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Chapter Three

The Nagorno Karabakh Conflict

The Beginning of the Soviet End

Ali Askerov

INTRODUCTION

The main parties to the Nagorno Karabakh conflict are Armenia and Azerbaijan, independent since 1991, following the collapse of the Soviet Union. Once an internal problem of the Soviet Union, the Nagorno Karabakh (also known as Upper Karabakh and/or Mountainous Karabakh) crisis started three years before Armenia and Azerbaijan gained independence, and remains unresolved after more than thirty years. The war has left over 30,000 casualties and about a million refugees and internally displaced people. By the end of 1993, Armenian armed forces managed to occupy seven Azerbaijani districts, in addition to the Nagorno Karabakh region, all of which constitute about 16 percent of Azerbaijani territory. A cease-fire agreement brokered by Russia has remained in place since 1994.

The Nagorno Karabakh conflict is often considered as one of the frozen post-Soviet conflicts since currently no active combat is taking place. In reality, however, violence has never disappeared along the contact line, and tensions have persistently remained high. Armenia and Azerbaijan have no diplomatic ties and continue to view each other as archenemies. The mediated talks they have been involved in have not been successful, and many cease-fire violations have occurred in the conflict zone. The worst violence occurred during the brief four-day April 2016 war.

The mediation efforts led by the Minsk Group of the Organization on Security and Cooperation in Europe (OSCE), commenced in 1994, have not been successful to produce a permanent solution to the conflict. The Minsk Group is co-chaired by the United States, Russia, and France, who organize summits of the leaders of Azerbaijan and Armenia, and hold frequent meetings. The Minsk Group has prepared proposals to resolve the conflict, but none of

them has been accepted by both parties at the same time. Russia's membership of the Minsk Group is highly controversial as it is a close military ally of Armenia.

In addition to Armenia and Azerbaijan, the unrecognized *de facto* independent administration of Nagorno Karabakh claims to be one of the main parties to the Nagorno Karabakh conflict. This claim has occasionally influenced the agenda of the peace negotiations between Azerbaijan and Armenia that have lasted for over twenty-five years. Both the Armenian and Azerbaijani communities of Nagorno Karabakh and the displaced Azerbaijanis from the seven surrounding Azerbaijani administrative regions—Aghdam, Fuzuli, Kelbajar, Zangilan, Lachin, Jabrail, and Gubadli—under Armenia's military occupation for almost three decades, are passive actors to the conflict. That is to say, the voice of the Azerbaijanis expelled from their homes by Armenia is not heard and ignored by the mediators.

Nagorno Karabakh is recognized by the international community as part of Azerbaijan, although it is under full control of Armenia since the early 1990s. Armenia insists on the independence of Nagorno Karabakh, because it has successfully maintained the occupied territory under its military control. Azerbaijan still keeps its hope alive of restoring its territorial integrity, while the most recent Armenian prime minister, Nikol Pashinyan, is making declarations about the unification of Armenia and Nagorno Karabakh (Kucera, 2019).

This protracted conflict has affected the lives of millions of people on both sides, especially in Azerbaijan, which has received about one million refugees and internally displaced people. The parties to the conflict can't make any serious decisions without the approval of the population affected by the conflict, who have been given unrealistic promises by their governments. This puts the parties in an uncompromising position and creates impasses in negotiations. The four-day April War of 2016 could be a precursor for a new type of warfare between Armenia and Azerbaijan if the conflict remains unsettled. This chapter discusses the Nagorno Karabakh conflict with its dynamics and considers the resolution avenues to it, in addition to the main points of the crisis.

FROM LATENT CONFLICT TO FULL-SCALE WAR

Claiming that the Nagorno Karabakh conflict caused the collapse of the Soviet Union may be seen as an exaggeration, but in reality, it was the first overt ethnic identity-based crisis within the Soviet Union after World War II, which the Kremlin seemed to be unable or unwilling to address and resolve in a reasonable way, undermining the purported unity of the Soviet national identity

supposedly cemented by Marxism-Leninism. The Soviet regime concealed a few ethnic identity-based conflicts discussed in this volume, but it was the Nagorno Karabakh conflict that shook the Soviet Union first. This crisis showed that the Soviet nationalities policies were not sound enough, and not equally effective throughout the country. The Nagorno Karabakh conflict has been one of the most intractable and bloodiest post-Soviet conflicts as well.

The annals of the complex history of the Nagorno Karabakh region of Azerbaijan are full of overlapping territorial claims by both Azerbaijan and Armenia. Fortunately, the claim that a state may have historic rights with respect to land has not found abundant advocates among scholars of international law (Dupuy & Dupuy, 2013). It is generally accepted that historical accounts either have no or trivial value for international law (Shaw, 2003). Yet, a brief review of the history of Nagorno Karabakh of the Soviet epoch is necessary to comprehend the evolution of this protracted violent conflict between Armenians and Azerbaijanis. For the purposes of this chapter, a quick review of the history of the salient historical events regarding the conflict would adequately help with explaining its character and dynamics.

The historical dispute around Nagorno Karabakh was in a state of dormancy for decades during the Soviet rule, during which the predominantly Armenian-populated region enjoyed a form of autonomy within the Azerbaijan Soviet Socialist Republic. In the twentieth century, the Armenian claims to this region go back to the early years of the Soviet Union and even beyond (Cornell, 1997; 1999). Armenians unsuccessfully demanded the region from Azerbaijan in the 1920s, 1930s, 1940s, and 1960s. The 1945 demand was especially remarkable when Armenia's petition was reviewed by the Kremlin, soliciting Azerbaijan's opinion. Mirjafar Bagirov, then the leader of the Azerbaijan's Communist Party, did not object to the secession of Nagorno Karabakh with the exception of Shusha city, a cultural center of Azerbaijan with Azerbaijani majority; however, he in return asked for three administrative regions of Armenia—Azizbekov, Vedi, and Qarabaglar—to join Azerbaijan based on their overwhelming majority of Azerbaijani population (Suleymanov, 2015). Although Azerbaijan's counterproposal made Armenia withdraw its demands, the Armenian government developed a policy of gradual expulsion of Azerbaijanis from Armenia (Pasayev, 1995). The main wave of deportations supported by the Kremlin took place in 1948–1953, the process which massively influenced subsequent political developments. The mass deportation of the Azerbaijanis from Armenia was completed in 1988.

The Nagorno Karabakh conflict re-emerged in August 1987, when the Armenian Academy of Sciences demanded a transfer of the Nagorno Karabakh and Nakhichevan regions of Azerbaijan to Armenia. The conflict escalated with the November 1987 statements made in Paris, France, by

Abel Aganbegyan, an Armenian Soviet academician and member of Mikhail Gorbachev's team on economic issues. Claiming that Nagorno Karabakh had many socio-economic problems, Aganbegyan made a proposal to the Soviet leadership to find a solution to the Karabakh problem based on *Perestroika* and *Glasnost*, new Soviet political and economic reforms (Askerov & Matyok, 2015). In his statement, Aganbegyan demanded a transfer of Nagorno Karabakh from Azerbaijan to Armenia implying that there was an ethno-territorial problem in the Southern Caucasus region of the Soviet Union, and a solution was possible by such a land reallocation. This statement became a signal for the secretive Armenian "Karabakh Committee" and its offshoot separatist organization "Krunk" in the Nagorno-Karabakh Autonomous Region of Azerbaijan to function overtly, which in turn was a sign of the cracks in the Soviet political system (Efegil & Kasimli, 2015).

In early 1988, the Armenian population of the Nagorno Karabakh region, and the Armenian population of the Armenian Soviet Socialist Republic, petitioned for *miatsum* or the integration of Soviet Armenia with the Nagorno Karabakh region of Soviet Azerbaijan (Efegil & Kasimli, 2015). Later in the early 1990s, Armenia gradually changed its approach claiming the right of self-determination for the Armenians of Nagorno Karabakh. This change in tactic took place partly because the notion of self-determination appeared to be more popular in the international community and more acceptable to the world public opinion. The cases of the former Yugoslav republics inspired Armenians to shift their demands from *miatsum* to self-determination.

In 1988, the Nagorno Karabakh conflict took an overt form and unexpectedly escalated fast due to the Gorbachev administration's failure to correctly estimate negative effects of the dispute not only on the well-being of the local population, but on the principle of territorial integrity of the Soviet Union itself. The Kremlin's initial stumbling policy was a sign of an impossible hope for a gradual spontaneous de-escalation of the Karabakh conflict. The Soviet leaders most likely underestimated the historical precedents that would confirm that the problem was not new, as Armenians had claimed these lands several times in the past, each time facing a failure but creating serious problems in the region. The Kremlin's loose and hesitant approach was a contributing factor to the escalation of the initially nonviolent conflict into a violent one as Azerbaijanis objected to the Armenian demands of a land transfer (Askerov & Matyok, 2015). Gorbachev's assumed acquiescence to the land transfer from Azerbaijan to Armenia was a grave mistake, and an enormously damaging misstep contributing to the conflict escalation. Although the initial skirmishes in Karabakh were local and only of minor significance to the sides, the conflict quickly escalated into regular deadly battles, finally taking the character of full-scale warfare (De Waal, 2003; Askerov, 2015).

The Karabakh war started as a civil war in the Soviet Union, Azerbaijan being a constituting republic of it. With the demise of the Soviet Union in 1991, Azerbaijan preserved its territorial integrity according to the principle of *uti possidetis juris*, a principle of international law, that serves to preserve the boundaries of colonies emerging as independent states. The *uti possidetis juris* principle developed as an attempt to avoid territorial disputes by establishing new states' territorial heritage at the time of independence and transforming existing lines into internationally recognized borders (Shaw, 1997). When Azerbaijan gained independence, the boundaries it had within the Soviet Union became international borders. Since both Armenia and Azerbaijan became independent, the Karabakh conflict transformed into an international conflict between two sovereign states after the collapse of the Soviet Union.

The new international situation created a fertile ground for the Russian troops already present in the region to help Armenian paramilitaries invade Azerbaijani lands beyond Karabakh to curb its will. Russia's active military support of Armenia in the war continued until the fall of seven administrative districts of Azerbaijan, in addition to the entire Nagorno Karabakh autonomous region in 1993. It appeared that the situation worked perfectly for the Russian policy of subduing the defiant Azerbaijan, which had rejected Russia's military presence in its lands, without having to deploy troops on the remainder of its territory. It is important to note that Russian military support played a crucial role in Armenian military success against Azerbaijan. Even the Khodjaly massacre of February 1992 was conducted jointly by Armenian and Russian troops (Goltz, 1998).

As De Wall (2003) argues, the Armenians had planned the secession of Nagorno Karabakh from Azerbaijan long before the violent phase of the conflict commenced. Weapons were distributed to Armenian militants in Karabakh as early as 1986. A few significant events contributed to the escalation of the conflict, but arguably nothing had more impact than the expulsion of Azerbaijanis living in Armenia who, at the time, numbered about 300,000. The Azerbaijanis were forced to flee the Armenian Soviet Socialist Republic (SSR) as a result of the growing anti-Azerbaijani sentiments, Armenian mass demonstrations, and Armenian attacks in 1988 (Kruger, 2010). Ousting Armenians from Baku and other Azerbaijani towns and villages followed these events, and the process of expelling Armenians from Azerbaijan ended in 1990.

The Kremlin's questionable policies contributed to the rapid escalation of the conflict at every stage of its development. One of the worst policy initiatives took place in July 1988, when Arkadi Volsky was named the representative of the Central Committee and Supreme Soviet of the Soviet Union in Nagorno Karabakh. On January 12, 1989, Mikhail Gorbachev appointed him

a leader of the eight-member committee of special administration for Nagorno Karabakh, which was against the interests of Azerbaijan since it de facto lost its jurisdiction over the autonomous region (Askerov & Matyok, 2015).

The Kremlin's decision to create a special rule over this region in early 1989 was a critical point in enlarging and deepening the conflict, since an emergence of a new legal situation around Nagorno Karabakh intensified the problem further. Although not rejected by the Azerbaijani communist leadership, the special rule perplexed and angered Azerbaijani people, pushing them to stage popular protests under the leadership of the underground Popular Front of Azerbaijan. At the same time, the Armenian leadership perceived the slow and vague Soviet policy as a green light for Armenia. Gradually, the process acquired extra complexities with the escalation of the conflict due to the uncompromising reactions by Azerbaijanis to the events. Now, the secret Armenian plans of that had started long before Azerbaijanis awakening to defend their interests were fully unconcealed and irreversible, leading to a bloody war over Nagorno Karabakh.

Highly incapable of settling the dispute, Volsky and his team left the region after the bloody massacre in Baku on January 20, 1990, executed by Soviet troops that left 147 killed and 800 injured, and 5 missing. From 1988 to 1991, the clashes of Armenians and Azerbaijanis in Nagorno Karabakh were local and mostly hidden from a wider public view. The war in and around Nagorno Karabakh intensified with the breakup of the Soviet Union. Enjoying Russia's help, Armenia managed to invade seven surrounding administrative regions of Azerbaijan beyond Nagorno Karabakh, creating the grounds for the relevant United Nations Security Council (UNSC) resolutions. The UNSC adopted four resolutions on April 30, July 29, October 14, and November 12, 1993, condemning the Armenian invasion of Azerbaijani lands and demanding the withdrawal of the Armenian troops from the Azerbaijani regions of Kelbadjar, Agdam, Fuzuli, Jabrayil, Qubadli, and Zangilan, all of which are beyond the Nagorno Karabakh region (Kruger, 2010).

Undoubtedly, Russian support has been crucial for Armenia's military success. Unlike Azerbaijan, Armenia has never ousted the former Soviet and now Russian forces from its territories. From the very beginning of the conflict, Russia supplied Armenia with what it needed to carry out the war, especially weapons and fuel. But Russia's support of Armenia was not limited to materiel and provisions. Russia's 366th motorized infantry regiment supported the Armenian troops in the Khojaly massacre on February 25, 1992, which resulted in killing 613, wounding 487, and taking 1,275 Azerbaijani civilians as hostages (Goltz, 1998). The Kremlin's role, both open and clandestine, in the creation and development of this conflict has essentially made Russia an active party to this conflict. At the same time, Russia has been a co-chair of

the Minsk Group of the CSCE/OSCE since its inception in 1994, which is the main mediating institution between Armenia and Azerbaijan. This fact alone has created an odd situation around the conflict as it is a good example of an ineffective, if not fake, third-party role in the process of resolving a conflict. Since the main tenets of the mediation institution are fairness and impartiality, Russia's involvement in the mediation between the parties of this conflict promises neither fairness nor impartiality.

INITIAL MEDIATION EFFORTS AND THE CEASE-FIRE AGREEMENT

President Boris Yeltsin of Russia and Nursultan Nazarbayev of Kazakhstan were the initiators of the first mediation attempt between Armenia and Azerbaijan in September 1991, a few months before the collapse of the Soviet Union. They came to the conflict-affected region to reach a cease-fire agreement between the sides. However, the early mediation efforts were not structured successfully to bring about well-organized talks between the parties, and this particular initiative ended with the fall of the Soviet Union in December 1991.

Another mediation effort, undertaken by Iran, lasted from February 1992 to May 1992, and turned out to be very unfortunate for Azerbaijan. As a neighboring state to both Azerbaijan and Armenia, Iran made an attempt to bring the parties to the negotiation table to find a solution to the problem through mediated talks. However, while the talks were in progress, Armenia seized Shusha, the most important city populated with Azerbaijanis in the Nagorno Karabakh region. Before long, Iran's mediation collapsed due to Armenia's increasing aggression against Azerbaijan. Russia's help in Armenia's invasion of Shusha was significant since the Kremlin wanted to be a sole influential external power in the region. Iran made an attempt again in the early 2000s to mediate between Armenia and Azerbaijan, but its efforts fell through, because Tehran did not have enough leverage to influence the sides (Peuch, 2001).

In August 1992, Nursultan Nazarbayev took another initiative to mediate between the parties, but the sides seemed not to be interested in his initiative leading it to yet another failure of the mediation. Following a number of fruitless attempts, the sides reached a cease-fire agreement with Russia's help in May 1994, after which the mediation process led by the CSCE (later OSCE) became the dominant institution for settling this conflict. Scholars explain reaching a cease-fire agreement and a commencement of negotiations by appealing to the ripeness theory, which explains such initiatives by the inability of the parties to see a likely path to victory, because of the drained

resources and strong motivations to negotiate or to seek mediation (Moorean & Druckman, 1999). However, it hardly would be accurate to explain the mediations in the Nagorno Karabakh case by this theory, because when the mediated negotiations started, Armenia had already reached its initial objectives of conquering the Nagorno Karabakh region, and even occupied much land beyond the borders of the disputed territory.

The superior and privileged position of Armenia in the negotiations due to its wartime gains before the cease-fire agreement started in 1994 is an undeniable truth. The effects of this truth are deeply felt in the entire negotiation process from 1994 to the present day, manifesting themselves in Armenia's uncompromising behavior. Nonetheless, the ceasefire agreement achieved in May 1994 has endured for twenty-five years with some minor exceptions, and this creates some grounds for optimism about a possible future deal acceptable to both parties.

THE MINSK GROUP MEDIATION

The CSCE/OSCE has played an active role in mediating between the sides to the conflict. In 1994, the institute of co-chairmanship of the Minsk process and the Minsk Group were established to further encourage a peaceful and negotiated resolution of the conflict over Nagorno Karabakh. The Minsk Group of the OSCE has been the main mediator for this conflict since January 1995.

The OSCE has been successful in organizing numerous meetings between the presidents of Armenia and Azerbaijan throughout the cease-fire period starting in May 1994. The fact that the presidents of Azerbaijan and Armenia had 23 summits in 10 years from 1993 to 2003, in addition to the 140 meetings with the co-chairs of the Minsk Group after its inception, testifies well about the intensity of negotiations. However, it is hardly possible to make a claim that the OSCE mediation has contributed to a concrete progress in the resolution of this conflict. After about 25 years of its activities, it is easy to say that it has been nothing more than an ineffective conversational forum for the parties to the conflict and the co-chairs of the Minsk Group since at least the time of the Lisbon Summit of December 1996 (Askerov, 2014).

The Nagorno Karabakh ceasefire agreement was signed on May 12, 1994, in Bishkek, Kyrgyzstan. Following the OSCE summit in Lisbon on December 2–3, 1996, a new cohort of the co-chairs of the Minsk Group was formed. The co-chairs—Russia, France, and the United States—had prepared three proposals since the second half of 1997 on the resolution of the conflict, the liberation of Azerbaijan's occupied seven regions outside Nagorno Karabakh,

and the status of Nagorno Karabakh, based on the Lisbon principles. All three proposals included the principle of territorial integrity for both Armenia and Azerbaijan, the legal status of Nagorno Karabakh based on self-determination, which would confer on Nagorno Karabakh the highest degree of self-rule within Azerbaijan, and the guaranteed security for Nagorno Karabakh and its whole population, including mutual obligations to ensure compliance by all the parties with the provisions of the settlement (Abilov, 2018). The main reason for Armenia's objection to these principles was the notion of Azerbaijan's territorial integrity, which means Nagorno Karabakh remaining in Azerbaijan.

The first of the three proposals made by the Minsk Group to resolve the conflict, submitted in June 1997, was the solution of the conflict as a "package" of deals. The second proposal, called "step-by-step," was proposed in September 1997. The third proposal envisioned a "common state" of Nagorno Karabakh and the rest of Azerbaijan in the form of federalism or loose federalism. There was yet another remarkable proposal that was built on the idea of exchanging lands between Armenia and Azerbaijan. Although the source of this suggestion is unknown, it was publicly debated in Azerbaijan in 1998. Some debates regarding this fourth proposal took place among the Azerbaijani public with almost no political force providing support. Azerbaijani government declined to entertain it as the public did not endorse it.

The efforts of the Minsk Group to manage this conflict have vacillated mainly between the *package* and *step-by-step* approaches. In March 1996, Swiss Foreign Minister and OSCE Chairman-in-Office of the year, Flavio Cotti, presented the mediators' first attempt at a draft framework for a *package* solution to the conflict. The *package* solution proposed to preserve the territorial integrity of Azerbaijan with the broadest possible autonomy for Nagorno Karabakh. The *package* approach sought to combine all issues, including the status of Nagorno Karabakh, in a single all-inclusive agreement without seeking a compromise on each issue individually. The fundamental weakness of this approach is the overlap of the most important issues for the parties in conflict, which makes concessions very unlikely to occur (Hopmann, 2014).

The other proposal, the *step-by-step* approach, was offered by the new Minsk Group co-chairs at the Lisbon Summit in 1997. By this proposal, the co-chairs offered a gradual settlement of the conflict through several stages seeking agreements on easier issues at the beginning, and addressing the more difficult concerns later in the negotiation process. The main drawback of this approach is that it entails compromises on each individual issue rather than allowing for cross-issue compromises to resolve the main issue. This approach puts the most difficult issue, the status of Nagorno Karabakh, off into the future which is not acceptable to Armenia as it does not want to risk the

war gains that have strengthened its position in the negotiations (Hopmann, 2014).

On November 9, 1998, the co-chairs proposed a third proposal, which was rejected by Azerbaijan without any discussions. This proposal was based on the idea of a *common state*, which envisioned a loose federalism of Azerbaijan and Nagorno Karabakh. Azerbaijan found the idea of a common state senseless and artificial. Azerbaijan's then-president Heydar Aliyev rejected this proposal unconditionally. Although Aliyev did not fully agree with the first two plans, the Armenian side did not agree with any of these proposals. A noteworthy point is that all of the packages were proposed to preserve the territorial integrity of Azerbaijan while offering the broadest possible self-rule to Nagorno Karabakh (Askerov, 2015).

On April 26, 1999, Washington initiated direct negotiations in the new format between the presidents of Azerbaijan and Armenia in Washington, DC, approved by the OSCE Minsk Group. However, as a result of this meeting, concrete results were not achieved in the settlement of the conflict. Negotiations at the level of Azerbaijani and Armenian foreign ministers were resumed in Prague on April 16, 2004. Subsequently, in 2004–2005, the foreign ministers of the two countries held eleven meetings and discussed the details of the new version of the peace plan on the settlement of the conflict (Seyidaga, 2016).

After a consultation with the parties, The Minsk Group announced a series of principles to guide negotiations at the OSCE's Ministerial Council in Madrid in November 2007. Based on three fundamental provisions of the Helsinki Decalogue, those principles included non-use of force, affirmation of the territorial integrity of each OSCE participating state, and respect for the right of self-determination of peoples. The "Madrid Principles" were intended to serve as a formula around which negotiation on details might follow. However, the parties of the conflict prioritize these principles differently. Azerbaijan emphasizes the territorial integrity of the sovereign states, while Armenia and Nagorno Karabakh stress the principle of self-determination. Under these principles, Nagorno Karabakh would be granted an interim status, including guarantees for security and self-governance, until all other elements have been agreed upon and put in place. Then, a legally binding referendum would be held to determine the popular will of the residents of Nagorno Karabakh about their future status. However, the sides to the conflict have never agreed over the details of a possible referendum (Hopmann, 2014).

Armenia claims that it is the population of Nagorno Karabakh who has a right to vote, while Azerbaijan argues that the entire Azerbaijani population should participate in such a plebiscite. In the first case, it is certain that the results of the referendum would converge with Armenia's aspirations. In the

second case, Azerbaijan's victory would be guaranteed. Therefore, I would claim that none of these approaches is fair enough due to ignoring the other party's rights. The best and most equitable way is to have a referendum about the status of the region among the population of the entire occupied territory, which means Nagorno Karabakh plus the seven administrative districts of Azerbaijan. The region as a whole has been under Armenia's occupation for about three decades, and its population has suffered from this subjugation tremendously. The people of the occupied region have been directly affected from the aggression, and now they should be given the right to vote about the final status of the entire region without separating the mountainous part of Karabakh from the rest of the region. After all, there is much evidence of the so-called Nagorno Karabakh Republic's effectively administering and exercising jurisdiction over the seven occupied Azerbaijani districts, which include, but are not limited to changing Agdam's name to Akna in 2010, renaming Kelbajar as Karvachar, and settling it and other occupied districts by Armenians, as well as arresting Azerbaijani citizens who secretly visited their occupied villages outside Nagorno Karabakh, and trying them in the capital of Nagorno Karabakh (Sanamyan, 2014). Thus, making all of the people from the occupied territories involved in a referendum to decide the status of the region would lead to a more equitable and lasting resolution of the problem.

Yet, there are no signs that the sides are willing or able to make concessions to the adversary that would break the stalemate in negotiations. Armenia has strived to keep the gains of the war through the preservation of the existing status quo, while Azerbaijan has tried to change the conditions without resorting to another bloody war. Although it is hard to call the situation in the frontline a real cease-fire in terms of nonviolent conditions, since soldiers and even civilians are killed on each side on a regular basis, the agreement has provided for a legal status and plenty of time for the parties to produce more effective policies, and the mediators to make better suggestions to resolve the conflict more constructively, and to produce some tangible evidence of success. Nonetheless, no notable change has taken place during the cease-fire period and this utterly disappoints Azerbaijan as its lands are still under the military occupation by Armenia.

UNSC RESOLUTIONS

Some of the main obstacles to reaching a resolution of the Nagorno Karabakh conflict include mutual distrust between Azerbaijanis and Armenians, the contradictory principles in international law and their interpretation, and the role of an outside agitators, including Russia and the Armenian diaspora.

However, there are some other fundamental problems that make the conflict more protracted, one of which is that the true aggressor is never explicitly named. Another is that Azerbaijan still hopes that a third party would broker the resolution of the problem successfully.

Occasional aspirations of Azerbaijani officials about the necessity of having the UN as a mediating institution is the reflection of their unhappiness with the unproductive role of the Minsk Group. As mentioned above, the UNSC adopted four resolutions in 1993 (822, 853, 874, 884) regarding the conflict around Nagorno Karabakh, and the other occupied Azerbaijani districts, namely, Kelbadjar, Agdam, Fuzuli, Jabrail, Qubadli, and Zangilan. However, none of these resolutions precisely names the aggression by Armenia in the early 1990s. The true source of the aggression in this conflict is not unconcealed, thus affecting the entire conflict resolution process. Since all of the four resolutions either state or imply the aggression of the local Armenian forces of Nagorno Karabakh, the fact of military aggression by more powerful outside forces, such as Armenia and Russia, is ignored.

The UNSC Resolution 822 adopted on April 30, 1993, called for the cessation of hostilities and withdrawal of the Armenian forces from Kelbadjar district of Azerbaijan following its occupation on April 3, 1993. The UNSC Resolution 853 adopted on July 29, 1993, demanded the immediate cessation of all hostilities, and called for the withdrawal of the local Armenian troops from the Agdam district of Azerbaijan occupied on June 23, 1993, and reaffirmed UN Resolution 822. The UNSC Resolution 874 was adopted on October 14, 1993. The UNSC Resolution 884 was adopted on November 12, 1993, condemning the violations of the cease-fire established between the parties. The resolution called upon the government of Armenia to use its influence to achieve compliance by the Armenians of Nagorno Karabakh with Resolutions 822, 853, and 874. It also called for the withdrawal of local Armenian troops from the district of Zangilan, and reaffirmed UNSC Resolutions 822, 853, 874.

According to Resolution 822, the UNSC was seriously concerned about “the deterioration of the relations between the Republic of Armenia and the Republic of Azerbaijan” and demanded “. . . immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan” (UNSC Resolution 822). However, the occupying forces are not explicitly named in the resolution. In Resolution 853, adopted only three months after Resolution 822, the Security Council “urges the Government of the Republic of Armenia to continue to exert its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of the Azerbaijani Republic with its resolution 822 . . .” (UNSC Resolution 853). Obviously, Armenia’s identity as a foreign aggressor, who used force to invade Azerbaijani

lands, is not explicit in this resolution, instead it is ascribed a role of a party that could be influential in managing the conflict. Resolutions 874 and 884 adopted later in the same year also do not mention the aggressors explicitly and use general terms such as “all parties,” “the parties concerned,” and “all States in the region.”

Some general but worthwhile points of the resolutions contain expressions explicitly supporting Azerbaijan’s territorial integrity, inadmissibility of the use of force, and the importance of negotiations. The role of the CSCE (OSCE) Minsk Group is mentioned a few times in the resolutions. Needless to say, none of these resolutions has been implemented in any form, and this raises a question about the effectiveness of the UNSC resolutions. The common feature of the UNSC resolutions around this conflict is that they all demand immediate cessation of all hostilities, and withdrawal of all occupying forces from Azerbaijan’s lands, and urge the parties to negotiate their differences within the framework of the CSCE (OSCE) Minsk Group. However, the resolutions have refrained to explicitly mention the external aggressors, specifically Armenia and also Russia, thereby creating misleading perceptions about the parties to this conflict.

WHO ARE THE PARTIES TO THE CONFLICT?

Deliberate ambiguities created around the issue of who the parties to the conflict are have made the resolution process futile. One of the most contentious issues of this conflict is the question of the parties to the Karabakh conflict, which has added to its complexity and intractability. Thirty years have passed since the launch of the conflict, but this simple, yet important aspect of the conflict, is still in disagreement. The importance of this point is in its power to affect the negotiations. With the onset of the negotiations, it was assumed that the conflict was international, and the parties were Armenia and Azerbaijan. This was true in reality since Azerbaijani lands were mainly invaded by the Armenian forces backed by Russia, although local Armenians of Karabakh were also involved in the war. However, Armenia’s insistence on Nagorno Karabakh’s participation in the negotiations as a separate entity persisted until 1998, when President Robert Kocharian of Armenia agreed that Armenia alone should represent the Armenian side in the negotiations excluding Nagorno Karabakh from the process. By removing a significant barrier to the resolution of the conflict, this approach increased the hope in Azerbaijan for a settlement of the dispute. However, in the late 2010s, Premier Nikol Pashinyan of Armenia returned to the previous policy claiming that Nagorno Karabakh should participate in the negotiations with Azerbaijan. He claimed

that he cannot represent Karabakh in the negotiations, because the citizens of Karabakh do not participate in elections in Armenia (Kharatyan, 2019). Azerbaijan objected to the attempts of changing the format of the negotiations, accusing Armenian authorities of disrupting the negotiation process.

The complexity around the negotiating parties is not a new occurrence. For decades, conflict resolution processes in the form of mediated talks have been taking place between Armenia and Azerbaijan. However, officially, Armenia denies being a party to the conflict (Kruger, 2010). This undermines the effectiveness and seriousness of the negotiation process. Armenia claims that the sides to the war are Azerbaijan and the Nagorno Karabakh Armenians. Needless to say, negotiating a conflict without clearly determining who the sides to it are creates rather odd dynamics. Obviously, not only is the capacity of Armenia as a negotiator questionable, also the process of talks seems to be untrustworthy. The situation itself, coupled with an odd conflict transformation scheme, has the potential to raise demoralizing doubts at different phases of the negotiation process.

Baku's understanding is that Armenia's willingness to enter into the conflict resolution process to negotiate on behalf of Nagorno Karabakh has created a fair state for negotiations; however, the self-proclaimed Nagorno Karabakh entity has never explicitly accepted this. Armenia's position has swayed, though not frequently, undermining the negotiations process. Uncertainties around the issue, which are rather deliberate, are a clear sign of the ineffective endeavor of negotiations taking place for decades.

Azerbaijan does not recognize the Karabakh Armenians as a party to the conflict, objecting to their direct participation in any negotiations. This is partially because the current status of the region could be better explained by the manifestation of military power of outside forces, Armenia and Russia, rather than the Armenians of Nagorno Karabakh. Hence, making the local Armenians a party to the talks is another form of trying to forcefully impose Armenia's position on Azerbaijan. Although Armenia's attempt to justify its forceful presence in Azerbaijani lands through making the Karabakh Armenians a party to the negotiations has not been successful, this recurring issue has raised doubts about the effectiveness of the negotiations process.

IS WAR STILL AN OPTION?

Undoubtedly, the most frequently used phrase about the war of Karabakh is associated with peaceful resolution of this conflict, especially since the third parties recurrently use peace rhetoric stressing that the only way of resolving this crisis is a peaceful one (Bordyuja, 2005; Askarov, 2019). This approach

opts out the utilization of the institution of war as an alternative means to end this conflict. Regrettably, in reality the elimination of a military option to solve the conflict is not easily achieved.

Since the Nagorno Karabakh conflict has had a violent character, and it has often been identified and called war, rejecting war as an instrument of solving it is not realistic, nor is it bias free. The status quo of the conflict is in Armenia's favor since it has reached all of its objectives formulated before the crisis started, and even progressed far beyond them. Before the war began, Armenia wanted to capture the Nagorno Karabakh region of Azerbaijan, which is about 4,400 sq. km (1,699 sq. miles), but now it controls 7,634 sq. km (2,949 sq. miles) of additional Azerbaijani lands. The total Azerbaijani territory under Armenia's occupation is about 12,034 sq. km (4,646 sq. miles). After reaching this extreme point by means of bloody warfare, stopping the war is in Armenia's interests, because the status quo gives it a chance to keep and manage the situation as long as it can. In this sense, the policy of the Minsk Group of the OSCE to preserve the "no war—no peace" situation has immensely benefitted Armenia's position. This is one of the main reasons of Armenia's aspirations for the peaceful resolution of the conflict as the single and exclusive option. Under these conditions, a peaceful resolution of this conflict does not seem realistic, and it is important to understand the genuine framework of the peace process to evaluate its supposed effectiveness in ending the conflict.

The de facto rulers of Nagorno Karabakh claim that the only final solution of the conflict could be complete independence, especially since they are already in full control of the territory, which also means an eventual unification of Armenia and Nagorno Karabakh. Therefore, even when Armenia occasionally has shown some interest in a compromise with Azerbaijan, the leadership of Nagorno Karabakh is opposed to it. This means a lot for Armenia's politics considering that the Karabakh issue has been very influential and important in Armenia's internal politics. This has been, once again, emphasized by Armenia's new Prime Minister Pashinyan, who on August 5, 2019, declared in the capital of Nagorno Karabakh that Armenia and Nagorno Karabakh should unify (Kucera, 2019). Considering the fates of some of the former Armenian politicians affected by their Karabakh policies, Pashinyan's move seems to be quite smart.

President Levon Ter-Petrossian lost his power in 1998, mostly because of his compromising policies towards Azerbaijan. The Armenian parliament shooting on October 27, 1999, resulted in the killing of nine, including the prime minister, Vazgen Sargsyan, and National Assembly speaker, Karen Demirchyan, was believed to be aimed to sabotage a new Karabakh peace deal. There were claims that the shooting of the Armenian parliament was organized by Russian special services to derail the constructive Karabakh

talks and to prevent signing of the agreement on Karabakh settlement at the Istanbul summit of OSCE (AZG DAILY #79, 03-05-2005). At the time, a process of dialogue started by Armenia and Azerbaijan was offering some hope for reaching mutually acceptable results. Undoubtedly, all or almost all of the political actors in Armenia have used the Karabakh card for their political purposes. Regrettably, the stalemate in the negotiations and the long history of the failed attempts to resolve this conflict have had an adverse effect on the hopes for permanent peace, also causing new policy considerations in Azerbaijan. One of the extreme steps made by Baku was the Four-Day War that took place in April 2016, discussed below.

RUSSIA'S PARADOXICAL ROLES

It is understandable that Azerbaijan and Armenia, two main actors in the Karabakh conflict, have clashing priorities. But secondary actors also have their priorities that sometimes influence regional politics more significantly. Russia's interference into the Armenian-Azerbaijani affairs has had a decisive role in the progress of the conflict process. Russia is so influential in the region that it can escalate or de-escalate the conflict any time depending on its own interests. On the other hand, Armenia entirely relies on Russia for its security. The irrefutable reality is that Russia and Armenia need each other for their own interests (Boyajian, 2019). This situation is likely to continue until Armenia manages to reconsider its policies and a strategic vision on conflict settlement.

Analysts claim that Azerbaijan could have dealt with the Karabakh issue even in 1993, if Russia did not back the Armenian troops (Tchantouridzé, 2008). To end the conflict before it became too intractable, Baku needed to convince Moscow to cease aiding the Armenians militarily. This never happened due to Armenia's geopolitical importance to the Kremlin, which gained special importance especially with Azerbaijan's ability to oust Russian troops from its territories in the early 1990s. With Tbilisi's removal of Russian military from Georgia (Kakachia, 2008), Armenia remained the only country in the South Caucasus where Russian troops were allowed to maintain a long-term legal presence. This alliance has been strong enough as it rested upon the mutual benefits for both Armenia and Russia. Armenia has traded its independence in foreign policy for its security. Since Armenia is Russia's only ally in the strategically crucial Caucasus, the Kremlin never grudged military support for Armenia in the invasion of the Azerbaijani lands. The abnormality with this is that Russia has been acting in the capacity of a mediator to make peace between Armenia and Azerbaijan, implying that

in this process it was expected to be impartial and fair, but in fact, Moscow has openly supported and aided Armenia.

Russia's military presence in Armenia and its geostrategic interests in the region poses a question about its impartiality as a mediator. Moscow's pro-Armenian policy while bearing the status of a co-chair of the Minsk Group has made Baku develop a deep distrust of Russia and its mediation that especially grew after it was revealed in 1997 that the Russian Defense Ministry transferred approximately two billion dollars in military hardware to Armenia, which was in violation of the Conventional Armed Forces Treaty in Europe (CFE). Armenia has received SCUD-B and Iskander-M (SS-26 Stone) short-range ballistic missiles (SRBM) from Russia, a Missile Technology Control Regime (MTCR) signatory (Jaffee, 2014).

For Azerbaijan, this not only tarnished Russia's role as a mediator in the conflict, but cast doubt on Armenia's claim to want a peaceful solution to the conflict. Baku has perceived Armenia's continuous efforts to strengthen its military, and build up its arsenals by means of Russia's support as an effort to pose a more credible threat to Azerbaijan. The cooperation between Armenia and Russia has manifested itself on various occasions, one of which was the Moscow Declaration of 2008. With that, on November 2, 2008, Russia made an attempt to gain a new status of playing a leading role in the determination of any settlement over the Nagorno Karabakh conflict. According to the declaration, the leaders of Russia, Azerbaijan, and Armenia reaffirmed their commitment to seeking a political solution to the conflict with the objective of creating a healthier situation in South Caucasus. Moreover, Azerbaijan would drop the option of resorting to the use of military force to bring Nagorno Karabakh under its control. Baku's formal pledge not to begin a new war was interpreted as a victory for Armenia (Fuller, 2008). Despite Russia's new role, the declaration did not omit the importance of the ongoing mediation effort by the OSCE Minsk Group, and specifically, of the so-called Madrid Principles, the basic blueprint for resolving the conflict.

Considering the undeniable truth that the Nagorno Karabakh region of Azerbaijan was invaded by the armed forces of Armenia with Russia's full military support, it is discernible that the Moscow Declaration was aimed at keeping the status quo in the region in favor of Armenia, and the Armenians of the Nagorno Karabakh region. In addition to the strategic alliance of Russia and Armenia, Russia has long tried to impose the Nagorno Karabakh Armenians as a negotiating party (Yeni Musavat, March 24, 2014). Experts have argued that a withdrawal of Russia's military and other support from Nagorno Karabakh would enable Azerbaijan to easily restore order in the region in a way it wished, even when it was militarily weaker (Ses Qezeti, 2015). The reality is that Russia's role in the region has been paramount, and

Moscow's policy towards South Caucasus reflects its interests in the region. In fact, Russia is interested in keeping the whole region under its influence, and this entails keeping the Nagorno Karabakh conflict unresolved.

However, Russia's credibility has recently been questioned by some Armenian analysts. It is being argued that Armenia has reconsidered its relations with Russia due to various reasons among which arms sale to Azerbaijan occupies a special place (Galstyan, 2018). Azerbaijan's arms purchase from Russia reached \$4.5 billion in 2018 (Tchantouridzé, 2018). Russia's arms sale to both Armenia and Azerbaijan is likely to galvanize a new wave of the military arms race between Armenia and Azerbaijan, where the gainer could be Russia itself (Abrahamyan, 2016). Selling weapons and military equipment to both Armenia and Azerbaijan allows Russia to create conditions in which it would be able to make more profits from arms sales and exercise its influence in the region.

Besides, Russia has a number of severe problems with Azerbaijan. Perhaps, the most important disagreement between them, even more significant than supplying weapons to Armenia, is over the status of the Caspian Sea, which is discussed in chapter 11 of this volume. In general, Moscow likes to demonstrate its might to the former Soviet republics by influencing their policies. The recent events in Crimea and the Donbass regions of Ukraine are good examples for Russia's antagonistic policies towards its neighbors (Askerov & Matyok, 2015). Moscow has tested the reactions of the West in Ukraine, and it knows that restoring its former sphere of influence is quite possible. Azerbaijan is one of its targets primarily because of its energy potentials due to oil and natural gas reserves, and geostrategic importance. On the other hand, the West needs Azerbaijan's energy, and Russia could try to cut it off. Moscow will continue using the Karabakh card effectively to this end. In this case, expecting impartiality from Russia in the Armenian and Azerbaijani conflict is unreasonable, and hence, Russia's mediating role in the Karabakh conflict is a sham and tolerated by Baku as it sees no alternative. Baku reserves the right to object to the Russia's double-dealing policies around the Nagorno Karabakh issue, and the April 2016 War was an apparent sign of it. New, effective, independent, and constructive approach in dealing with the Karabakh predicament developed by Yerevan would break the impasse in negotiations and could be the key to finding a common ground acceptable to the sides.

WITHDRAWAL FROM TALKS AND WAR PROBABILITIES

Azerbaijan's unhappiness over the past years has manifested itself repeatedly. Despite the Moscow Declaration, Azerbaijani leaders have recurrently

stated that they have lost hope for a positive change in this conflict by means of negotiations. Many statements by President Ilham Aliyev, and other high-ranking Azerbaijani officials have mentioned using force to restore peace and justice in Karabakh, if necessary (APA News, March 19, 2014; Azernews, October 29, 2013; Babayeva 2014; Rajabova, 2013). Likewise, Armenia's officials have occasionally threatened Azerbaijan with the use of force, in the case of Azerbaijan's attack (Jaffe, 2014; Kucera, 2019). In reality, the limited use of force has never stopped in the region. Both sides have sustained casualties due to adversarial sniper shootings.

On a number of occasions, unlike Armenia, Azerbaijan has directly or indirectly threatened to withdraw from the negotiations. Ostensibly, Azerbaijan is unhappy with the status quo, and the ongoing process of negotiations. Being a victim country with its lands invaded and occupied, Azerbaijan sees itself in a position of imposing pressure on the co-chairs of the Minsk Group. The existing situation is in favor of Armenia, which uses the process effectively to maintain the stalemate. This, however, does not mean that Armenia is against war, since its relations with Russia creates certainty of Russia's military support in the case of a renewal of the war.

Azerbaijan's position can be interpreted as a manifestation of a protest to injustice and indifference of the world community to its problems that emerged as a result of Armenian aggression. However, in the current international circumstances, trying to re-establish justice by means of war does not seem to be realistic. Baku faces a forced obligation to continue in a forum where it believes it cannot get the desired results. Russia's traditional Nagorno Karabakh and overall Armenian policies force Baku to be very careful. For many years, there have been arguments that Russia has a plan to enter Azerbaijan, and one of the best ways of accomplishing such an objective would be a renewal of the war in Karabakh (Residoglu, 2014). However, when the April 2016 War broke out in Karabakh, Russia opted for ceasing hostilities rapidly without letting it escalate further. Keeping the status quo in the region at that historical moment without letting the conflict to intensify was in Russia's best interests since it was deeply involved in the predicament in Syria. Indeed, Russia's direct and evident aggression against Azerbaijan would not be compatible with its everlasting cease-fire-based regional policies.

THE FOUR-DAY WAR

The Four-Day War took place in April 2016. Having lost its trust in the Minsk Group's ability to broker a conflict resolution, Azerbaijan made a very radical decision and chose the option of war. The war between Azerbaijan and

Armenia began along the line of contact on April 1, 2016, and ended after four days on April 5, 2016. This battle was the worst clash since the cease-fire agreement was reached in 1994. The primary causes of the battle were Azerbaijan's inclination to express its dissatisfaction with the status quo in general, and the OSCE Minsk Group mediation process in particular, and demonstration of its military might to both its archenemy and its own citizens to inspire them and resume popular support. Azerbaijan also wanted to test its own military ability and the reaction of the Armenian side. As a result of the April skirmishes, the Azerbaijani Armed Forces were able to take over the hills around the Talish village, and Seysulan village of Terter district, Lala hill and Cocuq Marjanli village of Jabrail district, and Gulustan village of Goranboy district, as well as the road to Madaqiz village of Terter district, all previously under the occupation by the Armenian troops.

A cease-fire was reached on April 5, 2016, with the involvement of Moscow, which gave a secret ultimatum to Azerbaijan to halt the war. Some analysts, including Neil Melvin, commented that Azerbaijan suffered heavy losses for relatively minor territorial gains (Ellena, 2016). Other experts, like Matthew Bodner of *The Moscow Times*, commented that Azerbaijan's offensive was unsuccessful because it did not change the status quo in the region, and the Azerbaijani army lost too many soldiers and military equipment (Bodner, 2016). However, the April War can be regarded as more successful for Azerbaijan than Armenia for several reasons.

Azerbaijan's initial goal was to demonstrate its military superiority over the Armenian military, and its decisiveness to regain the occupied lands by resorting to force. The obsessively long period of mediated negotiations since 1994 had created a false perception about Azerbaijan's approach to the conflict, and its capacity to change the status quo. By means of this battle, Azerbaijan wanted to correct the existing misperceptions, demonstrate its military capacity, and test Armenia's military capabilities to resist Azerbaijan's offensive. Consequently, Baku was convinced that Armenia's military was weaker than it was believed as a result of Armenian propaganda. This battle made the asymmetry in the military capabilities of Azerbaijan and Armenia evident. Azerbaijan's military superiority displayed itself swiftly.

Another goal of Baku was to change the balance in the psychological war, which has not been in its favor as a defeated state for a long time due to the continuation of the status quo that made Azerbaijani soldiers feel like the soldiers of a failed army. Despite the relatively small gains, the April War helped Azerbaijan to inspire its own army and demoralize its adversary. Also, Azerbaijan wanted to see how other countries, especially Russia, would react to its war initiative. Moscow's reaction was an immediate warning to Azerbaijan to end the fighting. Although no threats came publicly, it is believed

that Russia demanded an immediate cease-fire from Baku so as not to get involved in the war on Armenia's side. The consequence of this demand was the cease-fire agreement that took place in Moscow after only four days of fighting.

Azerbaijan wanted to inspire its own population as well as to get more support from them and toleration of the never-ending situation around the Karabakh issue. It has been observed that there was an incredible joy among Azerbaijani citizens, especially youth, who demonstrated their support for the Azerbaijan's military campaign (BBC, April 7, 2016). The claims that Azerbaijanis had lost their trust in victory over the Karabakh conflict were falsified by the April War. Finally, the April War was a message to the Minsk Group of the OSCE that its mediating efforts needed to be intensified. At the very least, Azerbaijan wanted to express the possibility of a renewal of war as an alternative to the abortive mediation brokered by the Minsk Group. Considering all these goals Azerbaijan had in mind before starting an offensive, it can be concluded that it was successful. However, this short war has clearly revealed the superior role and intention of Russia in keeping the status quo in the region unchanged.

CONCLUSIONS

The frequent rhetoric about the Karabakh conflict is that war is not a solution to this problem. Although Azerbaijan, as a victim of foreign aggression, has a moral right to use war as a means to restore its territorial integrity and re-establish peace and justice in the region, it has consented to resolve the conflict by peaceful means. Regrettably, the mediation institution in the overly long peace process has proved to be unproductive. Some of the main reasons of this are that Russia, one of the mediators, is a covert party to the conflict, and others, France and the United States, have large Armenian diasporas that influence the process of resolving this conflict. It is hard to make a claim that the third parties involved in the peace process are contributing to the development of a positive peace plan that could endure in the region for a long time. Rather, it is obvious that they are trying to impose peace on Baku in the form of a cease-fire without significantly changing the existing situation. The negative nature of the imposed peace may become a driving force for the eruption of a new wave of armed conflict at any time, a striking example of which was the April War of 2016.

Azerbaijan's lands have not been occupied by Armenia alone and without foreign help; rather it has been supported by Russian troops significantly. Even today, Russia and Armenia are parties to serious bilateral agreements

on security issues that are exclusively against Azerbaijan, since Armenia has an armed dispute only with the latter. Russia's military base in Gyumri with about 4,500 troops was rumored to be supplied in 2013 with Iskander-M systems with a 250-mile firing range (Freizer, 2014). Russia's air base at Erebuni airport near Yerevan, situated about twenty-five miles from the border with Turkey, is armed with modern military aircrafts such as MiG-29 jets, transport helicopters, and other advanced warplanes (AFP, Reuters, 2016). It is an undeniable fact that Russia has been a covert party to the Nagorno Karabakh war supporting Armenia since the commencement of the crisis. Oddly, Russia is playing two separate and contradictory roles at the same time regarding the same issue. Normally, Russia's partiality should disqualify it as a mediator between Armenia and Azerbaijan. Settling the problem over Nagorno Karabakh is not on the list of Russia's priorities, since the resolution of the Karabakh conflict would weaken the Kremlin's position in the region. It is also not a surprise that Russia not only nurtures Armenia with weapons, but it also sells arms to Azerbaijan (Freizer, 2014). Lately, this has increased doubts about Russia's trustworthiness in Armenia. Anti-Russian sentiments in Armenia intensified after the Armenian Velvet Revolution occurred in 2018. Despite the arguments that the anti-Russian campaign in Armenia has its origins in foreign countries, Armenian sentiments of becoming a free and equal partner of Russia is also clear (Azadian, 2019).

Negative peace prevailing in the region in the form of the absence of ongoing military battles can potentially generate new waves of violence leading to the renewal of war. Armenia has occupied Azerbaijan's lands by waging unjust war and causing numerous grave problems for it. Since Armenia did not get Azerbaijani lands by peaceful means, a question arises about why Azerbaijan is expected to restore its territorial integrity exclusively by peaceful means? The truth is that pacific means have been tried for about twenty-five years without any success due to the co-chairs' implicit consent to the existence and endurance of the current status quo in the region, and Armenia's nerve-wrecking and strenuous policies to extend the negotiation process as much as possible without tangible results. The asymmetry regarding the land control in the disputed area is in Armenia's favor, which makes it an unwilling party to change the situation on the ground. Under these circumstances, Azerbaijan, the victim of the conflict, has legal and ethical rights to restore its territorial integrity and prestige through military means if no other method works within a reasonable period of time.

The "no war—no peace" situation or the negative peace in Nagorno Karabakh will not last forever and violent conflict may erupt anytime bringing about detrimental consequences for the entire region. The worst is that the activities of the Minsk Group have been used as a camouflage to conceal the

truth of the Nagorno Karabakh conflict that caused trouble to both Azerbaijani and Armenian civilians. The first lost their homes and lands, becoming refugees and internally displaced people facing all types of needs, the latter live in the occupied territories in fear and despair. Obviously, the institution of mediated negotiation has not been capable of bringing permanent peace to the region over the past twenty-five years. It is evident that the mediation institution does not work for a resolution of this conflict at least because Russia is part of it, and its impartiality is questionable.

Ostensibly, Russia has contributed tremendously to the creation of this conflict and sustained it for its own geostrategic purposes. No evidence exists to show that Russia has applied any effort to transform this conflict into a lasting and just peace settlement. In fact, one of the gravest problems throughout the process of negotiations has been Moscow's practice of a double standard. If Russia does not change its policy towards the region by positioning itself at the equidistance from Armenia and Azerbaijan, distrust of Baku towards Moscow will not be neutralized. In that case, continuing with the negotiation process under the auspices of the Minsk Group will not yield any positive result unless the membership and policies of the Minsk Group change.

The UNSC resolutions adopted in 1993 regarding the occupied Azerbaijani lands have recommended ceasing the war and initiating negotiations. Nevertheless, this particular approach cannot be assessed as productive, at least because in the give-and-take process Azerbaijan's position is asymmetrical. Creating a fair environment for both parties to the conflict before initiating negotiations requires an equitable approach that has never taken place since 1994. No calls for peace and withdrawal of the troops from the invaded lands have been effective since 1993. In line with its policies, the Armenian side has consistently rejected a withdrawal without the status question of Nagorno Karabakh being resolved. Armenia feels very confident that no international sanction will take place against it after so much time has passed since its invasion of Azerbaijan and successful military occupation of its lands. Expecting the UNSC resolutions to play any role in the resolution of the conflict after more than twenty-five years other than confirming the fact of the aggression against Azerbaijan is not realistic.

Armenians demand a right to self-determination in Nagorno Karabakh, but they do not even mention the rights of the Azerbaijanis ousted from Armenia in 1988 or from the Armenian-occupied seven Azerbaijani districts in the conflict region or from Nagorno Karabakh itself. The Armenian side demands holding a referendum in Nagorno Karabakh almost immediately to determine the status of the entity. Azerbaijan does not find this approach just and acceptable, because the war has damaged healthy conditions necessary for a referendum. Moreover, the status and lives of the Karabakh

Azerbaijanis displaced for about three decades should be restored first. Also, many in Azerbaijan believe that if a referendum is to be conducted it should be national, open to the entire population of Azerbaijan. Yet, the most equitable and legitimate referendum would be the one open to the population of Nagorno Karabakh and the surrounding occupied territories, because they are the people who have directly suffered from the war in Karabakh. The negotiations, especially those around the three proposals discussed above, have evidenced Azerbaijan's readiness to grant the highest autonomy to Nagorno Karabakh within Azerbaijan.

Armenia's Karabakh policy has made Armenians suffer the consequences of the conflict by putting the Karabakh question above all major regional projects. Due to its aggression against Azerbaijan, Armenia has been excluded from sharing the fruits of Caspian oil. Other major projects like Baku–Tbilisi–Kars railroad has also excluded Armenia, putting it in a calculated isolation. It is doubtless that Armenia's participation in the regional projects would have certain positive effects on the peace process. At the very least, it would contribute to the establishment of mutual trust, and decrease Armenia's dependence on Russia, which is important for making progress in the conflict resolution process.

Russia, under the current circumstances, will certainly back the Armenian side, perhaps more clandestinely than manifestly. Any assistance Baku receives from others is inadequate in comparison. The most unfortunate situation for the genuineness of the peace process is that Russia claims to be a neutral actor in the Karabakh conflict. Although the Kremlin's policies are driven by Russia's national interests, this type of insincerity casts a cloud on the genuineness of the peace process. Despite the fact that Baku is aware of the Kremlin's interest-driven policies that hurts Azerbaijan, it pretends Russia to be its matchless friend. Russia's overwhelming power and irresistible ambitions force Azerbaijan's leadership into taking a very careful position.

While examining the Nagorno Karabakh conflict, some legitimate questions arise about the relationship of power and morality. Paradoxically, it is Armenia that used power to invade Azerbaijani lands, and it is the same Armenia that tries to justify its position with the notion of morality. Normally, the use of force can be justified for self-defense only. If Azerbaijan resorted to force to free its lands and provide security to its citizens, it would be easy to defend its policy as just and moral. Certainly, violent conflicts can be resolved through negotiations, and the Nagorno Karabakh conflict is also tractable provided that the institution of mediation works properly, and any double standards are avoided in the peace process. Subsequently, the elements of trust and persuasion should come into play as well. Today,

neither can the mediators persuade both parties about the effectiveness of the negotiation process, nor can the parties to the conflict assure each other about the usefulness of their approaches. Simply, trust does not exist around the Nagorno Karabakh peace process.

The recent change in Armenia's political leadership has raised expectations for some positive change in the resolution process of the conflict. The situation has especially been promising after Pashinyan came to power through the will of the Armenian population. There have been occasions to test if Pashinyan is powerful enough to swim against the current. It gradually becomes apparent that Armenia's new leadership will not be able to change its Karabakh policy in defiance of Moscow's will. Although Pashinyan enjoys popular support in Armenia, which is believed to create a fertile ground for producing and implementing successful policies to deal with the Karabakh problem permanently, he is unlikely to be able to break the chains Armenia is tied with Russia. While visiting Nagorno Karabakh on August 5, 2019, Pashinyan called for the unification of Nagorno Karabakh and Armenia (Kucera, 2019). Originally a zealous advocate of reviving the negotiations with Azerbaijan, more recently, Pashinyan has taken a hard line on the Karabakh issue. One of the main reasons of the change in Pashinyan's stance is a narrow set of choices Armenia enjoys that cannot substitute the role that Russia plays in the life of this country.

To make a breakthrough in the peace process around the Nagorno Karabakh issue, Yerevan needs to produce new policies independent from Russia that will also open the doors to its future prosperity. An integral part of those policies must be the resolution of the Nagorno Karabakh conflict with a necessary condition of respecting Azerbaijan's territorial integrity. However, Armenia's new government under Pashinyan has not been able to devise any distinctive and extraordinary policy to address the Karabakh predicament. His aforementioned statement ended the hopes for peace in the near future. Pashinyan first claimed that he could not represent Armenians of Karabakh, and speak on their behalf because they did not participate in Armenia's parliamentary elections (Askarov, 2019). He then overstepped his jurisdiction by visiting Nagorno Karabakh region of Azerbaijan, and calling for unification of Armenia and Nagorno Karabakh. Pashinyan's move is a clear sign of a loose situation around the conflict that characterizes the nature of the peace talks as well. The fact of this thirty-year conflict is that Azerbaijan and Armenia have been unable to turn the truce into a more comprehensive agreement due to their inability to agree on what Nagorno Karabakh's final status should be. Obviously, the existing "no war—no peace" situation holds nothing good for either Armenia or Azerbaijan.

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