia and cooperate with this new actor.

### *3.2 Familiar dilemma for Russia: Choosing the lesser of two challenges*

Grey zone conflicts such as the Artsakh, Abkhazia and South Ossetia issues are quite characteristic for the crumbling post-Soviet space where Russia is losing absolute dominance that it quite successfully re-acquired after the collapse of the USSR. Following the Russia-Georgia war of 2008, Russia became the first and, so far, one of the two UN-member state to recognize the independence of Abkhazia and South Ossetia along with Syria.<sup>9</sup> As addressed above, Russia did not and still does consider annexation as a conflict resolution option resulting in increasingly worsening relations with Georgia, as well as Abkhazia's and South Ossetia's dependence on Russia with blurry and unclear perspectives if matters remain as they are. This leaves Russia significantly less maneuvering room since losing Georgia as an ally and having limited opportunities with Abkhazia and South Ossetia changed the regional strategic landscape for all actors involved, making Armenia is Russia's only remaining ally in the South Caucasus. Whom to support in the process of the creation of United Armenia is quite a dilemma for Russia.

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<sup>9</sup> "Georgia Severs Relations With Syria For Recognizing Abkhazia, South Ossetia." RFE/RL, 29.5.2018. <<https://www.rferl.org/a/georgia-syria-establishes-diplomatic-relations-with-abkhazia-south-ossetia/29257063.html>>, accessed on 15.11.2019.

On the one hand, United Armenia would leave Russia with even less maneuvering space and control over the region than it has as for now. On the other hand, given the overwhelming social and political will for unification among the people of both, the Republic of Armenia, Artsakh and the Armenian diaspora large portions of who live in Russia, holding a strictly negative position on this may result in the loss of another ally. Russia is ultimately choosing between two scenarios neither of which it would find favorable. The Russian ruling elite found itself in a similar situation in April 2018 when the Velvet Revolution overthrew Armenia's strongly Russia-affiliated government. Due to the overwhelming nationwide support for Nikol Pashinyan, Russia preferred to lose its allies in the overthrown government to possibly losing Armenia as an ally whatsoever.<sup>10</sup>

Concerning United Armenia, Russia will be facing a similar choice. One way, Russia may lose its only remaining ally in the South Caucasus and a major share of regional control. The other way, recognizing Miatsum and maintaining mutually beneficial relations with United Armenia will give Russia a stronger ally with less control over it. Both scenarios, thus, will inevitably lead to a decrease of Russian regional control. Notable enough nonetheless, Azerbaijan's diverse strategic partnerships will not give Russia enough space to redeem the consequences of losing Armenia as an ally through enhancing Russian-Azerbaijani strategic relations making a strictly negative position on United Armenia far more unfavorable for Russia than accepting Miatsum with all following shortenings of Russian capabilities.

Thus, it can be concluded that Miatsum will put Russia before a complex dilemma. With the post-Soviet order crumbling in the South Caucasus and Central Asia, Russia is more likely to choose the lesser of two troubles and acknowledge the emergence of United Armenia.

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<sup>10</sup> Giragosian, Richard. *Paradox of power: Russia, Armenia, and Europe after the Velvet Revolution*. European Council on Foreign Relations. 7.8.2019. <[https://www.ecfr.eu/publications/summary/russia\\_armenia\\_and\\_europe\\_after\\_the\\_velvet\\_revolution](https://www.ecfr.eu/publications/summary/russia_armenia_and_europe_after_the_velvet_revolution)>, accessed on 15.11.2019.

### 3.3 Turkey: Invade Artsakh after Syria?

A simple look at the history and nature of Turkish-Armenian relations during the 20<sup>th</sup> and 21<sup>st</sup> centuries and Turkey's position on the Artsakh issue leave no doubt that Turkey will be strictly against the unification of Armenian states. Recognition of United Armenia is not expected, but the ultimate question is what can Turkey do to prevent Miatsum given the current political and security environment in the South Caucasus and West Asia? Armenia and Turkey have no diplomatic relations, and Turkey has already been implementing the policy of blockade of Armenia leaving no space for imposing any other sanctions or other soft-power initiatives to prevent the emergence of United Armenia.<sup>11</sup> Most importantly, therefore, is how likely a military operation from Turkey would be.

Turkey has previously expressed direct readiness to join Azerbaijan in military actions against Artsakh and Armenia, but the NATO and EU have so far keeping these aspirations in check. Turkey hosts several US and NATO bases and houses roughly 50 US nuclear bombs, and its recent turn to Russia for the purchase of a 2.5 billion USD missile defense system has been rising major questions among its NATO allies regarding bilateral and multi-lateral cooperation.<sup>12</sup> After Turkey's recent military incursion into northern Syria, nine European countries – including the United Kingdom, France, Spain and Germany – as well as Canada have halted arms exports to Turkey.<sup>13</sup> On October 23, hours before a United States-brokered five-day truce between Turkish and Kurdish-led forces was due to expire, a deal has been reached between Turkey and Russia for Kurdish fighters to withdraw from a Turkish-ruled “safe zone” in northeast Syria within 150 hours, after which Ankara and Moscow will run joint patrols around the area. As a response, Kurdish armed forces and the Syrian government joined efforts to

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<sup>11</sup> Cheterian, Vicken. *Armenia-Turkey: genocide, blockade, diplomacy*. OpenDemocracy, 13.10.2009. <<https://www.opendemocracy.net/en/armenia-turkey-genocide-blockade-diplomacy/>>, accessed on 15.11.2019.

<sup>12</sup> “Turkey: Which countries export arms to Turkey?” BBC News, 23.10.2019. <<https://www.bbc.com/news/50125405>>, accessed on 15.11.2019.

<sup>13</sup> Tidey, Alice. “UK, France, and Germany halt arms export to Turkey over incursion into northern Syria”. Euronews, 16.10.2019, <<https://www.euronews.com/2019/10/13/france-and-germany-halt-arms-export-to-turkey-over-incursion-into-northern-syria>>, accessed on 15.11.2019.

resist the Turkish invasion.<sup>14</sup> On October 29, the US House of Representatives voted to impose sanctions on Turkey over Syria followed by adopting a resolution re-affirming the United States' record on the Armenian Genocide on October 30.<sup>15</sup>

After being effectively frozen out of the negotiations, Iran is also not happy that Moscow and Ankara essentially ignored its demands for a Turkish withdrawal. Iran's response is part of its aspiration to maintain a balance of power in West Asia. All these measures and developments will be creating a lasting effect on Turkish and regional politics and security. The situation around Syria will take a long time to be finalized, and the rapidly changing political and security landscape in the region shaped by NATO, US, Russia, Iran, Syria and the Kurdish forces leave Turkey little to no maneuvering room for an invasion in United Armenia. Thus, given the shifting environment and the severe international response to Turkey's assault of northern Syria with all its consequences, a strongly negative position on United Armenia but no hard power operations are expected.

#### *3.4 The West: How important would the collapse of the post-Soviet be?*

As addressed in the sections above, the post-Soviet order characterized with almost absolute Russian economic and strategic dominance is crumbling in Central Asia and the South Caucasus due to internal developments, the decline of Russian economy and the rise of China. The creation of United Armenia will push this process further by leaving Russia with less control of the security and strategic landscape of the South Caucasus. Due to the outsize strategic and geopolitical significance of Armenia and the South Caucasus, the weakening of the post-Soviet order there creates room for competition among other regional and global actors for an increase of influence in the region including the EU, NATO, US, China and Iran.

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<sup>14</sup> McKernan, Bethan. *Turkey-Syria offensive: Kurds reach deal with Damascus to stave off assault*. The Guardian, 14.10.2019. <<https://www.theguardian.com/world/2019/oct/13/kurds-reach-deal-with-damascus-in-face-of-turkish-offensive/>>, accessed on 15.11.2019.

<sup>15</sup> Edmondson, Catie and Gladstone, Rick. "House Passes Resolution Recognizing Armenian Genocide." *The New York Times*, 29.10.2019. <<https://www.nytimes.com/2019/10/29/us/politics/armenian-genocide-resolution.html>>, accessed on 15.11.2019.

Thus, within the current environment of steadily intensifying tensions between the Western power bloc and Turkey, as well as Iran, the South Caucasus becomes a region of even greater importance than usual. Iran and China are two of the biggest global and regional rivals of the Western power bloc who would benefit greatly from this shift in regional security seeking to deepen their engagement in Armenia and the region. Notably, China has already become Armenia's second biggest trade partner outweighing the EU. Thus, it is expected of the West to actively partake in consolidating the fall of the post-Soviet order in the South Caucasus through advancing its engagement with and assistance to the new regional actor whose emergence, coincides perfectly with the Western vision for the region.

## **Conclusion**

The reform of Armenian statehood requires the involvement of the entire Armenian people in the development of a transitional framework and the creation of United Armenia. Moreover, the ability of the new Armenian government to synchronize processes within the framework of the general philosophy of these reforms will play a great and sometimes decisive role. The development and implementation of such a large-scale project will require a systematic holistic approach, relevant skills and competencies.

In a regional and broader international perspective, the creation of United Armenia is feasible due to a set of circumstances. The political and strategic landscape and the security environment in the South Caucasus and broader neighboring regions of Eastern Europe and West Asia are currently in a state of rapid but foreseeable changes and shifts. The emergence of United Armenia, which would contribute greatly to establishing and maintaining stability in the South Caucasus, goes in line with short- and long-term strategic interests of Iran, Georgia, China and the Western power bloc. The creation of this new actor will appear as a strategic dilemma for Russia but due to its severely damaged economy, crumbling strategic alliances Russia cannot risk losing yet another strategic ally – the only one it currently has in the South Caucasus. This makes Russia somewhat reluctant to accept the emergence of United Armenia as the lesser of two troubles. Following a turn to Russia for the purchase of defense missile systems, as well as the northern Syria assault and its unclear outcomes and consequences, Turkey has been having major issues with its strategic partners and allies. This

leaves Turkey little to no maneuvering space for hard power interventions into the Artsakh issue – practically the only action Turkey could employ against the emergence of the new Armenian state. It can thus be concluded that the upcoming decade will be a period of strategic opportunity for the unification of Armenian states.

## How to Break the Deadlock (Speaking Notes)

*Vagif Jabangirov*

Given the experience of peace negotiations in Nagorno-Karabakh and the avoidance of yet another military clash as a result of a deadlock in the negotiation process, the following recommendations require serious considerations:

### **Finding Consensus on the Principles of “Territorial Integrity” and “Right to Self-Determination”**

Article 1 (paragraph 2) of the UN Charter establishes the principle of self-determination of nations as one of the fundamental principles of international law. At the same time, we can find a reflection of another principle in Article 2 (paragraph 4) of the UN Charter – the principle of territorial integrity. In this context, the international principle of self-determination of nations is interpreted as the principle of self-determination within the framework of a given state (the formation of autonomies within a state, not violating the principle of territorial integrity). The only exception is when the state violates the right of nations to self-determination. On the contrary, Azerbaijan recognized the right of the Armenians of Nagorno-Karabakh to self-determination.<sup>1</sup> Thus, legally the right of the people of Karabakh to self-determination has been expressed within the framework of the Azerbaijan Soviet Socialist Republic. The future resolution of the conflict, not contradicting the principles of international law, can be reflected only in these principles. The only way to achieve the implementation of the principles of “self-determination” and “territorial integrity” can be achieved through self-determination of the Armenians and Azerbaijanis of Nagorno-Karabakh within the framework of the territorial integrity of Azerbaijan.

### **Termination of the Division of the Region into Mountain and**

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<sup>1</sup> Decree of the CEC Council on the formation of the autonomous region of Nagorno-Karabakh, (July 7, 1923) and the “Law of the Azerbaijan SSR on the Nagorno-Karabakh Autonomous Region” (June 16, 1981).

## **Plain Karabakh**

The term Nagorno-Karabakh in the Azerbaijani language means “Nagorno-Karabakh”. Previously, such a region did not exist until 1923, when the Soviets divided the region, mainly inhabited by Armenians, and called it “Mountain Karabakh”. Prior to the creation of the Soviets of a separate autonomous entity, “Karabakh” as a historical and geographical concept designated a specific space, which was subsequently assigned to the vast geographical territory of Azerbaijan. Consequently, “Karabakh” represents the mountainous and lowland plains of Nagorno-Karabakh.

Being a political and geographical space, in history there has always been a concept not of “Nagorno-Karabakh”, but a concept that covers the entire territory of Karabakh – mountains and plains. The region is economically and socially integrated.

The conflict over Nagorno-Karabakh, which began in 1988, annulled the special status granted to the mountainous part of Karabakh – the Nagorno-Karabakh Autonomous Republic. And nowadays, territories controlled by the Armed Forces of Armenia – the NKAR and seven adjacent regions – correspond to the historical territories of Karabakh.

Therefore, the resolution of the Nagorno-Karabakh conflict should take into account the interests of Azerbaijanis and Azerbaijanis of Nagorno-Karabakh traveling to the Greater Karabakh region. Azerbaijanis, who used to live in the surrounding regions and were called “Azerbaijanis from Karabakh”, are IDPs in modern Azerbaijan. They are one of the sensitive groups whose interests have harmed during the active phase of the conflict.

## **Equal rights of Azerbaijanis and Armenians in Nagorno-Karabakh**

According to the Helsinki Final Act, “sovereign states respect the equal rights of peoples and their right to self-determination, always acting in accordance with the purposes and principles of the Charter of the United Nations and relevant international law. Including those related to the territorial integrity of states.” As for the Armenian-Azerbaijani Nagorno-Karabakh conflict, this principle implies the possibility of determining the future status of Nagorno-Karabakh on the basis of equal will expressed by

both communities of Nagorno-Karabakh within the territorial jurisdiction of Azerbaijan.

All referendums and plebiscites that granted the right to only one of the communities cannot be a credible event that can determine the future status of Nagorno-Karabakh.

Azerbaijanis and Armenians of Nagorno-Karabakh, so called the “people of Nagorno-Karabakh” have equal rights in determining the future status of the community of Nagorno-Karabakh together.

### **Mandatory Participation of the Armenians of Nagorno-Karabakh and Azerbaijan**

Seemingly further negotiations should be conducted with the mandatory participation of representatives of the Azerbaijanis of Nagorno-Karabakh and the Armenians of Nagorno-Karabakh. In many cases, these are people who are going to live together, and their right to determine their future status must be accepted by all parties and stakeholders, including local and international.

### **Transparency of the Peace Negotiations Process**

Currently, international mediators are using a tactic called Constructive Ambiguity, which means “deliberate use of an ambiguous language in negotiations to avoid disagreements or deadlocks.” It should help the leadership of Azerbaijan and Armenia achieve negotiations behind closed doors, and then disclose the results to a wider audience.

Whatever its merits under other conditions, in the context of the Azerbaijani-Armenian negotiations, “constructive ambiguity” succeeded only with leading to confusion and undermining of trust between the parties. Throughout the negotiation process, disagreements over how to interpret the various provisions led to endless delays, as well as to repeated negotiations and a complete lack of compliance with the signed agreements. The leaders of Azerbaijan and Armenia in their public speeches completely present different pictures about the ongoing negotiation process. This led to an increase in public expectations in Azerbaijan and Armenia. This is a

dangerous situation for people, when there is no result, the masses demand immediate satisfaction.

By implementing “constructive ambiguity” it may not be possible to completely avoid failure, but the parties should resist the urge to adopt vague and unbalanced initiatives that raise only more questions than they answer. This does not necessarily mean putting forward a more detailed proposal and, therefore, undermining the ability of their leaders to remain in the process, but more honest. The process or part of the process that has been conducted up until now should be open to experts and civil society representatives. So that they can limit the ability of leaders to misinterpret a deal on the table.

### **Leave the Armenians of Nagorno-Karabakh to make their own Decisions**

Azerbaijan is not going to make the decision of the Armenians of Nagorno-Karabakh if the Armenian armed forces are still deployed in Nagorno-Karabakh. This fact was first announced by the European Court of Human Rights, in *Chiragov vs. Armenia* and the other 11 cases that followed.

The will of the Armenians of Nagorno-Karabakh should be expressed only in free form, without pressure from the Armenians of Armenia and the diaspora. The Armenians of Nagorno-Karabakh and Azerbaijan created a peaceful life in the past together, and they are able to create it in the future if there is no external pressure.

# **From a Dead End to another Dead End in the Negotiations Process: What to Change to Achieve Peace in Nagorno Karabakh<sup>1</sup>**

*Abmad Alili and Vagif Jahangirov*

## **Introduction**

On 05 August 2019, Armenian PM Nikol Pashinyan visited Nagorno-Karabakh and called for “Miatsum” – the reunification of Armenia with Karabakh. On the very next day, the Ministry of Foreign Affairs of Armenia downplayed the statement. Armenian diplomats accused Azerbaijani counterparts in “misunderstanding” the context of the speech. Nevertheless, this statement shocked Baku and damaged “Track 1” and “Track 2” diplomatic processes.<sup>2</sup> Baku called for an international reaction to the statement. For many diplomats and experts, this speech also signalled another ‘dead-end’ in the negotiations process.

The last phase of “Track 1” peacebuilding activities seen started following the “Four-Day War” in April 2016, which left more than 200 troops dead. OSCE Minsk Group co-chairs and conflicting parties, in a short period, managed to organise several high-level meetings in Vienna and St Petersburg. The peaceful resolution of the conflict, implementation of the new achieved agreements, was put on halt due to the internal political transformations in Armenian society. The Armenian political establishment decided to transform the country from president-led republic to a parliament-led one. The process was followed by the so-called “Velvet Revolution”, resulting in Nikol Pashinyan becoming Prime Minister of the country. During Nikol Pashinyan’s first period of rule, Azerbaijan having high hopes for his

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<sup>1</sup> Editorial Note: This article and the previous one are content-wise closely related, with this article representing a post-workshop development of the speaking points presented by Vagif Jahangirof (20<sup>th</sup> RSSC Workshop, 7-10 November 2019, Reichenau/Rax, Austria).

<sup>2</sup> Except the Regional Stability in the South Caucasus Study Group initiative which, as a Track 2 platform, is working fine under the strict yet benevolent guidance of its co-chairs.

personality, the peaceful resolution process of the conflict witnessed several significant changes, including the conflict management hotline between the Armenian and Azerbaijani sides. Joint statements have called for “preparing populations for peace.”<sup>3</sup> Following the President’s Vienna meeting and MFAs’ Moscow meeting in 2019, the pessimistic notes started appearing in public speeches and research articles. The significance of Nikol Pashinyan’s unification speech is in declaring the end of the process which started following April 2016. The conflicting parties have reached another impasse in the peaceful resolution process.

Since 1994, when Armenian-Azerbaijani ceasefire agreement was signed, and negotiations process started, the conflict over Nagorno-Karabakh witnessed four dead-ends:

- 1) In September 1997, following OSCE Minsk Group Co-Chairs suggestions and before the resignation of Armenian President Levon Ter-Petrosyan;
- 2) In October 1999, following the shootings at the Armenian Parliament;
- 3) In June 2011, following the Kazan meeting of President Aliyev and President Sargsyan; and
- 4) In August 2019, following Pashinyan’s speech in Nagorno-Karabakh.

Pashinyan’s statements are not the only case to halt the peace process. Nevertheless, each time resuming it is getting to be more laborious. The deadlock after the 2011 Kazan meeting, required three military escalations at the line of contact (LoC) to revive the process, and restart negotiations in 2016.

Another deadlock demonstrated the need to review the peace process regarding the Nagorno-Karabakh conflict and to understand the patterns of deadlocks. The local peacebuilders community and research need to understand the reasons of failure of the peaceful resolution of the conflict and proposing new ways to avoid deadlocks. Constants deadlocks are increasing the chance of renewed military hostilities at the line of the

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<sup>3</sup> See supra. OSCE Minsk Group Joint Statement of 30 January 2020.

contact. Hence, in order to avoid clashes like the one in April 2016, practical recommendations are of utter importance.

This article critically analyses the peace process over Nagorno-Karabakh and seeks ways out of another deadlock in the negotiations process.

The article is going to present a brief history of the peacebuilding process and look at the “normative foundations” for peace in Nagorno-Karabakh. The Madrid Principles will be reviewed in the next chapter. In the end, the authors are going to present recommendations on the new elements to introduce to the peace-process on the Nagorno-Karabakh conflict in order to avoid deadlock.

### **A Brief History of the Negotiations Process**

The first clashes between the Armenian and Azerbaijani sides occurred in February 1988. Following the public protests in Yerevan, the capital city of Armenian SSR back then, where protestors called for unification of Nagorno-Karabakh and Armenia. The Armenian leadership of the Nagorno-Karabakh Autonomous Oblast (NKAO) decided to withdraw the autonomous oblast from Azerbaijan SSR and join the Armenian SSR. Due to the joint efforts of the Soviet troops stationed in the region and local law-enforcement forces (Militia), the situation was back to normal.<sup>4</sup>

In order to re-establish the central authorities’ power in the region, the Soviet troops and Special Forces of the Soviet Interior Ministry (OMON) were tasked to ensure the rule of law and workability of the USSR constitution in the region. The authorities declared a state of emergency in the Nagorno-Karabakh Autonomous Oblast (NKAO). Hence, the activities on the ground ceased, and conflict moved to the political stage.<sup>5</sup>

Following the August 1991 coup in Moscow, many Soviet state institutions have become non-functional in the USSR. Hence, the internal troops of the

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<sup>4</sup> Melander, E. (2001). *The Nagorno-Karabakh conflict revisited: was the war inevitable?* Journal of Cold War Studies, 3(2), 48-75.

<sup>5</sup> Ibid., also Cornell, S.E. (1999). *The Nagorno-Karabakh Conflict*, Uppsala Universitet, p. 164.

USSR practically stopped providing the state security in the region. Taking advantage of the circumstances, on 2 September 1991, the Armenian leadership of Nagorno-Karabakh proclaimed the creation of the Nagorno-Karabakh Republic on the territory of the NKAO.<sup>6</sup> The Nagorno-Karabakh Azerbaijanis did not take part in this decision-making; they were forced to flee the region in late 1988. The political-legal dispute gradually transformed into military clashes between Azerbaijanis and Armenians.

In 1991-1992, Russia and Kazakhstan presented their efforts in the resolution of the conflict; the Zheleznovodsk Communiqué was signed.<sup>7</sup> In the same period, Iran was actively mediating between the parties – the Tehran Communiqué was signed.<sup>8</sup> Both documents failed due to the lack of implementation mechanism. The Tehran Communiqué was dead since the beginning – while heads of states were signing the document in Tehran, Armenian Armed Forces captured Shusha – a city in NKAO populated by Azerbaijanis –, hence effectively destroying Iranian efforts.<sup>9</sup>

On 30 January 1992, Armenia and Azerbaijan became members of the Conference on Security and Cooperation in Europe (CSCE), which allowed this international organisation to join in resolving the Nagorno-Karabakh problem.<sup>10</sup> So, on March 24, 1992, at a meeting in Helsinki, the Secretary-General of the organisation proposed to convene a conference on Nagorno-Karabakh under its patronage. Azerbaijan, Armenia, Belarus, Germany, Italy, Russia, Slovakia, the USA, Turkey, France, the Czech Republic and Sweden attended the conference. Then it was supposed to achieve a cease-fire and begin political negotiations on the final status of Nagorno-

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<sup>6</sup> Panossian, R. (2001). The irony of Nagorno-Karabakh: formal institutions versus informal politics. *Regional & Federal Studies*, 11(3), pp. 143-164.

<sup>7</sup> Vaserman, A. and Ginat, R. (1994). *National, territorial or religious conflict? The case of Nagorno-Karabakh*. *Studies in Conflict & Terrorism*, 17(4), pp. 345-362.

<sup>8</sup> Rasizade, A., (2011). *Azerbaijan's prospects in Nagorno-Karabakh*. *Journal of Balkan and Near Eastern Studies*, 13(2), pp. 215-231.

<sup>9</sup> Ramezanzadeh, A., (1996). *Iran's role as mediator in the Nagorno-Karabakh crisis*. *Contested borders in the Caucasus*, p. 318.

<sup>10</sup> McGoldrick, D. (1993). The Development of the Conference on Security and Cooperation in Europe (CSCE) after the Helsinki 1992 Conference. *International & Comparative Law Quarterly*, 42(2), pp. 411-432.

Karabakh. Belarus proposed its capital as a place for final negotiations. As a result, the names came up – the Minsk Conference or the Minsk Group.<sup>11</sup>

In May 1994, the conflicting parties reached a ceasefire. Monitoring of compliance with the agreements to this day is carried out by the Minsk group OSCE, led by representatives of Russia, the USA, France and other countries.

On 6 December 1994, at a meeting of heads of state and government in Budapest, they decided to establish the co-chairmanship in the settlement of the Nagorno-Karabakh problem and deploy a multinational OSCE peacekeeping force (according to the gentleman's agreement peacekeeping forces cannot originate from the OSCE Minsk Group co-chair countries, or countries neighbouring to the region), subject to the adoption by the UN Security Council of a resolution after the conclusion of a political agreement to end the armed conflict. A month later, the OSCE Chairman-in-Office, Hungarian Foreign Minister L. Kovacs, appointed representatives from Russia and Sweden as co-chairs of the Minsk Conference. However, it was not possible to finally resolve the problem under consideration. Therefore, the above Agreement on strengthening the ceasefire in the Nagorno-Karabakh conflict has remained, in fact, the only real achievement of the OSCE in this area, despite the creation of the High-Level Planning Group, and appointment of Personal Representative of the OSCE Chairperson on the Nagorno-Karabakh Conflict, in August 1995.

Following the Ceasefire agreement, by January 1997, the three OSCE co-chairs actively engaging in the peaceful resolution process of the conflict. Three mediators were Russia, the United States and France, on behalf of the European Union.

Since the end of 1996, the Russian mediator received the post of permanent co-chair of the OSCE Minsk Group. On 1 January 1997, France was elected co-chair of this structure, which provoked strong objection from Azerbaijan, which considered it a pro-Armenian state. In this regard, Baku requested the OSCE to review this decision and appoint the representative

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<sup>11</sup> Milanova, N., (2003). The territory-identity nexus in the conflict over Nagorno Karabakh: implications for OSCE peace efforts. JEMIE.

of the United States as co-chair of the Minsk Group. As a result, on February 14, 1997, a compromise decision was made on three co-chairs; Russia, France and the USA.

In June-September 1997, the co-chairs presented “Package” and “Step-by-Step” settlement schemes. The Armenian side rejected both schemes.

Both the proposals included the following<sup>12</sup>

- withdrawal of Armenian forces from all areas adjacent to Nagorno-Karabakh, except Lachin corridor;
- deployment of international peacekeeping forces; and
- return of IDPs to a permanent place of residence.

The main difference between the “Package” and “Step-by-Step” schemes was in the way they approached the status of Nagorno-Karabakh. In the former deal, Azerbaijan agreed to provide Nagorno-Karabakh with high autonomy within Azerbaijan, which was unacceptable for Armenia. The latter approach was about keeping the status for future generations. Baku was happy with both options.

The Armenian President was then Levon Ter-Petrosyan lost this case. His public speech and article, which was meant to campaign the peace treaty with Azerbaijan, caused internal opposition in the government – including representatives of Nagorno-Karabakh – which forced him to resign.<sup>13</sup>

The first deadlock occurred.

Summarising the first period of negotiations process mediated by the OSCE Minsk Group, one can sum up the high activity of the international mediators and high diplomatic activity of conflicting parties. Azerbaijan and Armenia were keen to move on with the peaceful resolution of the conflict. In a short time, three peace-plans were proposed, modified versions of which are on the negotiation table even nowadays. Nagorno-Karabakh Azerbaijanis and Armenians took an active part in the negotia-

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<sup>12</sup> Ziyadov, T. (2010). Nagorno-Karabakh Negotiations: Though the Prism of a Multi-Issue Bargaining Model. *International Negotiation*, 15(1), pp. 107-131.

<sup>13</sup> Walker, E.W., (1998). *Armenia's “Constitutional Coup” and the Karabakh Conflict*. *Analysis of Current Affairs*, 10(3/4).

tions process. The deadlock occurred as the lack of mechanisms to deliver the results of the negotiations to the population. Hence, the implementation of the agreement was not adequately done.

Nevertheless, in 1998, Russian representative Yevgeny Primakov presented a new peace plan; a common state. Later, Azerbaijan rejected it.

This approach (called the Primakov Plan) was about granting Nagorno-Karabakh Armenians with a State Anthem, the Emblem and Flag, the National Guard and the Police, and the Armenian Armed Forces. NK Armenians would have Azerbaijani passport, with the label “Nagorno-Karabakh.”

Within that scheme, Armenians would have the right to choose their representatives to the Azerbaijani Parliament. Armenians of Nagorno-Karabakh would not have the right to have embassies, but they would have their representative in Azerbaijani embassies.<sup>14</sup>

In October 1999, there were shootings in the Armenian Parliament. Following this tragedy, Armenia had to stay away from the peace process for some time.<sup>15</sup>

The second deadlock took place.

In Key West (USA), the parties decided to restart the peace-process in 2011. The later negotiations process demonstrated public resistance both in Armenia and Azerbaijan about this deal.<sup>16</sup>

In 2003, following Ilham Aliyev’s election as the president of Azerbaijan, Baku proposed to “reset” the negotiations process, which the Armenian side agreed to.

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<sup>14</sup> Ambrosio, T. (2011). Unfreezing the Nagorno-Karabakh conflict? Evaluating peace-making efforts under the Obama administration. *Ethnopolitics*, 10(1), pp. 93-114.

<sup>15</sup> Caspersen, N. (2012). Regimes and peace processes: Democratic (non) development in Armenia and Azerbaijan and its impact on the Nagorno-Karabakh conflict. *Communist and Post-Communist Studies*, 45(1-2), pp. 131-139.

<sup>16</sup> Zourabian, L. (2006). The Nagorno-Karabakh settlement revisited: is peace achievable? *Demokratizatsiya*, 14(2).

In 2006, the parties were close to agreeing on the universal principles of negotiations process in Rambouillet, France.

As a part of the so-called “Prague process”,<sup>17</sup> the parties agreed to postpone the referendum on the status of Nagorno-Karabakh, return five regions surrounding the NKAO to Azerbaijan. The status of Kalbajar and Lachin would be linked with the future status of Nagorno-Karabakh.

Later, the basic principles would be accepted in Madrid in 2007 and called the Madrid Principles. The Madrid principles of the OSCE consisted of the requirement of the complete withdrawal of all armed formations of the Armenian side from Azerbaijani territory. In subsequent years, updated versions of the Madrid Principles also did not bring the expected result.<sup>18</sup>

The third deadlock in the negotiations process occurred following the Kazan meeting. The meeting of the leaders of Armenia and Azerbaijan did not bring the expected breakthrough in settlement of the Karabakh problem. Russian President Dmitry Medvedev, under whose patronage the meeting was held, was disappointed by the peace process itself.

Between 2013-2014, there were no active peacebuilding efforts at official level.

Another round of the peace process started in August 2014, following military clashes in the line of contact. In November 2014, an Armenian helicopter was downed, during military drills held by Armenian Army nearby the line of the contact. In April 2016, Armenian and Azerbaijani Armed Forces had a military clash which lasted four days. It took lives of more than 200 people from both sides.

The peace process, which was started in 2016, endured the Velvet Revolution in Armenia. The emergence of the new leader in Armenia increased hopes in Azerbaijan for the peaceful resolution of the conflict. Armenian

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<sup>17</sup> De Waal, T. (2010). *Remaking the Nagorno-Karabakh peace process*. Survival, 52(4), pp. 159-176.

<sup>18</sup> Mikhelidze, N. (2010). *The Azerbaijan-Russia-Turkey Energy Triangle and its Impact on the Future of Nagorno-Karabakh*. Rome: Istituto Affari Internazionali, Documenti IAI, 10, p. 18.

Prime Minister Nikol Pashinyan's personality was favoured over that of Serzh Sargsyan. This was true, until Nikol Pashinyan made his speech on 5 August 2019 in Nagorno-Karabakh.<sup>19</sup>

This speech created the latest deadlock in the peace process.

### **Updated Madrid Principles**

The American co-chair of the OSCE Minsk Group, J. Warlick, spoke at the Carnegie Endowment for International Peace on 07 May 2014, to resolve the Nagorno-Karabakh conflict. On behalf of the US government, trying to replace other co-chairs of the OSCE Minsk Group, he presented six elements of such a settlement;<sup>20</sup>

- 1) the final status of Nagorno-Karabakh is determined by the will of the local population;
- 2) the territory of the former Nagorno-Karabakh Autonomous Region (NKAO), which are not controlled by Baku, receive temporary transitional status with guaranteed security and self-government;
- 3) the occupied lands around the former NKAO are returned to Azerbaijan, its sovereignty in these territories is restored;
- 4) the transport corridor between Armenia and Nagorno-Karabakh remains, but it cannot include the entire Lachin (Berdzor) region;
- 5) the right of the displaced persons to return to their houses; and
- 6) the settlement is ensured by international guarantees, including peace-keeping operation.

According to the Armenian expert D. Petrosyan, this “agreement is one of the examples of successful cooperation in resolving the Nagorno-Karabakh conflict between Russian and Western diplomats.”

The current peace process, based on these principles, did not bring any results, so far.

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<sup>19</sup> Krzysztan, B. (2019). *The ghosts of Armenia's past*. New Eastern Europe, 36(2), pp. 104-108.

<sup>20</sup> Warlick, J. (2014). *Nagorno-Karabakh: The Keys to a Settlement. Presentation*, Carnegie Endowment for International Peace, Washington, DC, p. 7.

## Recommendations

Considering the experience in the negotiations of the Nagorno-Karabakh, and avoiding another military clash as the result of the deadlock in the negotiations process, the following recommendations needs serious considerations:

*Finding consensus for the principles of “territorial integrity” and “equal rights and self-determination of people”*

Article 1 (Clause 2) of the UN Charter establishes the principle of self-determination of peoples, as one of the fundamental principles of international law. At the same time, we can find a reflection of another principle in Article 2 (Clause 4) of the UN Charter – the principle of territorial integrity. In this context, the international principle of self-determination of peoples is interpreted as the principle of self-determination within the framework of a given state (the formation of autonomies within the state, which will not violate the principle of territorial integrity). The exception is when a state violates the right to self-determination of people which might give a pretext to external self-determination (or *de jure* independence). On the contrary, Azerbaijan has recognised the right of Nagorno-Karabakh Armenians to self-determination; in 1923, Nagorno-Karabakh Autonomous Oblast (NKAO) was founded.<sup>21</sup> Thus, the right to self-determination of the people of Karabakh was legally realised within the framework of the Azerbaijan Republic. The future resolution of the conflict – without contradicting the principles of international law – can find its way only in these principles. The only way to achieve the implementation of the principles of ‘self-determination’ and ‘territorial integrity’ can be done by having Nagorno-Karabakh Armenians and Azerbaijanis to move on together to achieve their self-determination.

*Division of the region between “mountainous” and “plains”*

The term Nagorno-Karabakh in Azerbaijani language means “Mountainous Karabakh.” There used to be no such region until 1923 when Soviets separated the parts of the region mostly populated by Armenians and called it

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<sup>21</sup> See *infra*.

“Mountainous Karabakh”. Hence, “Karabakh” constitutes Mountainous and Plain (low-lying) Nagorno-Karabakh territories. The economic and social integration between the regions’ mountainous and low-lying parts is strong.

The conflict over Nagorno-Karabakh abolished the special status granted to the mountainous part of Karabakh. Furthermore, in the modern days, the territories controlled by Armenian Armed Forces – NKAOF and seven surrounding regions – corresponds to the historical territories of Karabakh.

Consequently, the resolution of the Nagorno-Karabakh conflict should consider the interest of people leaving in the greater Karabakh region. Azerbaijanis, who used to live in the surrounding region, and called “Karabakhians”, are currently IDPs located in a different part of Azerbaijan. They are one of the sensitive groups, whose interests were damaged during the active phase of the conflict.

#### *Equal rights for Nagorno-Karabakh Azerbaijanis and Armenians*

According to the Helsinki Final Act,

...the participating States will respect the equal rights of peoples and their right to self-determination, acting at all times in conformity with the purposes and principles of the Charter of the United Nations and with the relevant norms of international law, including those relating to the territorial integrity of States.

Concerning the Armenia-Azerbaijan and Nagorno-Karabakh conflict, this principle implies the possibility of the future status determination of Nagorno-Karabakh through the equal will expressed by both communities of region within the territorial jurisdiction of Azerbaijan.

All the referendums and plebiscites which granted the right only to one of the communities, cannot be credible to help determine the future status of Nagorno-Karabakh.

Azerbaijanis and Armenians of Nagorno-Karabakh, as the “people of Nagorno-Karabakh” have equal rights in determining the future status of the Nagorno-Karabakh community.

### *Mandatory participation of Nagorno-Karabakh Armenians and Azerbaijan*

It seems that further negotiations should be conducted with the mandatory participation of representatives of the Nagorno-Karabakh Azerbaijanians and Nagorno-Karabakh Armenians. All possible scenarios of peaceful resolution, proposed by international mediators, assume Armenians and Azerbaijanis living together. Hence their right to determine their future status together should be accepted by all parties, including local and international ones.

### *Transparency of the resolution process*

Currently, the international mediators are employing the tactics called “Constructive ambiguity.” It is supposed to help Azerbaijani and Armenian leadership to achieve negotiation behind closed doors and later to disclose the results to the general public.

This might be a path to follow in peacebuilding negotiations, nevertheless in the context of Azerbaijani-Armenian negotiations, it confused and gradually eroded the trust between parties. Parties interpret different provisions of the agreements in a different way. Because of the delays, implementation of agreements do not start. The leaders of Azerbaijan and Armenia, in their public speeches completely present different pictures about the on-going negotiations process. The different interpretation of the peace process led to the increased public expectations in the Azerbaijan and Armenia. This state of people is a dangerous one, and when there is no result, the masses demand instant satisfaction.

Abandoning “Constructive Ambiguity” does not necessarily mean developing a more detailed proposal and hence limit the room for negotiations for parties at the negotiation table. But a more honest one is needed to reveal the actual direction of the process. The process, or parts of the process, which were conducted up to this point, should be open to the experts and representatives of civil society so that they can limit the possibility of leaders to misinterpret the deal on the table.

*Environment for the independent expression of will for Nagorno-Karabakh Armenians*

It is not acceptable for Azerbaijan when the will of Nagorno-Karabakh Armenians is happening under pressure from Armenian Armed Forces. Currently, Armenian Armed Forces are stationed in Nagorno-Karabakh and surrounding territories, the fact being established by the European Human Rights Court. While Armenian Armed Forces are stationed in Nagorno-Karabakh, Armenians will not have a proper environment to express themselves.

The will of Nagorno-Karabakh Armenians should be expressed only in a free manner. Nagorno-Karabakh Armenians and Azerbaijan have created a peaceful life together in the past, and they can create one in the future if there is no pressure from outside.



## **How Education in Abkhazia has been Affected by the Georgian-Abkhaz Conflict (Speaking Notes)**

*Laura Taniia*

In this paper I want to draw attention to one of the main problems that citizens of Abkhazia faced as a consequence of unresolved Georgian-Abkhaz conflict – the problem of lack of opportunities to get quality education both at home and abroad.

Now there are two universities in Abkhazia; the Abkhazian State University and The Sukhum Open University. Unfortunately, these two universities cannot fully satisfy the needs of a student with the variety of faculties, and the knowledge that students receive cannot always be sufficient and meet the requirements of the challenges faced by the society and, also they do not meet international standards. It is nothing but a double-edged sword: On the one hand, the problem lies in the current education system of the whole country, but, on the other hand, it does not change and remains at the same level just because of the lack of specialists with necessary and up-to-date knowledge who would influence the changes of this system.

Due to the political situation we are isolated. We cannot participate in different international exchange programs. This applies not only to students, but also to teachers. The only way to gain foreign experience is to attend courses of skills development in Russia, where the education system is naturally better than what one would get in Abkhazia. However, it does still keep a number of key features common to Soviet heritage. Of course, our universities are trying to invite foreign professors and specialists to give lectures, trainings for students, however, they often face difficulties in their home countries after having collaborated with Abkhaz institutions. All of this leads to a situation where very little noticeable change takes place.

The question may arise; why do we need to study abroad? First of all, the only opportunity for us to get a better education is to get it in Russia. If we are talking about Europe, for example, their approach to learning is com-

pletely different, the knowledge gained during educational process corresponds to existing realities, and the system itself is constantly updated and improved.

Secondly, there is the possibility of choosing certain faculties/subjects that are not available in our home universities or even in Russia, although they are quite in demand in our country.

Thirdly, internationally-recognized qualification helps students in further self-realization and professional growth. If a person wants to develop professionally in an international environment, it is most likely that this will not come true for a graduate of an Abkhaz institution.

Of course, another important attraction of studying abroad is the opportunity to get to know different ways of life and share your culture and features with others. Student life, like no other, can foster cultural exchange.

In some cases, individual students can find educational programs and scholarships and enter universities in Europe and America, but this is not something that is a continuous process, hence it does not foster the much-needed transformation and give students hope. Moreover, it turns out to be quite expensive and not everyone can afford it.

Due to the non-recognition of the independence of Abkhazia by most of the international community, the government and the university have no opportunity to conclude agreements with foreign educational institutions to expand the range of opportunities for schoolchildren and students. Any documents issued by local institutions, including diplomas and passports are not recognized. Surely, there are some ways on how to overcome these limits and get the diplomas recognized in Russia, however, they are costly and not accessible for most of the students.

There are several international scholarships for students with higher education; Chevening (England), and Rondine (Italy), for example, which enable Abkhaz students to get a degree in Europe. However, even in these programs some limitations exist. In order to be able to study in Italy under the Rondine program, for instance, you must have an internationally recognized diploma, which excludes the possibility for Abkhaz students to par-

ticipate. Therefore, this program is available for Abkhaz candidates who graduated from Russian universities.

But do not think that there is only diploma issue. In rare cases, students with Abkhaz diplomas manage to enter foreign universities, however, the question of getting a visa is arising. To be more precise, our citizens have passports of the Russian Federation as well, which we use to travel abroad, since the national passport of the Republic of Abkhazia is not recognized. In most cases EU countries, without any legal reason, refuse to accept Schengen visa applications with the foreign passports issued by the Embassy of the Russian Federation in the Republic of Abkhazia. A growing number of Abkhaz citizens, especially the young ones only have Abkhaz passport, therefore, can only travel to Russia. But it concerns not only students. Some young sport teams, national dance groups, groups of schoolchildren are not able to take part in international competitions just because there were refused visas. The negative attitude towards Georgia is growing as a result. I'm deeply convinced that our youth, and not only youth, needs to feel that our rights are not violated and we have equal opportunities, at least in terms of getting education.

Speaking about our universities, only such faculties as economic, faculty of law, faculty of international relations are able to give students relatively good knowledge. That is the main reason why these faculties are popular amongst Abkhazians. As a result, a huge number of young people remain unemployed. Most steady jobs are in the administration or public service. Some small businesses have developed, especially linked with trade, tourism and related to services, but other spheres are not in demand. Virtually all spheres are in need of professional experts, which there is simply a lack of.

Another benefit is that there is good attitude towards those who could gain education abroad in our society and there is strong possibility for them to take a leading position in the country. As a result, for these people there is a great chance to make a positive impact and to promote social changes reveals. These people usually differ from their fellow citizens primarily by a slightly different view on life. When you are constantly in one community, you involuntarily become a hostage of these societies' view. Studying abroad offers the opportunity to participate in various events, conferences, workshops. During the learning process, students are faced with people

from different cultures, and mentalities. As a result the outlook expands.

One more positive impact is that when the possibility of education abroad is being discussed in our society the main direction that comes to mind is Europe. It is a huge benefit with respect to adoption of democratic values as Europe at the moment is the main associate of democratic values throughout the world.

All that I said above is only a small part of limitations that exist and that I was personally faced with. These limitations faced by the youth of Abkhazia go way beyond the education and professional development; it affects the entire perception of the unresolved Georgian-Abkhaz conflict – it only reinforces the existing negative sentiments and the image of the “enemy.”

**PART VI:  
SPECIAL CONTRIBUTION**



# Towards 2040: A View from the Diaspora on Emerging Geopolitics in the South Caucasus

*Alan Whitehorn*

## The Armenian Diaspora: Some Introductory Thoughts

The Armenian Genocide of 1915 caused a massive fragmentation of the Armenian nation. Most of the Western portion was either annihilated or driven out and fractured into smaller parts that were scattered around much of the globe. The result is that diaspora Armenians dwell in a number of diverse countries and each locale contributes to new experiences, perspectives and priorities.<sup>1</sup> As a result, following more than a century after the traumatic events of 1915, we can speak of a varied diaspora where social pluralism exists, varying from one country to another, and between the different community and church organizations within each of the countries of the diaspora.<sup>2</sup> Accordingly, rather than speaking of “the” voice of the diaspora, we can talk of the many voices. Hence this paper is sub-titled “a” view. It is a component part of a pluralism of perspectives in that I speak not only as a diaspora Armenian-Canadian, but also as an emeritus professor of political science at the Royal Military College of Canada in Kingston, and poet.

## Challenges to Regional Stability and Security

Amongst the challenges confronting the Caucasus region is the heavy hand of past history. It a history marked by ethnic fragmentation, mountainous

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<sup>1</sup> In some ways, the Republic of Armenia and the Diaspora resemble a double helix. Both are strands of the same genetic stock, but have different perspectives and orientations, yet each is key to the survival of the other. This is a theme explored in my poem “Armenia and the Double Helix” in *Return to Armenia (Veradardz depi Hayastan)* (Yerevan: Lusakn, 2012). See also Maslow’s ‘hierarchy of needs’ for another possible explanatory interpretation. Clearly, much of the Diaspora has more success at addressing physical needs than many in the Republic of Armenia and thus can explore ‘higher’ needs.

<sup>2</sup> See for example Sassoon Grigorian, *Smart Nation: A Blueprint for Modern Armenia* (London, Gomidas, 2016).

isolation, authoritarianism and a patriarchal culture. Too often an intolerant, closed variant of nationalism has held far too much sway.<sup>3</sup> It is a region that has also suffered from economic parochialism and vulnerability amidst a world of expanding economic trading zones and globalization.

The Caucasus is a zone of historic imperial rivalry for geo-political power and the demand for strategic resources. The region has been marked by armed conflict and continuing military tensions.<sup>4</sup> The potential is great for a new arms race to quickly gain momentum, as the scientific revolution in destructive capacity continues to accelerate. Not surprisingly, the lack of effective mechanisms of regional and global governance in the region accentuate problems.

### **What Needs To Be Done?**

The first step on a long and difficult road is to begin to recognize the number and magnitude of problems. There is a need to commence discussions in a frank and constructive manner. Conferences and workshops can help. Mutual dialogue, of necessity, must include the need to understand and recognize profound differences. It necessitates the capacity to be able to listen, not just to declare and accuse. Belligerent phrases may fan political popularity in the Armenian Republic or in the Diaspora, but do little to contribute to, let alone extend dialogue. Outside facilitators can help to dampen the rhetoric. Some suggest the weight and stature of outside major powers can be a force to move intransigent smaller states. Certainly, a small power such as Armenia can benefit from the support of a dominant power, even if it is in a patron-client pattern, such as past Russian-Armenian relations. However, too often major powers have their own geo-political interests and ambitious agendas. Small countries may become mere pawns in a long, complex game of imperial chess. Too frequently in the past, Armeni-

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<sup>3</sup> See for example Hans Kohn, *Nationalism: Its Meaning and History* (New York, Van Nostrand, 1965); Elie Kedourie, *Nationalism* (London, Hutchinson, 1960); Ernest Gellner, *Nations and Nationalism* (Oxford, Basil Blackwell, 1983); John Hutchinson and Anthony D. Smith, eds., *Nationalism* (Oxford, Oxford University Press, 1994) and Anthony D. Smith, *Nations and Nationalism in a Global Era* (Cambridge, Polity, 1995).

<sup>4</sup> See for example Vicken Cheterian, *War and Peace in the Caucasus: Russia's Troubled Frontier* (London, Hurst, 2008).

ans have paid a heavy price for the imperial ‘Great Game’<sup>5</sup> and balance of power rivalry. Over and over again, such big power chess matches often come at the expense of smaller, weaker and more vulnerable states and nations. Accordingly, more neutral middle powers, such as Switzerland, Norway, Austria or Canada, might be more suitable facilitators.

Internationally-recognized experts in conflict resolution techniques can prove beneficial. For example, the internationally-acclaimed Munk Centre at the University of Toronto has fostered for a number of years ongoing informal dialogue between the opposing sides in the Middle East. At the Munk Centre a tranquil private setting, along with area experts and conflict resolution facilitators seek to build intellectual bridges, friendships, newly shared experiences, and trust amongst rivals and foes. In a similar fashion, there are the South Caucasus workshops fostered by the PFP Consortium of Defense Academies and Security Studies Institutes involved in Garmisch-Parenkirchen, Germany and elsewhere.<sup>6</sup> Of course, one risk of extended private discussions can be that others, not included in the process, but who are potentially affected, may fear what is being discussed or negotiated. Rumors from afar, whether accurate or not, can easily and rapidly spread under such settings. We witnessed such concerns, fears and rumors with the discussions about the Turkish-Armenian Reconciliation Commission (TARC) in the early 2000s and the secret meetings prior to the Turkish-Armenian Protocols of 2009.<sup>7</sup> Clearly, there needs to be a judicious mix of public and private discussions and some form of public feedback communication when lengthy secret diplomacy is undertaken. It is, of course, a difficult balance.

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<sup>5</sup> See for example Donald Bloxham, *The Great Game of Genocide: Imperialism, Nationalism, and the Destruction of the Ottoman Armenians* (Oxford, Oxford University Press, 2005).

<sup>6</sup> See for example the series of edited books by Frederic Labarre and George Niculescu such as *Geopolitical Challenges of European Security in the South Caucasus and Ukraine* (Vienna, Federal Ministry of Defence, Republic of Austria, 2019).

<sup>7</sup> David L. Phillips, *Unsilencing the Past: Track Two Diplomacy and Turkish-Armenian Reconciliation* (New York, Berghahn Books, 2005); John M. Evans, *Truth Held Hostage: America and the Armenian Genocide: What Then? What Now?* (London, Gomidas, 2016) and Thomas de Waal, *Great Catastrophe: Armenians and Turks in the Shadow of Genocide* (Oxford, Oxford University Press, 2015).

With a long history of inequality and troubled relations, the parties in question will need to address, in some significant way, past injustices. Misdeeds are rarely totally one-sided. In this regard, better and more accurate education about history is essential.<sup>8</sup> But it is not just about historical facts. It also warrants being better educated about conflict resolution techniques. It requires an understanding of how to begin to nurture trust and create a sense of wider community. Inevitably, part of this process will involve the need to recognize, accept and respect minorities and minority views, both cherished hallmarks of stable, modern democracies. This has not been achieved sufficiently in the region's past.

During deliberations, it may mean that we need to re-conceptualize the scope and domain of community and sovereignty. One lesson can be drawn from the Balkans. In the 1970s, the peoples of Serbia, Croatia, Slovenia, Bosnia, Montenegro, Macedonia, Kosovo and others were citizens of an unstable federation that eventually fractured and broke up amidst declarations of independence. Separation, civil war, ethnic cleansing, genocide and independence followed. During that time, ethnic and religious animosities were inflamed, political disputes over land claims were exacerbated, and mutual accusations were hurled at each other. There was far too little dialogue, but instead much heated argument and bitter, sometimes vicious, conflict. The hostility was both verbal and physical. Whether in war or genocide, word and deed are invariably intertwined. Just as harsh words often precede conflict, healing words probably need to precede enduring peace.<sup>9</sup>

With the collapse of Yugoslavia in the Balkans, a once vibrant federal community seemed forever fractured. It initially seemed that Humpty Dumpty could not be put back together again. Yet, only a couple of decades later, the former republics, now independent states, have eagerly sought to join a shared political community once more. Only this time, it is bigger, bolder, and more visionary. The European Union is continental in

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<sup>8</sup> This is a key analytical theme about the need to foster a common shared history explored by both the distinguished Turkish academic Taner Akcam and the Zoryan Institute.

<sup>9</sup> See Ervin Staub, *Overcoming Evil: Genocide, Violent Conflict, and Terrorism* (Oxford, Oxford University Press, 2011).

scope. Despite civil war, ethnic cleansing and genocide, a new generation in the Balkans has begun to show a willingness to explore a new expanded positive social and political relations. Why? Is it because of extraordinary optimism and idealism? Perhaps, but more likely it is because those countries, the region and the world need to move forward with new forms of governance. It is after all an increasingly interdependent world. What is true for the Balkans is no less so for the Caucasus.

To overcome centuries of past conflict and distrust, it may be necessary to explore focused mechanisms of co-operation as a step-by-step approach to functional integration.<sup>10</sup> At the end of WWII, German and French architects of a new Europe thought long and hard on how to build a new continental political structure. They began to take apart the old engines of war and rebuild them. The functional integration of ‘coal and steel industries’ of France and Germany became a fundamental pillar for a new Pan-European economic integration and political community to emerge. Such an innovative and paradigm-shifting path might be one that the Caucasus region could explore. Without a doubt, by global economic standards, most countries in this region are quite small and will need to be part of larger and more viable economic zones.

As in the West European setting, selected functional regional integration may be a way to educate and enable the next generation of the peoples of the Caucasus to envision an expanded community horizon.<sup>11</sup> In this regard, it is useful to recognize possible incentives vs disincentives from outside sources (e.g. other international players such as the United States, the European Union, Russia or the United Nations or Diaspora communities).

One comparative cautionary lesson for the Caucasus may be seen in the Diaspora Jewish and the Israeli government’s relations with its neighboring states. The Diaspora Armenian community, like the Jewish Diaspora, need

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<sup>10</sup> See Ernst B. Haas, *The Uniting of Europe* (Stanford, Stanford University Press, 1958) and Ernst B. Haas, *Beyond the Nation State* (Stanford, Stanford University Press, 1964).

<sup>11</sup> This theme about the need to widen a sense of community to overcome conflict, genocide and war was central to the writings of Helen Fein, *Genocide: A Sociological Perspective* (London, Sage, 1993).

not always be a voice of moderation in regional inter-state relations.<sup>12</sup> Here better and franker dialogue between the Diaspora and the home state seems crucial. The Protocols dispute amongst Armenians was a case in point.

### **Case Study: The Thorny Issue of Armenian-Turkish Rapprochement**

When the mass killing of genocide ceases, an immense challenge still remains. How to deal with the enormity of what was done?<sup>13</sup> After over a century, we are still confronted with the contrast of many states addressing the genocide, while others do not. Sadly, instead of getting on with the task of rebuilding fractured relations, the intellectual and moral battle of recognition vs denial of the Armenian Genocide continues to this day.<sup>14</sup> Far too little progress has been made in a century. Many questions and issues still need to be carefully explored. Why such resistance by Turkey in acceptance of such a well-documented event?<sup>15</sup> How can this resistance be overcome intellectually and constructively? Here the international work of psychologists, such as Israel Charny and Ervin Staub, might prove analytically beneficial. Is the resistance to recognition due to collective nationalist pride, misinformation in education, or to fears of possible costs of restitution? Accordingly, what, if any, compensation is required? Who will receive what? Who decides? How are the calculations arrived at?

Perhaps even more problematic from a contemporary political science point of view are the questions: After genocide, how do you re-establish 'normality'? Can you? Can you afford not to try? Should it to be left only to

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<sup>12</sup> On the diverse role of diaspora communities, see Ece Temelkuran, *Deep Mountain: Across the Turkish-Armenian Divide* (London, Verso, 2010).

<sup>13</sup> This is a topic that is addressed in sections of Alan Whitehorn, ed., *The Armenian Genocide: The Essential Reference Guide* (Santa Barbara, ABC-CLIO, 2015) and explored in my book *Just Poems: Reflections on the Armenian Genocide* (Winnipeg, Hybrid, 2009).

<sup>14</sup> See Aida Alayarian, *Consequences of Denial: The Armenian Genocide* (London, Karnac, 2008) and Fatma Muge Gocek, *Denial of Violence: Ottoman Past, Turkish Present, and Collective Violence against the Armenians, 1789-2009* (Oxford, Oxford University Press, 2015).

<sup>15</sup> Amongst the leading scholars, see Taner Akcam, *A Shameful Act: The Armenian Genocide and the Question of Turkish Responsibility* (New York, Metropolitan Books, 2006) and Ronald Grigor Suny, et al., *A Question of Genocide: Armenians and Turks at the End of the Ottoman Empire* (Oxford, Oxford University Press, 2011).

the two countries most directly involved to find a joint road ahead? Can they do it alone? Can they transcend their fear, anger and mistrust? Or do they need, like a bitterly divorced couple, external assistance?<sup>16</sup> Are there also significant international implications, both in law and foreign affairs? For example, do international court decisions about Kosovo in the Balkans have implications for Nagorno-Karabakh in the Caucasus?

In recent years, we have seen arise the somewhat provocative question: Is it possible to explore ‘state to state’ relations and open borders, while at the same time sending to a sub-committee the genocide issue? By so doing, does it, in effect, suspend the genocide issue? How viable is such a path, particularly given the extensive Armenian Diaspora? How defensible is such an approach in a world with an International Association of Genocide Scholars and an International Criminal Court seeking to assert responsibility and punishment for genocide in general? A joint historical committee is difficult enough in the scholarly world, although a notable success is the Workshop on Armenian and Turkish Scholarship (WATS),<sup>17</sup> However, if it involves two states with less than positive relations, this is a far greater challenge. Are both parties, in reality, committed to the search for truth or is one likely to use such a sub-committee mechanism as a method to forestall genocide recognition and subsequent follow-up compensation?

Another set of questions arise: Is the path to rapprochement best pursued by state to state sweeping and overarching agreement or by a number of smaller and more manageable steps? Is a grand blueprint or incrementalism more productive? What role is to be played by major outside powers? Are they a help or a hindrance? Or are academic exchanges and civil society society contacts more plausible in the short run?

At some point when faced with the existential reality of a sizable Diaspora and a smaller distinct homeland, one needs to ask: ‘Who is an Armenian?’<sup>18</sup> Is it a narrow and relatively closed definition or is it a wide and inclusive

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<sup>16</sup> Here the assistance of leading scholars on conflict resolution and post-genocidal reconciliation (e.g. Ervin Staub, Israel Charny) might be helpful. In both their cases, they have considerable teaching and in-field experience.

<sup>17</sup> See Suny, et al., *A Question of Genocide*.

<sup>18</sup> This is also the title of one of my poems on this subject in the bilingual volume *Return to Armenia (Veradardz depi Hayastan)*.

definition? Varying definitions of nationalism abound<sup>19</sup> and are important components of political theory and international relations. A better awareness of this literature might be instructive.

Relatedly, a philosophical and existential question the Republic of Armenia needs to address: Who speaks for the victims of genocide? Is it simply a role for the state's President or Prime Minister or Parliament? Or must it also involve Diaspora religious and political community leaders? What of the international academic community, many of whom have considerable involvement in the cause of genocide, in general, and the Armenian Genocide, in particular? Two examples of the latter are the distinguished international law professor William Schabas and pioneering genocide scholar Roger Smith.

Relatedly, how if at all, are the different regional players interconnected? For example, are Turkish-Armenian relations fundamentally that of a two person – dyadic bargaining game? Or is it far more complex?<sup>20</sup> As in human relationships, we know that dyadic relations can be complex enough, but when they become a three player triangle, they can become even more complex and unstable (e.g. a love triangle). This is no less so in international relations. While we may begin with the premise of the need for the Turkish and Armenian states to engage in mutually beneficial and frank dialogue, we realize that often this relationship alone is insufficient. Dyadic relations are frequently driven by complex multi-causal reality, as suggested below:

1. *Turkey vs. Armenia* (dyadic)
2. *Turkey vs. Armenia and the Armenian Diaspora* (triadic)
3. *Turkey and Azerbaijan vs. Armenia and the Armenian Diaspora* (multiple actors grouped around two broad alliances)
4. *Turkey and Azerbaijan and their Diasporas vs. Armenia and the Armenian diaspora, with potential balancing roles by the United State, Russia or the European Union* (multi-layered with dyadic, regional and global aspects)

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<sup>19</sup> See for example authors such as Kohn, Kedourie, Gellner and Smith.

<sup>20</sup> See Tatul Hakobyan, *Armenians and Turks: From War to Cold War to Diplomacy* (Yerevan, Lusakn, 2013).

With the break-up of the Soviet Union and the Soviet Bloc, there was a great and perhaps understandable tendency, particularly on the political right, in the United States to declare “We won the Cold War.” An assertive unilateralism often followed. Irrespective of views on the end of the Cold War, the harsh reality is that here in the South Caucasus, Armenia survives as an independent state, in significant part, because of Russian troops on the ground. Gorbachev allowed the freedom of the different peoples of the USSR to pursue “national self-determination”. Armenia is currently protected by a Russian nuclear trip wire of troops on the Turkish-Armenian border. Without those invited Russian troops on that border, Armenia’s military security vis-a-vis Turkey would be far more precarious. An Armenian Sociological Study of domestic attitudes just over a decade ago confirms the Armenian public’s recognition of this fact in their earlier positive assessment of Russia.<sup>21</sup> However, Russia’s extensive supply of armaments to Azerbaijan during recent decades and the equipment’s role in the April 2016 four day war between Azerbaijan and Armenia have caused many Armenians to begin to question Armenia’s past dependency on Moscow. The 2018 Armenian Velvet Revolution has accelerated the reassessment and changes.

That said, some Western commentators would do well to more fully understand that Russian troops on the ground are still crucial and can continue to play a positive role. In this regard, we witness the last remnants of the old NATO-Warsaw Pact military border between Turkey and Armenia. In any discussion of Turkey and Armenia, this is surely a crucial and complicating factor. It is not just a border between two independent states, one of medium size and one quite small, but it is a border between the vestiges of the Cold War alliance system. Old 20<sup>th</sup> century attitudes do not entirely disappear, even in the early decades of the 21<sup>st</sup> century. It seems unlikely that a lasting peace will emerge in the Caucasus without the active support of the United States, Russia and the European Union. Iran too has a potentially key role to play. In this regard, Armenia can continue to play a potential bridging role between East and West, as it has sometimes done historically.

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<sup>21</sup> International Republican Institute, “Armenian National Voter Study”, May, 2006.

It should be noted that the Presidents of Turkey and Armenia met in 2008 in historic “football diplomacy” and talked as respective heads of state. Yet, the existential political question of “Who speaks for Armenia?”<sup>22</sup> remains, in reality, quite complex. At the apex of the Republic of Armenia is, of course, Prime Minister Nikol Pashinyan, but there is also the President,<sup>23</sup> the Parliament and other institutions of governance. But a country and a nation such as Armenia is not composed only of political leaders, particularly a polity with a long, painful history of genocide and Diaspora dispersion. This has meant that there is a large, in some ways preponderant Diaspora leadership. But the Diaspora too is often fragmented and does not exhibit internal consensus, let alone synchronization with the political leadership of the Republic of Armenia. The Diaspora voices expect influence within the Republic of Armenia, not necessarily a final say. But there is a special interest in and sensitivity on the quest for a final resolution of the genocide issue. This all state actors should understand.<sup>24</sup>

It should be noted that the nature of a post-genocidal society/region is far more complex than that of normal state/society relations. The harsh reality is genocide not only causes mass death, but mass dispersion (i.e. a painful exodus of refugees). The result is that an important components of the surviving fragments of the nation are not only traumatized by the event, but also are now physically and, in many ways existentially, separated from their homeland. Just as complexity exists on the Armenian side, so too there is a complexity on the Turkish side. For example, in past years, we have witnessed varying comments, not always consistent, about Turkish-Armenian relations by the then President and Prime Minister of Turkey. As a result, at times, it was hard to sense the intended meaning, direction and mood. This might have been shrewd bargaining or genuine disagreement. Turkey, like any society, is a complex social structure and Armenians, both in the Republic and in the Diaspora, need to better grasp powerful intra-Turkish social-political dynamics and undercurrents (e.g. the cleavages between those looking West to Europe vs. those East to the Middle East,

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<sup>22</sup> See my poem in *Return to Armenia (Veradardz depi Hayastan)*.

<sup>23</sup> Previously, Armenia was a presidential system with the President occupying the key role, but today it is a parliamentary system with the Prime Minister at the forefront.

<sup>24</sup> See for example my book *Ancestral Voices: Identity, Ethnic Roots and A Genocide Remembered* (Winnipeg: Hybrid, 2007).

advocates of military vs. civilian power, those who favor religious vs. secular orientation, activists from the political left vs. right, those that perceive the state as leaning to monism vs. pluralism, proponents of a stronger and more authoritarian state vs. defenders of democracy and civil society, to name only some of the major cleavages). The Turkish attitude to the so-called ‘Armenian Question’ is only one part of the political debate within Turkey and, from the Turkish populace’s perspective, it is not the most pressing or important cleavage. The issues of democracy and the Kurdish question are far more critical for most Turkish citizens and politicians.

### **Case Study: The Status of Nagorno-Karabakh**

To understand the present and the future of any disputed land, one needs to ask: What is the history? Who decided what in the past? For example, can legitimacy be based on a decision a number of decades ago by the despot Stalin? One must also pose: Who decides in the future? Is it Nagorno-Karabakh, Azerbaijan, Armenia or some combination of all three? Is the status quo viable? Can a small, landlocked state, with mostly a key hostile, closed border, survive, let alone thrive? This is a theme in the widely discussed and influential *At the Crossroads* draft manuscript<sup>25</sup> that is co-authored by prominent Moscow-based Armenian Diaspora businessman-philanthropist Ruben Vardanyan and his London-based colleague Nune Alekyan.

Powerful principles can also come into play. It is not uncommon for two contrasting concepts to be used by rival states to advance their respective cases. Thus, the principle of territorial integrity is heralded by Azerbaijan and Turkey.<sup>26</sup> While others, such as Nagorno-Karabakh and Armenia, pro-

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<sup>25</sup> The 196-page document *At the Crossroads: A Time For Solutions* was printed in several languages in draft form in 2018 and later appeared in 2019 on the armenia20141.com web site as *At the Crossroads of History, Civilizations and Ideas*.

<sup>26</sup> One should note that Turkey travels an intellectually hazardous terrain when it insists upon the return of Azeri lands to Azerbaijan, since in so doing, it indirectly opens up the thorny issue of the Treaty of Sevres and the US president Woodrow Wilson’s awarding of lands to Armenia, which had suffered so much during the 1915 Armenian Genocide. Turkey’s support of the principle of return of lands in the Azeri case and not in the Armenian seems an inconsistent and potentially unwise strategy for Turkey’s own long-term interests.

claim national self-determination is paramount. In the former argument, the contiguity of the land and deference for the past history of administrative rule (no matter how unjust) are given preference and priority. While in the latter, the unity of a collective people is stressed, even if they are a fragment of a larger nation. In the case of many territorial disputes, one can pose: 'Are these principles co-equal or does one supersede the other?' These are the sorts of questions that the UN, the Hague, neighboring states and the conflicting parties themselves must contemplate and discuss. The germane example of Kosovo comes to mind. Accordingly, it may be useful to draw upon international theoretical insights and try to foster newly-shared, common analytical political science and legal vocabulary. Here the historic gulf of West vs. East in the Cold War still hampers insight, let alone mutual understanding. Of course, every-day theoretical principles are forged by the hammering out of practical issues. In this regard, examples from the Balkans, the Middle East and the Caucasus are germane.

Amongst the thorny questions to pose in the elusive (hopefully not illusive) quest for justice, security and enduring peace in the Caucasus is: Can land be exchanged for peace? This is a suggestion often heard regarding Israel and Palestine in the Middle East. The assumption is that for peace to emerge, everyone must gain something, but not necessarily equally, nor all that they want or even expect. In some historically disputed lands, there can be a possible case for elements of dual sovereignty. Irish and British negotiations about Northern Island come to mind in this respect. But Anglo-Irish discussions, debates, and agreements have been painfully slow and incomplete.

Another possibility is some form of federalism as a possible path. Federalism has many variations and aspects,<sup>27</sup> ranging from a vibrant pluralism (e.g. Canada) to a façade federal regime (e.g. Soviet Union). Federalism, with its divided sovereignty, is a system of government far less frequent than unitary forms. Often the larger and ethnically more complex polities opt for a federal model. It is a way to achieve a larger economic trading zone and monetary policy realm, while retaining local linguistic and cultural

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<sup>27</sup> Ronald L. Watts, *Comparing Federal Systems*, 3<sup>rd</sup> edition (Montreal, McGill-Queen's University Press, 2008) and Thomas O. Hueglin and Alan Fenna, *Comparative Federalism: A Systematic Inquiry* (Peterborough, Broadview, 2006).

diversity (often crucial for vulnerable minorities). It is a profoundly important political model, but one that requires an understanding and acceptance of complex and divided sovereignty. It is inevitably a model for the future (e.g. the European Union), but less so in the past. While the success rate of federal states statistically is not high, many of the most powerful, large states are federal. It is, in part, how they can cover such large territory. A federal system, however, requires a complex sense of community and usually requires some degree of acceptance of social diversity. In the case of Nagorno-Karabakh, what would a possible federal solution look like? Would it be attached to Armenia or Azerbaijan? How much sovereignty and autonomy would it possess? What constitutional guarantees would be provided and by whom? The history of federal systems in the former communist world is not filled with successes, whether it be the former Soviet Union, Yugoslavia or Czechoslovakia.

Is there a place for a UN mandated territory? This is something that on occasion we saw as de-colonialism took place both at the end of WWI and WWII. The former Tsarist Empire and the Soviet Union had colonial aspects to their territorial rule and this suggests some relevance of these international mandate examples. This model, however, seems fraught with challenges, many endemic to the UN decision-making structure and internal political cleavages.

While nation-states have historically been defined as possessing sovereign power over a territory, increasingly there has been a growth in the concept and expansion of the dimensions of human rights in the modern era that increasingly transcend state sovereignty [e.g. the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the Responsibility to Protect (R2P)].<sup>28</sup> Accordingly, we must not only ask about the demands of states over disputed territory, we must also ask about the inhabitants currently residing in these lands and those who no longer live there. Too often in recorded history a people or a nation has been forcefully displaced amidst conflict. As in the Middle East, a core human rights question confronts the Caucasus: Do any displaced

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<sup>28</sup> Leo Kuper, *The Prevention of Genocide* (New Haven, Yale University Press, 1985) and Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington, Brookings, 2008).

persons or their descendants have the right of return or at least visit their ancestral lands? If not, do they have related rights to monetary and other forms of compensation? It seems that any quest for widespread justice and long-term stability must deal with these important questions.

### **The Future: Some Modest Suggestions**

One of the lessons from content analysis research on WWI documents, as Ole R. Holsti noted,<sup>29</sup> is that in more complex multi-party relations, it only takes one player to misperceive, to overreact and to raise the conflict threshold, and, thereby, to pull everyone else quickly up the escalation ladder towards all-out war.<sup>30</sup> Sadly, the Caucasus seems ripe for such a scenario. It is thus important for each and every state actor in the Caucasus to be better educated in conflict theory and practice, be more aware of different interpretations of history and germane political legal theory and to be in more extensive ongoing contact with all of its neighbors, particularly those with whom it has major disputes.

If contemporary Russia can acknowledge its dastardly role in WWII in the mass killing of Polish military and political prisoners at Katyn in the Soviet Union, then surely Turkey in the 21<sup>st</sup> century can acknowledge the mass killings of Armenian religious, cultural and political leaders in WWI. The good will that Russia earned in both Poland and the world by its honest and full acknowledgement was substantial. The belated apology showed that Polish-Russian relations need not be a conflictual zero-sum game. Poland did not simply gain and Russia lose. They both gained. Relatedly, the world and the Russian public, the latter long misinformed or misled on the subject, learned about how Poland had suffered such an enormous loss. The Russian leadership gained greater respect and trust on this issue amongst other states. But perhaps most importantly, Poland and Russia began the difficult and complex road to foster a new trust and respect for

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<sup>29</sup> Ole R. Holsti, *Crisis Escalation War* (Montreal, McGill-Queen's University Press, 1972). See also John C. Farrell and Asa P. Smith, eds., *Image and Reality in World Politics* (New York, Columbia University Press, 1967).

<sup>30</sup> Herman Kahn, *On Escalation: Metaphors and Scenarios* (Baltimore, Penguin, 1968).

each other.<sup>31</sup> On this issue, at least, they now share a greater sense of common history. The old, unhelpful pattern of denial was surpassed by something more constructive for all. It is an important lesson that others would be well-served to follow.

Hopefully, all parties seek to cut the Gordian knot in the Caucasus. One way perhaps is to think outside the box of simply categorizing and stereotyping everything into 'state vs. state' relations. Too often the land dispute issue is seen only as either it belongs to one state or another (e.g. Turkey or Armenia in one case and Azerbaijan or Armenia in another). But to do so exclusively is to fail to recognize the historic duality in political theory of state sovereignty vs. religious sovereignty. For example, in the Young Turk Ottoman regime, it was not just individual private property that was confiscated. It was also Church property and lands. A symbolic way of addressing the issue of genocide restitution is to return some of the churches and monasteries to the Armenian Apostolic Church, while still retaining the lands within the Turkish state. This would respect existing borders (a useful goal to avoid endless reopening of land claims), but would address a powerful symbolic injustice. The internal ownership transfer need only be of the few surviving and most meaningful churches and monasteries. To offer this simple act of restitution could be a helpful step in the process of reconciliation. It would not be enough for the most ardent Armenian nationalist, but it could be a meaningful start for many and is certainly long overdue. Similarly, any important historic mosque or Muslim site could be offered for Muslim clerics' supervision in Nagorno-Karabagh. The recent restoration and re-opening of the Govhar Juma Mosque in Shushi by the IDeA (Initiatives for Development of Armenia) Foundation is an example of a positive step forward.

As was the case of the visionary pioneers from post-WWII Europe, one proposal is to explore possible avenues of functional integration.<sup>32</sup> However, whereas in the past, coal and steel were seen as key strategic building blocks for functional integration, today it might be oil/gas pipelines (e.g.

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<sup>31</sup> Of course, the Russian invasion of Crimea undermined a great deal of the newly acquired good will and trust.

<sup>32</sup> See Ernst B. Haas, *The Uniting of Europe and also Beyond the Nation State*.

Nabucco), nuclear electrical transmission lines, rail links,<sup>33</sup> or the crucial issue of water in a semi-arid region. It seems ironic that it actually might be politically easier to open the border first for the trade in goods rather than people. Of course, the flow of persons is a key component of a modern economy and developed society.

## Conclusion

The Caucasus can lurch from one crisis to another and descend into a potential Hobbesian realm. Or it could look for constructive and visionary paths to regional and global governance. We are reminded that amidst the massive loss of life, destruction and ashes of WWII, French and German statesmen were confronted with enormous problems. Their joint history was filled with past conflicts and battles. Yet, they rose to the challenges. They offered a powerful and visionary alternative. As we look ahead towards 2040 in the Caucasus, we need to ask ourselves: ‘What sort of region do we envision? What sort of world do we wish for our children and grandchildren?’ The challenges are enormous. The risk and probability of failure are great, as the examples of the Turkish-Armenian Reconciliation Commission (TARC) and Turkish Armenian Protocols suggest. But we must try. In the long shadow of Mt. Ararat,<sup>34</sup> we must try.

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<sup>33</sup> In this regard, China’s inter-continental ambitions to build a new Silk Road (aka as the “Belt and Road Initiative” [BRI]/“One Belt, One Road” [OBOR]) between China and Europe can fit within the functionalist integration framework.

<sup>34</sup> The imagery of Ece Temelkuran’s book title *Deep Mountain* is particularly evocative in this regard.

## Epilogue

*Frederic Labarre*

This Study Group Information booklet (SGI) punctuates the 20<sup>th</sup> RSSC SG workshop proceedings. It is what our Austrian co-sponsors call a “jubilee” event; a form of anniversary. One must be of two minds to celebrate a series of workshops that have gone on for so long; evidently, each time, we rejoice at meeting old and new friends, and at the opportunity to provide solutions to some of the world’s most complicated conflicts. For both co-chairs of this Study Group, it remains a privilege. However, each time we are asked to come up with an original agenda we can’t help but be confronted with the fact that these conflicts have been going on for more than a quarter of a century. Each workshop, although it brings its lot of policy recommendations, is a reminder of the enormity of the problems that the South Caucasus faces. In French, a “jubilee” is a joyous occasion. It gave birth to the verb “jubiler”; to revel, in English. There is nothing joyous at a quarter of century of conflict, of displaced persons, of isolated youth, of stunted economic and social development, and at the constant risk of regional conflagration.

Since this workshop series has been reintroduced in 2012, we have proceeded by leaps and bounds to assure that the results of the workshops are useful and germane to the problems under scrutiny. Very early, we opened attendance to all representations of the conflict situations. In order to make sure that each conflict would receive the proper attention, we have instituted the practice of having breakout groups to develop policy recommendations that reflect each challenge. This was necessary, for, as was expressed here in the texts of Michael Schmunk, Michael Cecire, and Stepan Gri-goryan, one set of solutions does not fit all conditions. It has never been possible to develop practical solutions that could apply in Nagorno-Karabakh, South Ossetia, Abkhazia, as well as between Russia and Georgia, Armenia and Azerbaijan, and Armenia and Turkey. Persevering in an attempt at homogeneous solutions would only produce very general recommendations. We have always sought to facilitate the sort of discussions that would yield as practical and as actionable recommendations as possible.

Occasionally, we could only be satisfied with a lowest-common-denominator set of policy recommendations; options general enough to be acceptable to everyone around the table, but not so precise as to generate controversy.

This time, we made a conscious effort at drilling down our inquiry and discussions to generate near-technical solutions to problems and challenges that dog the populations and policy-makers on the ground. It is telling that while not all of the papers presented reflected this approach, the flexibility we allow produced a very informative result. For instance, our colleagues from the Abkhazian region of the South Caucasus attracted our attention on the social problems created by forced autarchy. This will enable us to reverse-engineer an eventual workshop program, which will focus on the power of educational exchange in order to generate a peace-oriented youth (a cursory examination of social media postings from Armenia and Azerbaijan shows that the internet does not automatically bring peace and understanding, regardless of the age of the user).

Speaking of Armenia and Azerbaijan, the 20<sup>th</sup> RSSC SG workshop was graced with representatives from all sides of the Nagorno-Karabakh conflict, and it is interesting to read the pieces that were presented. Most of the papers mention Mr. Pashinyan's August 2019 "unity" speech in Nagorno-Karabakh, and while they agree that the speech was significant for the conflict resolution process, they also note Mr. Aliyev's response as well as the fact that meetings between the two leaders and their ministers of foreign affairs have occurred at an increasing frequency. As we were compiling this collection of papers, the co-chairs were heartened by the fact that meetings in the OSCE Minsk Group format had been taking place in Geneva for several days.

What's more, it is the language that is being used which is telling of the possible direct relevance of the RSSC SG workshops; the Joint Declarations of the OSCE Minsk Group speak of the need to "prepare populations for peace"; these are expressions that have been repeated by our RSSC SG members on the occasion of the workshops that dealt with the media (those were workshops 14 and 16). This expression reveals what our analyses have made clear; first, that decades of media manipulation have made it impossible for populations of the South Caucasus to truly hear

each other, and second, that a conscious effort must now be made by the authorities to ensure that a peace deal may stick between the conflicting parties as well as not result in domestic upheaval. Few would have bet money on the rapprochement between Armenia and Azerbaijan. Yet the facts are there. The speakers and the papers they presented show optimism that was unthinkable only two workshops ago (especially in light of our “stock-taking” workshop in 2018). As hard as it is for us to accurately measure the impact of the RSSC SG workshops in this outcome, we fasten on the use of certain terms by official circles, particularly if they are used *in the wake* of a prior workshop. Among the initiatives at the PFP Consortium, the stability track shines by its relevance.

The conflict that seemed the easiest to solve, by comparison, that of Georgia, Abkhazia and South Ossetia, continues to defy resolution. Here too, however, some changes can be registered, but again, they are unexpected. In Berlin, the co-chairs sought to raise awareness that the South Caucasus was “running out of time” on the geopolitical chessboard. As concerns Georgia and her ambition to simultaneously join NATO and recover its territorial integrity, the conclusion is that, as long as Russia has traced a red line of no further NATO enlargement and pins down Georgia’s hopes by leveraging its domination of Abkhazia and South Ossetia, there are no happy outcomes for Georgia. If Georgia abandons sovereignty over Abkhazia and South Ossetia, this will be understood by Russia that Georgia wants to meet the two most difficult conditions to NATO enlargement; good treatment of minorities, and resolution of border conflicts. Since this would open the possibility of NATO membership, Russia would likely react adversely to such an eventuality. For the moment, Georgia’s territorial integrity can only be purchased at the price of official neutrality and giving up all NATO membership dreams. And even this won’t guarantee Georgian security.

The RSSC SG has already begun exploring a post-Pax Americana world in Berlin in 2019, with discussions about China’s and Russia’s increased role in the South Caucasus and in Ukraine. The paradigm shift we are witnessing every day a little bit more through media reporting will only accelerate. It prompts many questions; will this lead to a multipolar or a tripolar world? What risks will this new world order pose to the South Caucasus as it forms? These questions are already being asked in Baku, Tbilisi and Ye-

revan. One hopes that the RSSC SG workshops have facilitated the Armenia-Azerbaijan rapprochement, but we must also account for due diligence in Yerevan and Baku as well. In either case, the RSSC SG stands ready to assist as long as there will be appetite for it from the group.

In the last few years, the camaraderie among workshop participants has increased to the point that we can count on serene discussions. This too, is a hopeful outcome, as one of the original intentions of the RSSC SG was to create a reliable cadre of experts that can effectively cooperate on questions of increasing complexity. At the last PfP Consortium governance meeting, however, it was decided to bring the RSSC SG into a direction that is thematically in support of other working groups as a way to generate synergies and economies. This may mean that future workshops may be more task- rather than recommendation oriented. Insofar as we will leverage the RSSC SG group for the benefit of other PFP Consortium working groups, our work will be all the more relevant. It will be a testimony of our flexibility – and camaraderie – that our participants will be able to apply their skills in support of other themes. As co-chairs we look forward to the results and outcomes of such cooperation. For the moment, we thank all those who have contributed in making the RSSC SG the success that it is.

**PART V:  
POLICY RECOMMENDATIONS**



# Policy Recommendations<sup>1</sup>

*Regional Stability in the South Caucasus Study Group*

## **Executive Summary:**

The PfP Consortium Study Group for Regional Stability in the South Caucasus held its 20<sup>th</sup> workshop in Reichenau/Rax, Austria, from November 7-10, 2019. The aim of the workshop was to achieve a series of constructive and concrete roadmaps for each of the major unresolved conflicts in the South Caucasus. It was expected that by exploring particular aspects of conflict resolution, such as the commitment of all parties to the non-use of force and good neighbourly relations, conditions might be created to tackle thorny issues, such as that of status definition, and thereby breaking the current deadlocks.

## **Targeted Recommendations:**

- 1) Update, renew or create the institutional, legal and doctrinal parameters for conflict resolution in the South Caucasus. Regional networks and platforms for exchange should be promoted, or created, for example Women's Associations, South Caucasus Public Chambers, etc. and should remain apolitical and project based.
- 2) Focus on commonly agreed status-free risks and threats, which can be tackled technically and administratively, without identity-based impediments.
- 3) Commit to seeing proposals through (including older ones), focusing on inclusive (grass roots and gender sensitive) track 2 and track 3 approaches.
- 4) De-link administrative and technical concerns from identity markers.
- 5) Ensure that international organizations review their modus operandi to reinforce local ownership of the peace process and remain engaged un-

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<sup>1</sup> Policy recommendations reflect the findings of the 20<sup>th</sup> RSSC SG workshop "Concrete Steps to Break the Deadlocks in the South Caucasus", held in Reichenau, Austria, 7-9 November 2019, and compiled by Frederic Labarre, George Niculescu, and with the input of Elena Mandalenakis and Hasmik Grigoryan and Hans Lampalzer.

til trust is assured among parties. Process and remain engaged until trust is assured among parties.

## **Introduction**

“Out of the box thinking” was on the agenda of the 20<sup>th</sup> Regional Stability in the South Caucasus Study Group (RSSC SG) workshop. After several workshops dealing with geopolitical issues, and a stock-taking workshop in 2018, the co-chairs re-directed attention to the need for practical, ground-based initiatives to foster greater stability at the grassroots and community levels.

The co-chairs attempted to propel and support thinking “out of the box” in providing concrete and constructive temporary or permanent solutions and to stimulate people-to-people exchanges within the region. While the results have not been those we have been aiming for, the discussions and the end product are substantial.

What follows are brief summaries of the presentations in each panel, followed by summaries of the report of breakout group discussions which fed policy recommendations.

## **Contemporary and Historical Examples**

Much of the regional stability enjoyed in South Caucasus has been purchased at the expense of conflict freezing. Measures meant to pause fighting temporarily have adopted a frustratingly permanent character. But it was not always so. Sometimes, objective conditions make breakthroughs possible. Even so, technical, administrative measures need to be implemented to make the deals stick. Such was the situation in the Saarland, between Germany and France after the Second World War, and also between the two Germanies during the Cold War. Technically complicated solutions require step-by-step rapprochement backed by mediators willing to make the sacrifices necessary to help bring the parties to agreement. The population must also be prepared for the change in relations. Such mediators include Belarus, whose role in Eastern Ukraine/Donbas conflict mediation is defined by the lack of understanding between parties.

The Minsk process is designed to flesh out solutions, but it is never easy. The South Caucasus is a region of predominant importance to Russian interests, so if the prospects of European or Eurasian integration do not meet with unanimity, then the parties must show restraint and be pragmatic. Putting the status question aside temporarily therefore becomes *sine qua non* to prevent new outbursts of violence on the lines of contact. Other speakers believed that there had been too little constructive discussion on status. The involvement of Western powers in conflict resolution has always been predicated upon the democratic development in the South Caucasus. If this is so, then track 2 and track 3 diplomacy initiatives would need to be elaborated to facilitate discussions on status. Otherwise, the presence of (a) powerful mediator(s), such as was the case for the drafting and agreement of the Kars Treaty, would be the model to follow. If international law cannot be of any succour to the resolution of status, then developing a structure of cooperation around commonly agreed status-free risks and threats affecting populations on either side of contact lines would be a step in the right direction.

### **Scenarios for Conflict Resolution for Armenia, Azerbaijan and Georgia**

Scenarios are not predictive images; they are hypotheses to cope with change and uncertainty. This approach was tested in this panel and yielded rich exchanges among participants. For instance, it was argued (although not all agreed) that national diasporas could be leveraged for the benefit of structured track 2 diplomacy efforts in the region. The aim would be to shape new narratives, mobilize resources and the business community.

In other words, participation in conflict stabilization would be individualized. This level of participation would require ways to mitigate the potential unease in official circles in the South Caucasus. Another speaker also argued that the “no peace no war” conditions that prevail demanded new structures. What is more, such structures should be inclusive (especially of enabling gender neutral participation in the conflict resolution process, as per UN Resolution 1325).

Projects under consideration should be depoliticized (or non-identity based) in nature. Community-based dialogue spaces should be created,

such as a South Caucasus Women's Peace Association. Such structures, it was argued, could work hand in hand with official circles, but not to the detriment of the "localization" of conflict resolution participation. Under such a view, ad hoc or informal solutions are quite acceptable tools of confidence building.

### **Scenarios for Settling Status Issues**

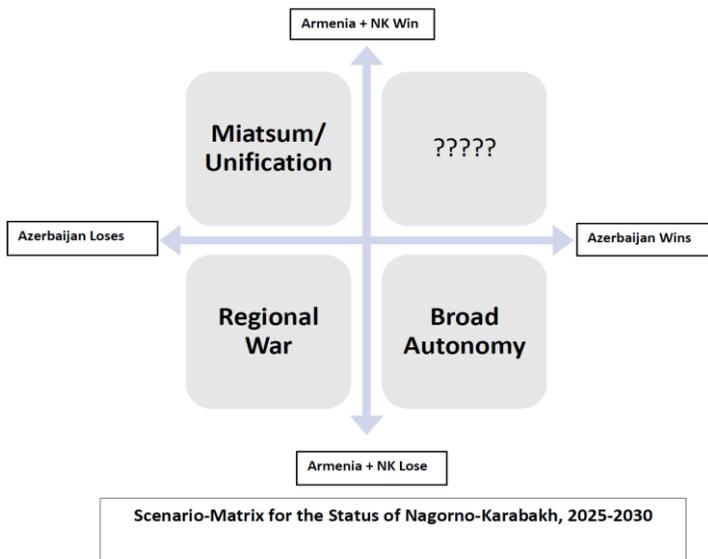
This panel yielded more on the consequences and impact of unsettled status issues on the populations living under such uncertainty. For instance, it was revealed that some Georgian diaspora organizations in Russia have their reputation tarnished as a consequence of Russia-Georgia tensions. Discrimination and prejudice hinder diaspora organizations from being an effective bridge between communities in dispute. At an individual level, lack of resolution of status issues produce problems for people from Abkhazia, Nagorno-Karabakh and South Ossetia. For instance, inhabitants from Sukhum/i may see their chances to attend school overseas diminished because of extraterritorial doctrines of non-recognition. Similarly, certain documents may not be recognized because foreign institutions are told not to endorse them because of political identity markers. Inversely, political considerations of donor countries affect the likelihood that a partially-recognized region will be able to attract the talent it needs to facilitate socio-economic development.

The positions of Armenia and Azerbaijan relative to the status of Nagorno-Karabakh have not changed. Yet even the clash of positions during presentations and subsequent discussions produced useful ideas. For instance, the idea of a free trade area straddling the region in dispute between Armenia and Azerbaijan manifested itself once again. Other ideas, needless to say, such as the reunification of Nagorno-Karabakh with Armenia (Miatsum), were not received favourably by many workshop participants. On the other hand, resorting to international law to resolve the incongruities between self-determination and territorial integrity seems to hold very little promise. Even the equality of rights offered to both ethnic groups, as declared by the conflicting parties, is suspect in absence of workable guarantees that these rights will be respected.

Following the three panels, and the first interactive discussion, the participants broke into two breakout groups whose evocative names were meant to stimulate ideas; Da Vinci and Edison. What follows are the reports of discussions within each group, and which help compose the policy recommendations for this 20<sup>th</sup> RSSC SG workshop.

*Da Vinci Breakout Group*

What outcomes and conditions were required for reaching peace? And how to meet them? The plan was to construct a roadmap for reaching peace in 2025-2030 leading into a scenario that would outline a win-win solution for Armenia, NK and Azerbaijan. It was noted that this was a difficult endeavour, as the timing of undertaking concrete steps mattered a lot and developing a full roadmap would take more than the two hours available for discussion. Therefore, it was proposed to discuss only the win-win scenario and some key elements for the roadmap leading into that scenario.



The discussion on the win-win scenario started with an attempt to identify which of the Madrid+ 3 principles (Non-Use of Force, Territorial Integrity, and Equal Rights and Self-Determination of Peoples) and 6 elements

(return of the territories surrounding Nagorno-Karabakh to Azerbaijani control; an interim status for Nagorno-Karabakh providing guarantees for security and self-governance; a corridor linking Armenia to Nagorno-Karabakh; future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will; the right of all internally displaced persons and refugees to return to their former places of residence; and international security guarantees that would include a peace-keeping operation) could be associated with the win-win scenario.

After an exchange of statements describing the well-known differences among the positions of the parties, participants concluded that the discussion on the Madrid+ was not leading to breaking the deadlock.

Therefore, it was suggested to define the win-win scenario by recalling the Brussels Consensus on Post-conflict Regional Integration Scenarios in the South Caucasus developed several years ago by a group of experts gathered by the European Geopolitical Forum:

- the right of all people to live in an environment of peace and security;
- a shift in government strategy from preparing for war to building enduring peace and fostering economic development;
- good neighbourly relations as a basis for peace building;
- the right of all people to strive for economic prosperity, and;
- the right of all IDPs and refugees to voluntary return to their homes and/or lands and live there in peace and security.

This Brussels Consensus was the minimum description of the win-win scenario that met the consensual approval of all participants.

Then the discussion shifted to the roadmap leading into this scenario. In terms of implementation of the roadmap, the moderator asked whether a “step by step” or a “package deal” approach would better work for the rapprochement and the post-conflict phases of the conflict resolution process, respectively. Participants agreed that “step by step” was more appropriate for the rapprochement phase, and “package deal” for the post-conflict phase. However, the parties couldn’t agree on whether the rapprochement should be linked/dependent on concrete progress on Track 1

negotiations or not. This was a relevant caveat for both confidence-building measures, and peace-building initiatives that have been agreed here below.

Applying peace-building initiatives including those which had been previously agreed within this Study Group: the SC Energy Community, and a SC Strategic Peacebuilding Group under the Eastern Partnership (EU) was further considered. However, such initiatives were seen by one party exclusively as part of the post-conflict phase of conflict resolution.

In addition, the following elements of the roadmap to the win-win scenario were suggested:

- creation of Deadlock-breaking Teams comprising problem solving experts from both sides. They should provide advice to decision makers on how to move forward towards overcoming the deadlock and moving closer to an agreement.
- free economic/trade zones in and around Nagorno-Karabakh;
- a deal to fully de-politicize the issues addressed by peace-building initiatives, and;
- develop dialogue and concrete projects on human security, health care, education, youth exchanges, agriculture, and role of women in society.

The issues of demining territories and deployment of peace-keeping force were also discussed but it was noted that they needed to be implemented after the peace agreement was signed (i.e. in the post-conflict phase of conflict resolution).

One participant also noted that the society in his country didn't really feel local ownership of the conflict-resolution process. The OSCE Minsk Group modus operandi should be reviewed to reinforce the feeling of the civil society that the local people were involved in solving the conflict, and not the external actors. In response, another participant suggested that it might be a good idea to enhance the effectiveness of the NK conflict resolution process by adding to the existing top-down approach a new bottom-up dimension that would facilitate the involvement of citizens as well as CSO groups in breaking the current deadlock.

One participant suggested, as another possible way to break the current deadlock in conflict resolution, to start building common security interests that might, in time, alleviate the current conflicting positions stemming from the security dilemma. This would require developing experts' dialogue on opportunities for cooperation in responding against common risks and threats from the neighbouring Middle East.

### *Edison Breakout Group*

Discussions yielded the following; that an alternative mode of coexistence between levels of government (whether fully recognized, official, or not) was already in operation, and thus, that discussions on "guided autonomy" should be shelved. Interestingly, the talks suggested that neither societies in Sukhum/i and Tbilisi, were ready for a final and irremediable divorce.

Rather, an apparent incongruity emerged from the discussions. It seemed that for some, obtaining *recognition* was more important than obtaining *independence* in the internationally-agreed sense of the word. When this statement was made later in interactive discussion, it did not raise eyebrows, much to the surprise of the co-chairs.

All agreed that the current low-key interdependence enjoyed by the parties in dispute could be adversely impacted the more attention was showered upon status issues. On the contrary, communication between communities should be facilitated by not linking (or tainting) exchanges with identity markers. Technical issues should not become identity issues. Regardless of format, it was agreed, practical administrative issues could be dealt with as long as issues of common interest, like environment, academic and health mobility, water management issues were de-linked from identity considerations.

A proposal was put forward in which Georgia may recognize Abkhazia and then (or on the condition of) in short order, implement a process of re-integration. The exact nature of that integration remained to be determined. Although counter-intuitive, this proposal is aided by the fact that the Georgian constitution already recognizes the specific character of Abkhazian statehood. In-depth discussions on this proposal were not possible for lack of time.

Another proposal, heavily reminiscent of previous RSSC SG recommendations, was made to the effect that a South Caucasus Public Chamber could be set up. This institution would be apolitical and administrative in nature. Its role would be to represent grass-root organizations and communities from the South Caucasus, uniting them as an awareness-raising, lobbying and multinational yet regional public administration tool. This idea was predicated upon the acceptance of the general populations of the South Caucasus and their appetite for such devices.

Finally, it was emphasised that although new ideas are welcome, fully implementing older ideas was also a solution in its own right. With this in view, it was recommended that a policy review of the EU's Engagement without Recognition policy be undertaken, in parallel with legislative updating of various laws on Occupied Territories currently in force in the South Caucasus. Throughout, and as long as mutual trust cannot be guaranteed among the parties, the engagement of international institutions should be sustained.

### **Policy Recommendations**

The following ideas sprang forth from the breakout group discussions. They are synthesized here by theme.

- 1) Institutional renewal; structures and mechanisms for cooperation, such as Deadlock-breaking Teams, (between Armenia and Azerbaijan, notably), institutions devoted to energy security, peacebuilding/ peacekeeping and other commonly-held interests, need to be established.
- 2) Commonly held interests should be defined and leveraged as confidence building to facilitate rapprochement and eventually lead to conflict resolution as, for example, environmental issues, water management, academic/education and health mobility, agriculture, youth exchange, free economic/trade zones, professional and commercial exchange facilitation.
- 3) In particular a South Caucasus Public Chamber, dealing with exclusively technical matters, was proposed, as well as a South Caucasus Women's Peace organization.

- 4) Emphasis on track 2 and track 3, but in connection with track 1 process, should be maintained, to guarantee public ownership and acceptance of conflict resolution initiatives.
- 5) Review appropriate legislation and policy initiatives to make them consistent with the changing international relations paradigm.
- 6) Maintain administrative and identity issues cleanly separated.
- 7) Agree to fully de-politicize the issues addressed by peace-building initiatives.

## List of Abbreviations

BRI	Belt and Road Initiative ( <i>alternative abbreviation: B&amp;R, also: One Belt, One Road, see OBOR</i> )
BSEC	Black Sea Economic Cooperation
BTK	Baku-Tbilisi-Kars
CIS	Commonwealth of Independent States
COMECON	Council for Mutual Economic Assistance
CSTO	Collective Security Treaty Organization
DCFTA	Deep and Comprehensive Free Trade Area
DOC/RI	Dialogue of Civilizations Research Institute
EAEC	Eurasian Economic Community
EAEU	Eurasian Economic Union
EaP	Eastern Partnership
ECSC	European Coal and Steel Community”
EEAU	Eurasian Customs Union; Eurasian Economic Union
EU	European Union
GD	Georgian Dream – Democratic Georgia ( <i>party of Georgia</i> )
GDP	Gross Domestic Product
GDR	German Democratic Republic
GID	Geneva International Discussions
IDFI	Institute for Development of Freedom of Information
IDPs	Internally Displaced Persons
LoC	Line of contact
MFA	Ministry of Foreign Affairs
MoD	Ministry of Defence
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NK	Nagorno-Karabakh
NKAO	Nagorno-Karabakh Autonomous Oblast (region)
NREP	Non-Recognition and Engagement Policy
OBOR	One Belt, One Road ( <i>also: Belt and Road Initiative, see BRI or B&amp;R</i> )
OMON	Отряд Мобильный Особого Назначения <i>Otryad Mobil’nyy Osobogo Naznacheniya</i> Special Purpose Mobile Unit
OSCE	Organization for Security and Co-operation in Europe

PfP	Partnership for Peace
RSSC SG	Regional Stability in the South Caucasus Study Group
SCMI	State Commission on Migration Issues
SIG	Study Group Information
UK	United Kingdom
UN	United Nations
UNM	United National Movement
U.S.	United States
USA	United States of America
U.S.D	United States Dollar
USSR	Union of Soviet Socialist Republics

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“Out of the box thinking” was on the agenda of the 20<sup>th</sup> Regional Stability in the South Caucasus Study Group (RSSC SG) workshop. After several workshops dealing with geopolitical issues, and a stock-taking workshop in 2018, the co-chairs re-directed attention to the need for practical, ground-based initiatives to foster greater stability at the grass-roots and community levels.

Speakers from the region were required to concentrate on what outcomes and conditions could break the current deadlocks in moving towards peace and regional stability. Although deadlocks in South Caucasus conflict resolution were hardly broken, fresh consensus emerged among participants *inter alia* on: commonly held interests being defined and leveraged as confidence building to facilitate rapprochement and eventually lead to conflict resolution; administrative and identity issues being maintained cleanly separated; and the need to fully de-politicize issues addressed by peacebuilding initiatives.

**ISBN: 978-3-903121-83-6**

