

Notes for Comments by Giro Manoyan (Armenia)

"THE UNRESOLVED CONFLICTS IN THE SOUTH CAUCASUS: IMPLICATIONS FOR EUROPEAN AND EURASIAN INTEGRATION"

BSIS, University of Kent, Brussels, 8 December 2011

SESSION ONE: "ASSESSMENT OF THE CURRENT STATUS AND PROSPECTS FOR RESOLUTION OF THE FROZEN CONFLICTS IN THE SOUTH CAUCASUS"

- The current/persisting deadlock in the OSCE mediated negotiations aimed at peacefully resolving the Mountainous (Nagorno) Karabakh conflict is because of Azerbaijan's destructive approach in these negotiations regarding the core issue, namely the status of Mountainous Karabakh. The last minute delaying tactics by Azerbaijan at the Kazan summit in June 2011 was the most recent major demonstration of this approach.
- Azerbaijan is discontent with the OSCE Minsk Group process because the co-chairing countries have come to the understanding that the only real resolution of the Mountainous Karabakh conflict is with Mountainous Karabakh NOT being part of Azerbaijan; hence their "face-saving" [for Azerbaijan] wording in the "elements" based on the three Helsinki Final Act principles¹: "future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will."² The proposed "elements" envisage "an interim status for Nagorno-Karabakh providing guarantees for security and self-governance,"³ which apparently is "status quo plus."⁴

¹ "Helsinki Final Act principles of Non-Use of Force, Territorial Integrity, and the Equal Rights and Self-Determination of Peoples," Joint Statement on the Nagorno-Karabakh Conflict by U.S. President Obama, Russian President Medvedev, and French President Sarkozy at the L'Aquila Summit of the Eight, July 10, 2009. *See also* Joint Statement on the Nagorno Karabakh Conflict by Dmitry Medvedev, President of the Russian Federation, Barack Obama, President of the United States of America, and Nicolas Sarkozy, President of the French Republic, Muskoka, 26 June 2010

² *ibid*

³ *ibid*

⁴ "[T]hat is all that exists today plus the international recognition of this status," Negotiations: OSCE Minsk Group troika on regional tour to discuss Karabakh's 'interim' status, ArmeniaNow.com, accessed on 5 December 2011, http://www.armenianow.com/karabakh/31139/osce_minsk_group_visit_region_negotiations_karabakh

- Azerbaijan’s discontent with these “elements” is publicly expressed at the highest level of authority. Even the President, as late as in September 2011, spoke about applying the “successful examples of autonomies applied in the European family”⁵, conveniently overlooking the facts and experience of the Armenian autonomies of Mountainous Karabakh and Nakhichevan in Soviet Azerbaijan. As an expression of its discontent Azerbaijan has been attempting to change the venue of the negotiations from the OSCE Minsk Group to other international or regional organizations, simultaneously trying to threaten the international community of a possible all-out war through its war mongering, its increased spending on armaments and through its constant violations of the cease-fire.
- The outbreak of an all-out war would have uncontrollable and unforeseen consequences, because it would most definitely involve other powers and become at least a regional war. The constant violations of the ceasefire and provocations by Azerbaijan could result in a “disproportionate” response,⁶ in turn resulting in an unintended war. The massive amounts of petrodollars Azerbaijan is spending on arming its military, “500 million higher than the Armenian budget,”⁷ the belligerent tone of the Azerbaijani leadership and the violations of the ceasefire could put Azerbaijan in a Catch-22 situation where Azerbaijan wages a war it does not really want. Had Azerbaijan been confident it would win a war, it would have waged one. The

⁵ “We propose to use the positive and very successful experience of the autonomy model existing in Europe. I think the successful examples of autonomies applied in the European family can be applied here. We are well aware of what an autonomy is, what the right to self-government means. I am sure this will be the most important factor in resolving the issue, and we will succeed in that.” Speech by Ilham Aliyev at the opening ceremony of the international festive event marking the 20th anniversary of the state independence of the Republic of Azerbaijan, 23 September 2011.

⁶ Comment of the Press Secretary of the ARM Defense Minister Davit Karapetyan on the death of Two Armenian Soldiers Killed by the Azerbaijani Snipers on November 19 and 20, 20 November 2011, <http://www.mil.am/1321820687>

⁷ Speech by Ilham Aliyev at the official reception marking the 20th anniversary of the restoration of state independence of the Republic of Azerbaijan, 17 October 2011. <http://en.president.az/articles/3335>

other situation in which I believe Azerbaijan would be tempted to start a war, is if Armenia-Turkey diplomatic relations are established and Turkey lifts Armenia's blockade, without "taking into consideration Azerbaijan's interests." Also, it is not likely that Azerbaijan will wage a war because that would turn its Caspian "blessing" into a curse. After all, like *The Economist*, the Azerbaijani leadership too knows that the Baku-Tbilisi-Ceyhan "strategic pipeline pumping oil to the West from Azerbaijan and Kazakhstan passes just 12 miles from Nagorno-Karabakh-controlled territory. Shelling could quickly cripple it."⁸

- The lack of concrete results in the OSCE Minsk process is not as much because of the format of the negotiations, but rather because of Azerbaijan's miscalculation that time is on its side; as the president of Azerbaijan has stated publicly:
"[Azerbaijan's] population is growing, while [Armenia's] is declining. In 5-10 years from now, "[Azerbaijan] will have a population of 11 million people, while Armenia will have one million. Azerbaijan's financial resources and political clout are growing, [its] regional standing is strengthening, the army is becoming stronger and population figures are rising. It is obvious for everyone what that means."⁹
- The OSCE Minsk process format is not perfect because of the absence of the Republic of Mountainous Karabakh from the negotiations as a full-fledged party to the conflict and to the 11 May 1994 ceasefire agreement, hence to the negotiations.
- The next one or two years will not and cannot see any meaningful progress in the OSCE Minsk Group process, because: a) elections in Armenia, Azerbaijan and all the co-chair

⁸ *The Economist*, 12 November 2011, "Nagorno-Karabakh: Conflict on ice; A sore in relations between Armenia and Azerbaijan still festers"

⁹ Opening speech by Ilham Aliyev at meeting of the Cabinet of Ministers, dedicated to the socio-economic results of the first half of 2011, 12 July 2011. *See also*, Speech by Ilham Aliyev at the official reception marking the 20th anniversary of the restoration of state independence of the Republic of Azerbaijan, 17 October 2011.

countries; b) Azerbaijan has just been elected as a non-permanent member of the United Nations Security Council and will concentrate its efforts to bring the issue on the agenda of the Security Council, thus hindering any possible positive development in the Minsk Group process.

- Turkey has unfortunately demonstrated once again that it does not wish to be part of the resolution of the Mountainous Karabakh conflict and continues to act as part of the problem, further deteriorating its almost non-existent relations with Armenia and thus straining the regional security situation.
- In constantly selectively referring to some provisions of the United Nations Security Council resolutions on the Mountainous Karabakh conflict in 1993, Azerbaijan overlooks the fact that in its four 1993 resolutions the UN SC “Express[es] its support for the peace process being pursued within the framework of the [Organization for] Security and Cooperation in Europe,” and “Endorses the continuing efforts by the Minsk Group of the [O]SCE to achieve a peaceful solution to the conflict.”
- If a negotiated settlement is the objective of all parties involved, then the OSCE and its Minsk Group and the Minsk Group Co-chairs format are the framework. The Minsk Group and Co-chairs format, although not perfect, has thus far been instrumental in preventing the outbreak of violence on a large scale, which is one of the two major tasks in its mandate. However, the time has come for the OSCE, and for the international community in general, to clearly indicate to Azerbaijan that it cannot hold the negotiations process hostage. Azerbaijan has to be convinced that the international community will move ahead by recognizing the Republic of Mountainous Karabakh’s interim or final, partial or full status,

based on the Helsinki Final Act principles proposed by the co-chair countries, namely: “Non-Use of Force, Territorial Integrity, and the Equal Rights and Self-Determination of Peoples.”

- The US, the EU and in general all OSCE and UN members can and should play a positive role in this direction. Positions based purely on energy interests are counterproductive and dangerous, because not addressing and resolving the deep rooted core issues threatening regional security will endanger and threaten those energy interests. It is incomprehensible, to say the least, how Azerbaijan is being allowed by the international community to be an anti-Armenian state, not only destroying, defacing or mutilating anything and everything Armenian under its control, but also denying citizens of different countries entrance to Azerbaijan for the sole reason of their ethnic Armenian origin.
- The people of Mountainous Karabakh cannot be denied their human and political rights, for the sole reason that the state in which they live in is not recognized. The EU and the Council of Europe should be on the forefront of promoting those rights.
- Regional cooperation and confidence building measures, sponsored by the US and the EU, should include Armenia, as well as the Republic of Mountainous Karabakh or at the very least its population. Bypassing and isolating Armenia in regional cooperation and development initiatives creates new basis for future instability and threats for regional security. Also, people to people contacts and confidence building measures should include all three, namely Karabakh, Armenia and Azerbaijan.
- And last but not least, a comprehensive peace settlement cannot and should not bypass or disregard the rights and plight of the hundreds of thousands of Armenian refugees from Azerbaijan.