

SETA

KARABAKH

FROM CONFLICT TO
RESOLUTION

EDITORS

MUHİTTİN ATAMAN
FERHAT PİRİNÇÇİ



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SETA Publications 78
First Published in 2021 by SETA
ISBN: 978-625-7712-34-7

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Translator: Roberta Davenport
Proof-reader: Eva Stamoulou Oral
Cover: Erkan Söğüt
Layout: Said Demirtaş
Printed in Turkey, İstanbul by Turkuvaz Haberleşme
ve Yayıncılık A.Ş., June 2021

SETA Publications
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FOREWORD

The Second Karabakh War represents an important turning point in the conflict over Karabakh, which has a history extending back over a century and has been subject to attempts to preserve its frozen status. Due to the occupation of Karabakh and seven surrounding regions – amounting to roughly 20 percent of Azerbaijan’s territory – since the 1990s, over one million Azerbaijani Turks have been forced to leave their homeland. The 1994 ceasefire and ensuing diplomatic negotiations have failed to achieve even minor progress for 30 years. Karabakh’s status as an Azerbaijani territory has been confirmed numerous times by the resolutions of the United Nations Security Council and other international organizations, yet the attempts by international organizations have been in vain, unable to secure even the slightest concession by the occupying Armenia.

On the other hand, despite references to the era during which negotiations were conducted following the First Karabakh War as the “ceasefire period,” in reality, the fire never stopped on the front lines. During this period, Armenia continued to launch attacks and abuses against Azerbaijan – sometimes at a low intensity, and at other times increasing the tempo. This aggressive policy, largely emboldened by foreign support, led to Armenia thinking that it could continue its occupation in perpetuity without paying a price, if you will.

As for Azerbaijan, the country demonstrated strategic patience during this process and went above and beyond in its efforts to resolve the conflict based on international law and through diplomatic channels. However, over time, negotiations normally intended to

resolve the conflict – especially those conducted within the scope of the Organization for Security and Co-operation in Europe (OSCE) – ended up being an agent of the conflict's deadlock status. This led to the exploitation of Azerbaijan's diplomacy-prioritizing approach and a gradual lessening of its flexibility. In this regard, Armenia's July 12, 2020 attack on the Tovuz region, which was located outside the front lines, in a departure from Armenia's previous provocations, was the last straw for Azerbaijan, so to speak. Thus, the Azerbaijani administration, which commenced new military drills with Turkey immediately after that attack, changed its policy on the conflict completely after the latest Armenian provocation on September 27, 2020.

In the Second Karabakh War, which began on September 27, 2020 and lasted 44 days, Azerbaijan gained on the battlefield the rights it had been unable to obtain for thirty years at the negotiation table. From its degree of military readiness to operational execution, from briefing the domestic and international public opinion to forming conditions for a ceasefire, Azerbaijan demonstrated successful crisis management and at the end of the period had liberated most of occupied Karabakh and all of its surrounding territories.

Turkey's staunch support of Azerbaijan before, during, and after the Second Karabakh War, which dealt a clear defeat to Armenia, was one of the key factors that played a role in the attainment of these results. In other words, the cooperation achieved between Turkey and Azerbaijan on Karabakh, in particular, and Caucasia, in general, bore yet another concrete fruit. The mutual relations that since Azerbaijan's independence have been based on a broad cooperation carried out on the notion of "one nation, two states" are growing deeper and more intense.

This book is actually an indication of this situation. Many authoritative academics and experts on the subject from Turkey and Azerbaijan have contributed to this book, which was prepared to analyze the new political situation emerging after the Second Karabakh War.

The book is, thus, the first of its kind and is composed of four main sections. The first section aims to outline the Karabakh issue and shed light on its significance to the different sides involved. It begins with an article authored by the book's editors, Muhittin Ataman and Ferhat Pirinççi, which defines the entire process as one "from frozen artificiality to inevitable solution." After this, Nesib Nesibli and then Meşdi İsmayılov analyze the significance of the Karabakh region to Azerbaijan and Armenia, respectively.

In the book's second section, which addresses the background of the Karabakh conflict, Ömer Göksel İşyar focuses on Karabakh's historical background and the period of the conflict's emergence. Following this, Hecer Qasimova examines debates over Nagorno-Karabakh's legal status from the perspective of international law. Araz Aslanlı presents the causes and consequences of the First Karabakh War that took place in the early 1990s and resulted in Armenia's occupation of the region. In the article jointly authored by Araz Aslanlı and Yalçın Sarıkaya, the focus is on the diplomatic negotiation process that was started to resolve the Karabakh conflict but, failing to make any progress, led to the conflict's protraction.

The book's third section deals extensively with the Second Karabakh War. Within this framework, Ferid Şefiyev and Vasif Huseynov first convey an analytical perspective on the period leading up to the Second Karabakh War. Following this, Metin Mammadli analyzes Azerbaijan's changing paradigm, paying close attention to national and regional dynamics. The article authored by Ferhat Pirinççi and Mehmet Çığatay Güler declares that the results of the Second Karabakh War are no coincidence, detailing the causes leading to these results and the new balance formed after the war.

In his article, Vasif Huseynov addresses the ceasefire process that ended the Second Karabakh War and the emerging new balance in the South Caucasus. Murat Aslan examines operational dimension of the Second Karabakh War from a technical perspective and performs a

military analysis of Azerbaijan's victory. Yücel Acer analyzes violations of the law of war during the Second Karabakh War, war crimes committed in the attacks, and crimes against humanity within the framework of humanitarian law.

The book's fourth and final section focuses on the policies of regional and global actors that were involved in or influenced the solution process of the Karabakh conflict. In this regard, the most influential actors are without a doubt Russia and Turkey. Cavid Veliyev examines Russia's Karabakh policy while Bora Bayraktar analyzes Turkey's Karabakh policy. Mustafa Caner addresses the Karabakh policy of Iran, another actor in the geopolitics of the South Caucasus and a state affected by the Second Karabakh War. Finally, Nurşin Ateşoğlu Güney analyzes the policies of the United States and the EU on the Karabakh conflict which influenced the international negotiations that lasted nearly thirty years.

We would like to extend our most sincere thanks to all of the writers from Azerbaijan and Turkey who contributed to the current book, which examines the Karabakh conflict thoroughly, as well as to everyone who put effort into its publication. It is our wish that this book, which we believe will fill an important gap, will be beneficial to academics and researchers interested in the topic as well as to general readers.

June 10, 2021

Muhittin Ataman and Ferhat Piriñçi



ONE

THE ESSENCE OF THE KARABAKH CONFLICT



THE KARABAKH CONFLICT: FROM A FROZEN ARTIFICIALITY TO AN INEVITABLE SOLUTION

MUHİTTİN ATAMAN*

FERHAT PİRİNÇÇİ**

INTRODUCTION

Azerbaijan liberated Karabakh to a large extent and its surrounding regions which had been occupied by Armenia for nearly 30 years, following the 44-day war that began on September 27, 2020. The latest round of the conflict is defined as the “Homeland War” or “Second Karabakh War.” Azerbaijan had developed a unique approach to solve the prolonged Karabakh conflict, that is one of the most important conflict remaining from the Union of Soviet Socialist Republics (USSR) and one known as the “frozen conflict.”

The emergence of the Karabakh conflict is an important subject that must be examined. However, it is also important to examine how Armenia garnered support in the First Karabakh War to occupy Azerbaijani lands and, more importantly, how it was able to continue this occupation for decades. For over the course of 26 years, futile diplomatic negotiations were unable to effect even minor progress toward the solution of the conflict. The “strategic patience” Azerbaijan demonstrated in trying to resolve the conflict through diplomatic means was taken advantage of, in a sense.

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During a period when the entire world is focused on public health policies stemming from the coronavirus (Covid-19) pandemic and the economic problems caused by the pandemic, the developments that have taken place regarding the Karabakh conflict without a doubt represent a turning point. The Second Karabakh War that began on September 27, 2020 with Baku's counterattack in response to Yerevan's provocations resulted in important gains for Azerbaijan. At the beginning of the clashes, the process was not being described as a war but rather there was an expectation that, as had been the case in previous periods, there would be a swift return to the pre-battle period. However, the clashes did not end quickly; in fact, over the course of 44 days, very serious practical results emerged in the field. During a short period, changes took place that were the opposite of the unsustainable condition that 26 years of diplomatic negotiations had put forward, and Azerbaijan had freed an important portion of its territory that were being occupied.

This study, which describes the Karabakh conflict as an "artificially frozen conflict," fundamentally maintains that the conflict evolved toward an inevitable solution and that within this framework it underwent important transformations. In this sense, first a framework is drawn in order to highlight different dimensions of the Karabakh conflict. In this context the issue is not only a territorial conflict, but is rather multifaceted, with historical, identity-based, demographic, humanitarian, legal, and other aspects. Second, the reason for attempts to maintain the conflict's status as "frozen" is discussed. In other words, the reasons for the delay of the solution of the conflict is analyzed. Also, taking into consideration the changing nature of the Karabakh conflict and the countries that are party to it, a question about the Second Karabakh War is posed: "Why did it take place now and not before?" Finally, the winners and losers in the process based on the new realities emerging from the Second Karabakh War are discussed.

THE NATURE OF THE KARABAKH CONFLICT

In accordance with its description in international relations literature as a “frozen conflict,” the Karabakh conflict is a problem that was unresolved in the Soviet era and later subject to futile diplomatic negotiations. Fundamentally, the conflict is rooted in Armenia’s occupation of Azerbaijan’s mountainous Karabakh region and its seven surrounding regions following the breakup of the USSR, and its continuation of this occupation until 2020. A description of the different aspects of the problem for the sake of establishing a framework of the Karabakh conflict demonstrates how deeply complex it is, and how important it is to all sides. The conflict is not simply a sovereignty issue, nor a *territorial* issue, nor an identity or demographical issue.

First and foremost, the Karabakh conflict is actually an “artificial historical conflict.” Despite the conflict’s ability to begin being tied to the breakup of the USSR in the modern period, its artificiality is connected to its historical background. Indeed, the bulk of the conflict began to form along with the 1813 Treaty of Gulistan and the 1828 Treaty of Turkmenchay between Russia and Iran, under which Azerbaijani territory was divided into north and south. In this context, North Azerbaijan came under the rule of the Russian Tsardom, and South Azerbaijan entered under the Iranian rule. After the Russian Tsardom assumed control of North Azerbaijan, which includes the Karabakh region, Armenians began to be settled into the majority Azerbaijani-Turkish Karabakh lands, as part of Russian population policies, and over time this led to the Armenian population surpassing the Turkish one.¹ Despite Russian policies of Armenian- and Christian-izing the region, the fact that Karabakh lies within the borders of the state of Azerbaijan has been officially acknowledged and recorded both during the USSR period and in the post-Soviet

¹ Araz Aslanlı, *Yeni Küresel Mücadelede Kafkasya ve Karabağ Sorunu*, (EkoAvrasya Publications, İstanbul: 2013), pp. 37-45.

era.² However, this did not prevent Armenia from asserting a claim to Karabakh.

Second, the Karabakh conflict is a “sovereignty issue.” The lands of Karabakh, which belongs wholly to Azerbaijan from a historical and legal perspective, were occupied in 1991 by Armenia with the support of Russia and other actors. The Armenian occupation was not confined to this, but it extended to the regions surrounding Karabakh. In 1992 and 1993, in addition to Nagorno-Karabakh, Armenia proceeded to occupy Lachin, Kalbajar, Agdam, Fuzuli, Jabrayil, Qubadli, and Zangilan. Accordingly, there are two types of land occupation at hand: the first is that of the Nagorno-Karabakh region, and the second is that of the seven regions surrounding Nagorno-Karabakh. At this point it is important to note that Armenia is among the rare countries without clear official borders, as it does not recognize the borders of two of its four neighbors. As can be understood from its occupation of the Karabakh region and the seven surrounding regions, Armenia does not recognize its border with Azerbaijan; neither does it respect its border with Turkey, and from time to time demonstrates its expansionist ambitions.

Third, the Karabakh conflict is a “humanitarian problem.” Following Armenia’s occupation of Azerbaijani lands, approximately one million Azerbaijanis were forced to leave their homes and settle into a temporary life amid difficult conditions in other parts of Azerbaijan, with the expectation that the conflict would be resolved soon and that their lands would be liberated. For its part, after nearly 200 years, the Yerevan administration made a new attempt to change the region’s identity and demographic makeup by settling Armenians from Armenia and other regions of the world there.

Another aspect of the humanitarian dimension of the Karabakh conflict has to do with the policies implemented by Armenia during

² Ömer Göksel İşyar, *Bölgesel ve Global Güvenlik Çıkarları Bağlamında Sovyet-Rus Dış Politikaları ve Karabağ Sorunu*, (Alfa Publications, İstanbul: 2004).

the war and throughout its occupation. Thousands of Azerbaijanis who had to leave their homeland during these periods were murdered by Armenian forces and Armenian gangs.³ The attacks and massacres against civilian Azerbaijani Turks in the region began before the First Karabakh War and with the advent of the war transformed to a systematic policy. Foremost among these massacres was the one Armenia carried out on February 25-26, 1992 at Khojaly, supported by the 266th Russian Armed Forces Brigade at Hankandi. At least 613 Azerbaijanis were killed, including over 200 women, children, and elderly, over 500 people were injured, and the fate of hundreds more remains unknown until this day as part of the Khojaly massacre, which came to symbolize the war crimes committed by Armenia. This massacre, labeled as “genocide” by many states and observers and was later admitted by some Armenian officials.⁴ But the war crimes and crimes against humanity committed by Armenia during its occupation of nearly 30 years were not confined to Khojaly. This point is related to the developments in Karabakh, but another humanitarian dimension that surpasses this has to do with international organizations and the dominant powers of that period. For the many war crimes and crimes against humanity⁵ that Armenia committed during the occupation were left unanswered by international organizations and the dominant powers, the crimes committed were not addressed, and Armenia was not held responsible for its crimes.

Fourth, alongside the war crimes and crimes against humanity committed by Armenia, the occupation also makes the Karabakh conflict a “problem of the dysfunction of international law.” For ultimately, Armenia was not held accountable before international law for its unilateral,

³ Barış Özdal, “Orta Asya ve Kafkaslarda Bölgesel İhtilaflar”, *Orta Asya ve Kafkaslarda Siyaset*, Ed. Hulusi Kılıç and Elif Toprak, (Anadolu University Publications, Eskişehir: 2016), pp. 200-207.

⁴ Ömer Göksel İşyar, “Ermenilerin Dağlık Karabağ Uyuşmazlığına İlişkin Tutumlarının İçsel Nedenleri”, *İstanbul Üniversitesi Siyasal Bilgiler Fakültesi Dergisi*, Issue: 29, (2003), pp. 15-22.

⁵ For definitions of “war crimes” and “crimes against humanity,” see: Kamuran Reçber, *Uluslararası Hukuk*, (Dora Publications, Bursa: 2020), pp. 261-277.

aggressive, and expansionist policies following its occupation of Karabakh and its seven surrounding regions, and international law was not enforced. Resolutions 822, 853, 874, and 884 of the United Nations Security Council (UNSC) were not enforced. The “Minsk Trio” of the United States of America (USA), Russia, and France, a reference to their co-chairing of the OSCE (Organization for Security and Co-operation in Europe) Minsk Group,⁶ and which all host strong Armenian lobbies, took no solid steps toward resolving the conflict for nearly 30 years. For this reason, there was no longer any expectation that the Minsk co-chairs would provide a peaceful solution. As there was no reaction to Armenia’s illegal occupation, the Yerevan administration increased its unilateral, aggressive policies and, thus emboldened, continued to pursue its expansionist agenda.

Fifth, the Karabakh conflict is also a “problem of the Armenian diaspora and an identity problem of its lobbies,” who alongside Armenia also play a defining role and share responsibility for the emergence of the conflict. The global Armenian diaspora, which clings to its claims of past sufferings in order to defend its identity, has the ability to shape Armenian politics. Instead of taking any steps to resolve the conflict, the Armenian diaspora was an important actor preventing Armenia from reaching a peaceful solution with its neighbors, Turkey and Azerbaijan. The Armenian diaspora works to influence and support Armenian politics through monetary resources it secures for the Yerevan government on the one hand, and indirectly through countries like the USA, France, and Russia, on the other.

REASONS FOR THE LONG DEADLOCK OF THE CONFLICT

After outlining the context of the Karabakh problem, the reasons that it remained unresolved as of 2020 are actually apparent. In this re-

⁶ The USA, Russia, France, Turkey, Belarus, Finland, Germany, Italy, and Switzerland are part of the Minsk Group, which is co- chaired by the USA, Russia, and France. See: <https://www.osce.org>. (Accessed: December 4, 2020).

gard, the conflict's deadlock, or in other words, its being kept in a "frozen" state, can be addressed in three categories. The first of these is the expansionist and aggressive policy that Armenia insists on pursuing regardless of the government in charge. Beginning with the 1994 Bishkek Protocol following the Yerevan administration's occupation, and continuing through all subsequent diplomatic efforts, Armenia did not strive to end its occupation or find a solution to the conflict, rather becoming the side that constantly sabotaged the negotiations with the conditions it stipulated and the provocations it committed.

This irreconcilable attitude of Armenia was maintained not only in the first years of the period after the First Karabakh War, but even right before the Second Karabakh War. As a matter of fact, in March 2019, 25 years after the ceasefire and the beginning of diplomatic negotiations to resolve the conflict in the aftermath of the First Karabakh War, Armenian Defense Minister David Tonoyan indicated a "new war for new lands" policy toward the process.⁷ This situation was not considered as an indication of Armenian withdrawal from the occupied lands, but as an indication of the continuation and intensification of its aggressive policies during the new period.

The second reason for the problem remaining unsolved in a state of "neither war nor peace" is related to the policies followed by the states involved in the problem. In this context, Russia, which has an important role in the problem's artificial emergence, bears great responsibility in the freezing of the problem. For Russia, whose military and political role in the occupation of Azerbaijani territories by Armenia is obvious, became the main actor in the diplomatic negotiations carried out after the First Karabakh War. During these periods, the Moscow administration, which could have used its influence on Armenia toward resolving the conflict, chose instead to adopt a supportive attitude toward

⁷ Joshua Kucera, "After Peace Negotiations, Threats of War Break out between Armenia and Azerbaijan", *Eurasianet.org*, 1 April 2019, <https://eurasianet.org/after-peace-negotiations-threats-of-war-break-out-between-armenia-and-azerbaijan>, (Accessed: 15 October 2020).

Yerevan. Armenia's economic capacity has developed in a way that is largely - and its military capacity, entirely - dependent on Russia. Thus, a balance was established with an Armenia dependent on Russia on the one hand, and on the other, an Azerbaijan with its lands occupied and a desire to liberate them, and Russia in the position of a "mediator" actor. This Russian attitude was undoubtedly related to its desire to maintain its influence in the South Caucasus. Ultimately, the policy of using the existing problem as an element of pressure on Armenia and Azerbaijan was viewed as more advantageous for Russia than resolving the conflict.

Additionally, the supportive stances of states such as the USA and France toward Armenia were also influential in the unsolvability of the problem. It is rather difficult to argue that the reason for the pro-Yerevan stances of the Washington and Paris administrations is Armenia's being viewed as a nation of critical strategic importance; it can be said instead that this stance was rather the influence of the Armenian lobby in these two countries. Since Azerbaijan is a more strategic country than Armenia in terms of its hydrocarbon resources, its coastline on the Caspian Sea, and its relationship with Turkey, and American and French companies have incomparably more investments in Azerbaijan than in Armenia. Despite this, during the negotiations process, these countries chose to adapt a supportive stance instead of putting pressure on Armenia to abandon its occupation in order to resolve the conflict.

The third reason why the conflict remained unsolved is related to the dysfunction of mediation attempts by international organizations. Although the international organizations that initially remained inactive when it came to Armenia's occupation of Azerbaijani territories and the ensuing humanitarian tragedy later stepped in, for 26 years they were unable to effect even minor progress toward the resolution of the problem. There are many resolutions by international organizations calling on Armenia to withdraw from the Azerbaijani territories it occupied. In fact, among these, the enforcement of the UNSC reso-

lutions alone would have resolved a significant portion of the problem. Likewise, if there was more activity when it came to mediation initiatives or if a bit of diplomatic pressure was put on Armenia as part of the conditions for reconciliation, significant progress toward resolving the conflict could have been achieved in 26 years. However, instead of these things being done, Armenia was, if you may, rewarded with silence in the face of its occupation and the war crimes it committed.

All of these factors emboldened Armenia and were influential in adopting an uncompromising attitude towards the solution of the problem. Therefore, the most general reason for the Karabakh conflict remaining unsolved for 26 years can be summarized as the “low cost of deadlock.” For if the cost of perpetuating the deadlock had been high for the “mediator” parties, especially Armenia, none of the parties would be willing to keep the conflict protracted for such a long time, and, at the very least, progress could have been achieved in the negotiations. However, the political, military, and social costs of the deadlock were very high for Azerbaijan and this cost increased every day the occupation continued.

THE CHANGING NATURE OF THE KARABAKH CONFLICT

Although the Karabakh conflict appears to be one that remained static for 26 years when considering the occupied territories, there has been a serious change in the balance between the parties to the conflict. In other words, changes in the conflict’s dynamics during the period from the First Karabakh War to the Second Karabakh War inevitably brought about important developments in 2020. Therefore, in the time period since 1994, when the ceasefire agreement was signed and diplomatic negotiations began, the static and dynamic characteristics of the Karabakh conflict bore a definitive impact on the process.

To begin with the static factors, then it’s necessary to address Armenia’s Karabakh policy first. After it started the occupation, Armenia

did not consider withdrawing from the occupied Azerbaijani territories - to the contrary, it developed its policies to protect the occupation. In this context, despite government changes in Armenia, the “status quo mentality geared toward perpetuating the occupation” continued and, therefore, it always maintained an aggressive position militarily. Aware of the injustice of the occupation, the Yerevan administration dedicated a significant portion of its military expenditures toward strengthening the occupied front line - especially weapons purchases from Russia - in order to stave off inevitable change. When it came to diplomatic negotiations, the Armenian administration “enjoyed” the lack of any pressure, and instead of communicating with Azerbaijan toward a resolution, assumed an uncompromising attitude and extended the negotiations over the longest amount of time possible. This led to the trivialization of the significance of the issues over which it was possible to reconcile.

Armenia also launched provocative attacks against Azerbaijan from time to time in order to maintain its status quo policy based on continued occupation. In fact, despite the main ceasefire agreement beginning with the Bishkek Protocol on May 12, 1994, in the period following the First Karabakh War, fire almost never ceased on the front lines. The main reason for the tensions on the front lines was Armenia’s provocations. Through these attacks, Armenia was attempting to message to Azerbaijan that it maintained its capacity to fight, and believed that as a result of its attacks the actors that supported it would step in and that it would be able to continue its policy of occupation without the conflicts escalating. As a matter of fact, following clashes that began with a provocative attack by Armenia on April 2, 2016, and during which Azerbaijan made gains on the battlefield over the course of four days, a ceasefire was achieved with Russian intervention.⁸ However,

⁸ For more on the clashes in 2016, also referred to as the “Four Day War,” see: Ömer Göksel İşyar, *The Nagorno-Karabakh Question: Dynamics of the First and Second War*, (Dora Publications, Bursa: 2020), pp. 279-282.

even during the four days of conflict, the situation on the ground hinted at the Second Karabakh War.

The conflict's second static dimension is related to the inability of diplomatic negotiations and international law to resolve the problem, and especially the actors serving as "mediators." In addition to the aforementioned, unenforced UNSC resolutions, despite the many deliberations and initiatives led by the OSCE Minsk Group (especially the Minsk Group co-chairs), which was the leader of the negotiations over the issue, no progress toward a solution was made. Therefore, the failure of diplomatic negotiations, which were far removed from a solution, brought along with it an undermining of Azerbaijan's belief that the problem could be resolved through diplomatic means alone.

When it comes to the dynamic dimension of the conflict, Azerbaijan stands at the fore. For the most important factor affecting the outcome of the Second Karabakh War was Azerbaijan's dynamism. Following the occupation, while prioritizing a resolution to the conflict through diplomatic means on the one hand, Azerbaijan also enhanced its military and economic capacity over the course of the 26-year period. According to the data from the Stockholm International Peace Research Institute (SIPRI), Azerbaijan, which did not reduce the ratio of its military spending to gross domestic product below 3 percent from 1994 to 2020, has spent an annual average of over \$2.3 billion on defense in the last ten years. However, the average defense expenditure of Armenia for the last ten years has been below \$500 million per year.⁹ When the difference between the two countries' military capacities is compared with the International Institute for Strategic Studies' (IISS) Military Balance data from 2000, 2010, and 2019, it can be seen that Azerbaijan, which was militarily superior to begin with, widened the gap during this time.¹⁰

⁹ Military Expenditure Database 2020, SIPRI; The weapon systems "donated" to Armenia by Russia are excluded from this number.

¹⁰ Military Balance, 2000, 2010, 2019, International Institute for Strategic Studies (IISS).

Alongside its superior position in defense spending, Azerbaijan's armament policy is also of a dynamic character. As both states are former Soviet republics, all of the weapon systems they used in the First Karabakh War were in fact Soviet-era weapons. But over time, the differences between the armament policies of Azerbaijan and Armenia have grown more and more prominent. When examined in terms of weapons supply sources, Azerbaijan's armament dynamism becomes even more apparent. While Azerbaijan has purchased arms from eleven different countries in the last decade, Armenia has purchased weapons from only three countries, with over 93 percent of these coming from Russia.¹¹ Thus, while over time Azerbaijan has established ties with a large number of arms suppliers to diversify its resources in terms of arms procurement policy, Armenia has remained largely dependent on Russia.

It is well known that apart from the aforementioned armament expenditures, Armenia receives Russian weapon systems from Russia as a "grant" or at very low cost.¹² However, Azerbaijan is not given the same "privilege" by Russia. This situation alone reveals Russia's supportive attitude towards Armenia on the issue. However, what should be emphasized here is not the arms transfers made by Russia to Armenia, but rather the quality of the weapons systems added to the inventories of the Baku and Yerevan governments. As a matter of fact, the granted or low-cost weapon systems Armenia receives from Russia are mostly Soviet-era, old, and unsophisticated weapons, whereas the weapon systems Azerbaijan procures as it increases its weapons spending and diversifies its weapons resources are quality and advanced systems. This difference is especially noticeable among the weapons purchases made

¹¹ "Importer/Exporter TIV Tables for Azerbaijan and Armenia: 2010-2019", SIPRI Arms Transfers Database, <https://www.sipri.org/databases/armstransfers>, (Accessed: 29 January 2021).

¹² Cavid Veliyev, "Why Is Russia Sending Arms to Armenia?", Anadolu Agency, 9 September 2020.

by the Baku administration in the last decade.¹³ Therefore, the difference in the armament policy of the two countries is not only in terms of volume but also quality. Azerbaijan's clear superiority in this regard became apparent in the Second Karabakh War.

In addition to its armament policy, the increasingly advanced diplomacy conducted by the Baku administration, especially in the 2000s, has grown in importance within the context of the changing dynamics of the Karabakh conflict. Following the independence of many former Soviet republics, it faced the dilemma of either following a Russia-led political line or entering into intense relations with Western states to limit Russian influence. The cost of each of these two approaches, especially the latter, can be observed in the cases of Georgia and Ukraine. In this regard, the Baku administration chose to follow a policy that did not fall under Moscow's control, but also did not ignore Russian influence in the region. In this context, Azerbaijan further developed its commercial and political relations with Western countries and has been able to maintain a balanced relationship with Russia. In other words, Azerbaijan did not consider its relations with Russia and Western countries as substitutes for one other, and was able to maintain relations with all segments in a way that did not cause disturbances between them. This stance made Azerbaijan an increasingly important actor in the region, and the impact of this balanced policy was felt during the Second Karabakh War.

On the other hand, the Turkey factor also became an important dynamic of the Karabakh conflict, especially in the latest period. Turkey-Azerbaijan relations are conducted by both countries with the understanding of a type of relationship rarely seen in international relations, that of "one nation, two states." The reason why the bilateral relations in question were unable to serve as a determining factor during the First Karabakh War was the newly gained

¹³ "Azerbaijan, Transfers of Major Weapons: Deals with Deliveries or Orders Made for 2010 to 2019", SIPRI Trade Registers.

independence of Azerbaijan, and Turkey's economic and political difficulties.¹⁴ However, in the time since then, while Azerbaijan enhanced its own capacity, Turkey attained stability and became an increasingly influential actor in the region. Especially in recent times, Turkey's use of military elements as a complement to its diplomacy when necessary has brought about practical results in the issues it contends with. In this regard, as will later be addressed, Turkey's siding with Azerbaijan before the Second Karabakh War and its intervention as a game-changing actor in the conflict that could not be resolved for 26 years became a significant and important factor for the Baku administration.

THE SECOND KARABAKH WAR AND AZERBAIJAN'S VICTORY

While the negotiation processes that failed to produce a solution to the Karabakh issue continued, it was observed that on July 12, 2020, Armenia embarked on a different provocation than its previous ones. While the previous Armenian attacks mostly took place on the front lines where a ceasefire was in place and Azerbaijan responded in kind to these attacks, this time Armenia created a new tension by launching an attack on the Tovuz region, which was unrelated to the front line. Although the reasons for Armenia's Tovuz attack and the strategic importance of this region are the subject of a separate study,¹⁵ it can be said that this attack was, if you may, the last straw for Azerbaijan. For following this attack, Azerbaijan's longstanding policy of prioritizing diplomatic means for resolving the conflict changed.

¹⁴ Ömer Göksel İşyar, "Turkey's Policies on the Azerbaijan-Armenia Disaccord: 1992-2004", *Central Asia and the Caucasus, From the Past to the Present*, Yelda Demirağ and Cem Karadeli, (Palme Publishing, Ankara: 2006), pp. 241-310; Barış Özdal, "Turkey-Armenia Relations and the South Caucasus", *Turkey's Changing Foreign Policy*, ed. Cüneyt Yenigün and Ertan Efeğil, (Nobel Publications, Ankara: 2010), pp. 303-315.

¹⁵ Mehmet Çağatay Güler, "The Conflict between Azerbaijan and Armenia on the Tovuz Border", *SETA Perspective*, Issue: 292, (July 2020).

In response to the provocative attack carried out by Armenia on the front line on September 27, 2020, Azerbaijan displayed a different attitude than before, and the Baku administration launched a comprehensive counterattack in order to liberate the occupied territories. The most important distinction between the 44-day struggle known as the Second Karabakh War and previous limited clashes was that Azerbaijan liberated the occupied regions from the occupation in a short period. The war was first and foremost an important reflection of the changing nature of the Karabakh conflict. The unsustainable “status quo,” which Armenia and its supporters exerted efforts toward preserving, was this time turned upside down by an alternative method developed and implemented by Azerbaijan itself.

After the war broke out, there were three separate ceasefire attempts, mediated by Russia, France, and the USA. All three initiatives, during which the Azerbaijani side raised the sole condition of a “clear schedule for Armenia’s withdrawal from the occupied territories” were unsuccessful because Armenia failed to abide by the ceasefire. Armenia attacked Azerbaijani civilian settlements outside conflict zones, and approximately 100 Azerbaijani civilians were killed and over 400 civilians were injured.¹⁶ Armenia’s aim in these attacks, which were clear war crimes, was to provoke Azerbaijan to retaliate in kind and thus mobilize the Collective Security Treaty Organization (CSTO), especially Russia, against Azerbaijan. However, instead of retaliating in kind, Azerbaijan continued its struggle within the confines of the law of war.

While the most important struggle of the Second Karabakh War was carried out on the battlefield at the military level with the aim of liberating the occupied territories, simultaneously an intense struggle was taking place in political terms and in the field of public diplomacy. From the start of this war in which it was militarily insufficient, Armenia used in particular Turkey’s active siding with Azerbaijan as a tool for

¹⁶ Yücel Acer, “War Crimes of Armenia, International Law and Military Activities of Armenia Regarding Karabakh”, *SETA Analysis*, Issue: 337, (October 2020).

agitation, attempting to get Russia and Western nations to intervene and thus perpetuate its occupation. However, these efforts by the Yerevan administration, which held the position of occupier, were fruitless: Azerbaijan carried its military, political, and public diplomacy as transparently as possible, and Armenia's claims remained in a vacuum.

From all perspectives - political, military, diplomatic, psychological, etc. - Turkey took a clear stance on Azerbaijan's side before, during, and after the war. This attitude of Turkey produced practical results in the field beyond the development and deepening of Ankara-Baku relations. As a matter of fact, as a result of the 44 days of war, greater progress was made in favor of Azerbaijan in the Karabakh conflict than had been in 26 years.

As a result, the Second Karabakh War ended with the "Trilateral Statement" signed under Russian mediation on November 10, 2020.¹⁷ As the Prime Minister of Armenia Nikol Pashinyan pointed out, Armenia had no choice but to accept defeat in this war which Azerbaijan won decisively. For this reason, the Yerevan administration had to sign the document and the conflict officially ended. According to the Trilateral Statement, the parties ceased fire at their current positions and Armenia withdrew from the other regions it occupied in accordance with a predetermined schedule. In this way, Azerbaijan liberated its occupied territories to a great extent.

THE WINNERS AND LOSERS OF THE SECOND KARABAKH WAR

The Second Karabakh War represents a turning point in terms of the Karabakh conflict. Despite the failure of previous ceasefire attempts during the war leading to initial debates over whether the ceasefire imposed through the signature of the tripartite statement would be

¹⁷ For the text of the Trilateral Statement, see: "President of the Republic of Azerbaijan, Chief Minister of the Republic of Armenia and Statement of the President of the Russian Federation", President of the Republic of Azerbaijan Ilham Aliyev, 10 November 2020, <https://president.az/articles/45923>, (Accessed: 15 December 2020).

abided by, it can be said that - at least for now - the ceasefire remains largely in effect. A similar discussion is being held about what each of the parties lost and what they gained. When the developments on the military and diplomatic fronts are taken into account in this regard, it is observed that Azerbaijan is the undisputed winner.

In addition to Shusha, the Azerbaijani army has already liberated the Fuzuli, Jabrayil, Qubadli, and Zangilan rayons, and regions surrounding other divisions as part of military operations. Additionally, within the scope of the Trilateral Statement, the occupying Armenian forces withdrew from Kelbajar, Lachin, and Aghdam, and control of these rayons was left to Azerbaijan. Therefore, Azerbaijan liberated a significant portion of its occupied territories following the war and ceasefire process. Within the context of the agreement, the one million Azerbaijanis forced to flee their homelands due to the occupation now have the opportunity to return to their homes under the coordination of the UN High Commissioner for Refugees. The Bishkek Protocol that put the Karabakh region and its surroundings under Armenian occupation, lost its validity. In addition, the decision was made to open a transit corridor between the Nakhchivan Autonomous Republic, which does not have a direct relationship with the Karabakh issue, and mainland Azerbaijan.

It should also be noted that although Azerbaijan gained significant advantages as a result of its struggle in the field, the Karabakh conflict was not entirely resolved. Because it was understood that had the war continued, Azerbaijan would completely resolve the problem - in other words, it would liberate the entirety of its occupied territories - Russia stepped in, leading to the emergence of the Trilateral Statement. Therefore, all of Azerbaijan's expectations were not fully met at this stage. Indeed, Russian peacekeepers were placed as observers along the defined ceasefire line. The centers of Khankendi, Khojavend, and Khojaly have not yet been liberated and during this stage, the Lachin corridor was kept open under the control of the Russian peacekeeping forces.

Likewise, it was decided that the connection to be established between Nakhchivan and mainland Azerbaijan will also be under the control of the Russian peacekeeping force.

Despite the lack of progress on these issues, it can be observed that Azerbaijan was the first and the biggest winner of the Second Karabakh War. As a matter of fact, using the war's start on September 27, 2020 as a point of reference, it can be stated that significant developments have taken place in favor of Azerbaijan regarding the problem that had remained unresolved for 26 years.

The second winner of the Second Karabakh War is Turkey, which is the only true supporter of Azerbaijan throughout all phases. The support that Ankara provided to Baku throughout the process was a definitive factor on the field in addition to psychological and social dimensions. This support will go down in history as one of the concrete examples of the Turkish-Azerbaijani fraternity. The military capacity developed by Azerbaijan is symbolized on the battlefield by the unmanned combat aerial vehicles (UCAVs) produced by Turkey. The experience Turkey has gained from previous successful operations involving UCAVs was successfully applied by the Azerbaijani army. The effective use of drones not only caused serious damage to Armenian forces and weapon systems, but also played a pioneering role in breaking the resistance of the occupying forces and leading to their retreat. In this way, the determination and deterrence of Turkey as well as Azerbaijan was confirmed. In addition, the fact that Turkish soldiers will work together with the newly established Russian ceasefire observation mission, even though this was not previously included in the Trilateral Statement, is an important assurance and support for Azerbaijan in the new period. As a result, Turkey's deepening relations with Azerbaijan and its increasing influence in the South Caucasus have become more evident in the Second Karabakh War and its aftermath.

Another winner in the war was Russia. The influence of Russia, which cannot be ignored, also played a part in the conflict remaining

unsolved for 26 years. However, it can be observed that in the period after the Second Karabakh War, Russia opened a new space for itself in the South Caucasus and will continue to be influential in the region with a dynamic different from that of the previous period. Through its policies during the war and its leadership during the ceasefire process, Russia punished the pro-Western Pashinyan government on the one hand, and, on the other hand, could not remain neutral when it came to Azerbaijan's advancing capacity and diplomacy, increasing its influence on the conflict by deploying Russian soldiers as a peacekeeping force in Karabakh.

Armenia, which thought that there would be no progress on the conflict and that it would continue its occupation forever, was the clear loser of the war. As a matter of fact, the Yerevan administration's occupation of not only the seven regions surrounding Karabakh but also that of Shusha, the historical and cultural center of the Karabakh region, came to an end. Beyond the military defeat and losses it suffered, following its signature of the ceasefire, a new wave of political instability and large-scale demonstrations began in Armenia. When Armenia's aggressive occupation policy is considered apart from its governments, it seems it will be difficult for Armenia to digest this process easily. Therefore, the effects of the war will continue to be felt in Armenia in the short and medium term, and a deepening of its internal crisis will be inevitable.

On the other hand, all the states that supported Armenia can be counted among the losers of the war. First among these are the Western countries.¹⁸ During the war, almost all Western countries demonstrated sympathy and declared support for Armenia. Among these, countries such as the USA and France, where the Armenian diaspora is most influential, tried to prevent Armenia from being defeated by mediating for a ceasefire during the war. However, both these efforts and the sup-

¹⁸ Muhittin Ataman, "Pro-Armenian West Is Net Loser of 2nd Karabakh War", *Daily Sabah*, 18 November 2020.

port given to Armenia during the war were unable to change the course of the war.

Iran is another state that directly and indirectly supported Armenia during the Karabakh crisis, and lost. In the last war, when it came out that Iran had allowed the transfer of weapons and militia from its territory to Armenia, this led to internal political pressure on Iran. Moreover, despite being a country in the region and sharing borders with both sides, Iran's ability to influence the process remained low both during the war and at the end of the war.

CONCLUSION

With the Second Karabakh War, the Karabakh problem ceased to be a "frozen conflict" and entered into a new dynamic period. There are many factors influencing the period's dynamism. The first of these is Armenia's insistence on its occupation policy, the provocations it conducted despite the ceasefire, and the irreconcilable attitude it adopted during negotiations. The second is the non-implementation of the international law and the dysfunction of mediation mechanisms. The third is Azerbaijan's advancing military capacity and diplomacy. Fourth is the increase in Turkey's capacity and its unconditional stance on the side of Azerbaijan as a game-changing actor. When these factors came together with the transformation in the regional balance of power, the 26-year effort to impose the occupation as a "status quo" on Baku came to an end through the method that Azerbaijan itself had developed.

Although the Karabakh problem has not yet been fully resolved, it can be seen that nothing will be the same in the new period, and the problem is moving toward an inevitable solution. It can also be seen that the influential actors with the status of "mediators" will no longer bear as much influence as they used to. On the other hand, Turkey took its place by Azerbaijan's side as a more influential actor with regard to the conflict, and was settled into the center of the regional power equation alongside Russia.

Upon this point, Azerbaijan has, together with Turkey, revealed its vision regarding the future of the conflict and the region. Instead of being confrontational in nature, this vision invites the parties to cooperation. As a matter of fact, during the victory ceremony that Azerbaijan organized on December 10, 2020, the Six-Party Platform proposal was voiced in a press conference by Turkish President Recep Tayyip Erdoğan and Azerbaijani President İlham Aliyev.¹⁹ In the Six-Party Platform, which aims to secure and protect regional stability, Turkey, Azerbaijan, Russia, Iran, and Georgia represent five countries. Armenia is implied as the sixth country if it abides by international law and enters into good neighborly relations.

The manner in which the Karabakh problem will be resolved will largely be shaped by the future policies of the Yerevan administration. Armenia has two main alternatives at hand. The first is to continue to be an obstacle to the solution of the Karabakh problem and regional stability with its old expansionist aggressive policies. However it remains surrounded by two more powerful neighbors and have no access to the sea in the region. The second is to give up entirely on its occupation policy and work to resolve the problem with sincerity through diplomatic means, thus contributing to both its own stability and the stability of the region. If the Yerevan administration chooses the first alternative, that is to continue pursuing its old policies, then the kind of result it can expect emerged clearly in the Second Karabakh War. Although it seems rational to choose the second alternative, when Armenia's aggressive political background is taken into account, this is difficult, albeit not impossible.

As a result, it is no longer possible as it was in the past for the problem to be drawn out and protracted over time and for Armenia to maintain its advantage in this situation. Azerbaijan has demonstrated

¹⁹ "President Erdogan Organized Joint Press Conference with President of Azerbaijan Aliyev", Presidency of the Republic of Turkey, 10 December 2020, <https://www.tccb.gov.tr/haberler/410/123142/-44-gunluk-savas-sonrasinda-ortaya-cikan-netice-azerbaycan-daki-kardesleri-like-turkiye-dek-kardesleri-de-sevindirmistir->, (Accessed: 14 December 2020).

that it is prepared for both alternatives, especially during and after the Second Karabakh War. For this reason, Armenia must first absorb the defeat it suffered during the Second Karabakh War and then approach the problem from a different perspective than before. Considering that Azerbaijan's capacity, politics, and the Ankara-Baku relations will continue to deepen and develop, Armenia's room for maneuver has narrowed considerably in the new period, while the space in which Azerbaijan and Turkey have for maneuver has expanded.

KARABAKH'S SIGNIFICANCE TO AZERBAIJAN

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INTRODUCTION

Never has a nation in the world donated even the most barren piece of land to another, even to its blood brother. Throughout history wars have been fought over land, and such wars still happen today. For soil is one of the sources of life for nations. For a society to be a nation, its individuals must have a sense of homeland. Heroes who struggled and battled for their own land have always been praised, from mythology to modern literature.

As the latest war in the Republic of Azerbaijan occupies the world agenda, even if military operations have ceased, it continues to draw attention. This war is not just a matter of ensuring the territorial integrity of Azerbaijan nor just putting an end to Armenian aggression. This war also means that the geopolitical knot in the former Soviet region in the South Caucasus will either be unraveled or turn into a deadlock. In addition, new alliances are being formed as external actors try to get their share by pursuing various goals.

The contested Karabakh is one of the Turkic lands steeped in deep history, and is located in the very center of Northern Azerbaijan. The Zangezur corridor separates it from the Nakhichevan region, which the Soviets detached from Azerbaijan and gave to Armenia. The status

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of Karabakh, which was part of different states during different periods, changed over time – it was a beylerbeylik, state, locality, khanate, governorship general, etc. – but these lands have always preserved their integrity and loyalty to Azerbaijan. Although its exact area expanded and contracted at different times, it generally occupied approximately 14-15,000 square kilometers. The artificially created 4,400-square-kilometer Nagorno-Karabakh region is a small segment of the true land of Karabakh.

This study attempts to answer the frequently asked question, “Why is Karabakh so important to Azerbaijan that you have been fighting over it for a hundred years?” The first part of this study conducts an analysis of Karabakh’s place in Azerbaijan’s history. Later, the importance of the region in terms of Azerbaijani cultural history is addressed. The last section examines why Armenia has targeted the region.

THE PLACE OF KARABAKH IN AZERBAIJAN’S HISTORY

The position occupied by Karabakh in the Azerbaijani geography from a political perspective emerged in the 18th century. Nadir Shah Afshar’s military genius was sufficient to ensure internal stability, recapture the territories occupied by foreign powers, and expand the state’s political authority toward India and the Ottoman Empire. Nadir Shah initiated his riskiest but also critically important religious reforms, and Sunni-Shia disputes were greatly weakened during his time. He did not institute radical reforms in domestic politics or deem them necessary. The state that the shah renewed was not fundamentally different from its predecessor and maintained the same social and political structure of a tribal state. The only change to the country’s administration was at the highest levels of management, which came to include those from the Afshar clan, especially close relatives of the shah, and those representing the Kırklı tribe. For this reason, the territorial integrity of Iran,

which he had regained by the sword, and its political stability were shaken immediately following his death (1747). Iran was divided again and the issue of its existence as a state came to the fore once more. While several powerful rivals clashed for central control, the seigniors in its regions tried to take advantage of the situation to strengthen their own authority. Those who laid claims to both local and higher authority and those who emerged victorious from this struggle were literally the leaders of the nomadic tribes. For fifty years, they fought bloody wars to expand their influence.



"Azerbaycan Tarixi Xəritələri", AZƏRBAYCAN, <https://azerbaijan.az/information/304>, (Accessed: 25 November 2020).

Penah Ali Khan (1747-1763), the representative of the Javanshir clan, a branch of the Afshars, grew more powerful in Karabakh after Nadir Shah Afshar's death. During his time, the Karabakh Khanate transformed into a de facto independent state. In 1748, the khanate's administrative center was moved to the newly constructed Bayat Castle. After a while, Shahbulag (Şahbulak) Castle was built to move the center to a more secure location. This too was viewed as insufficient,

and the khanate's center relocated once more in 1752 and the foundations were laid for a castle city named "Penahabad" on a mountain-top surrounded by steep rocks on three sides. The emergence of clean water from the wells in this new city, later known as Shusha, contributed significantly to the city's security. Khankendi, where the Han family settled, had grown into a major city. The Karabakh Khanate expanded its borders against the neighboring khanates during the periods of Penah Ali Khan and Ibrahim Halil Khan (1763-1806). (Map 1) Opposition forces were expelled from the khanate, ensuring stability, and an end was put to the Armenian resistance in the region. Local Armenian seigniors in Verende, Khachen, Gulistan, Dizak, and Carabert in the mountainous part of Karabakh were subordinated to the Karabakh Khanate.

As of the late 18th century, a geopolitical environment that threatened the future of the khanates in Northern Azerbaijan was taking shape. Tsarist Russia was preparing for an operation via the khanates that attached neighboring Georgia to itself. Some khanates in Northern Azerbaijan were inclined to break away from Persian administrative-cultural centered Iran, which had lost its internal stability. Although the Ottoman state was looked to with hope, Istanbul did not pay much attention to Iranian affairs. During this period, the Ottoman Empire had grown tired and had weakened in administrative, military, judicial, and economic terms. Grand Vizier Koca Ragıp Pasha, who likened the Ottoman Empire to a "declawed lion," prevented his state from entering new wars to the extent possible. A petition from a few of the North Azerbaijani khans to the Ottoman state was answered in accordance with its timid Eastern policy.

During the attack on Karabakh launched by Agha Muhammad Khan Qajar, who had attained sovereignty in the Iranian geography, the Karabakh khan sought help from the Ottoman grand vizier. In his letter, he said the following about himself: "In short, we are the

servant subject of the Exalted State.”¹ Istanbul administration ordered the Çıldır beylerbeyi, the Kars beylerbeyi, and the Van Commander to deal with the Caucasus and Azerbaijani khanates, and called upon them to remain abreast of developments there. Valuable gifts were occasionally sent to these khans and the needs of ambassadors traveling from these regions were met. However, the Ottoman Empire was unable to go beyond moral support, promises of help, and inviting khans to unity. In the face of the dangers threatening them, it was able to protect the khanates from neither Agha Muhammad Shah Qajar’s attacks nor Russia’s increasing pressure, and made no serious attempts toward this end.

In this context, a letter written by Ibrahim Khan of Karabakh to the Ottoman grand vizier is just one example. Ibrahim Khan recorded the following statements in his letter: “For twenty years, maybe longer, I have been honored to be on the [list] of the people of the Rum land.” Later in the letter, he requests Ottoman aid during Agha Muhammad Khan’s attack on Karabakh, pleading, “Protect us, help us and do not deny us your favor.” However, the grand vizier responded with a categorically negative answer: “As there is peace between Iran and the Exalted State, so long as Agha Muhammad Khan does not commit any acts that would contravene this peace, there will be no Ottoman military intervention in Iranian regions.”²

It was no easy feat for Agha Muhammad Khan Qajar to subjugate North Azerbaijan. His attack on Karabakh in 1795 ended in failure, and the khanate center of Shusha withstood the siege for 33 days. However, in his second military campaign, Khan Qajar wanted to both seize Shusha and also exact revenge on the Karabakh Khanate and its people. As for the Karabakh khan, he abandoned Shusha and

¹ “Lafin kısıası, Devlet-i Aliye’nin hizmetçi kuluyuz.” *Osmanlı Devleti ile Azerbaycan Türk Hanlıkları Arasındaki Münasebetlere Dair Arşiv Belgeleri*, Volume II (1575-1918), p. 98.

² Solomon Əliyev (red.), *Azərbaycan tarixi*, (Azərbaycan nəşriyyatı: Bakı), 1996, p. 545.

retreated to Car. During the one week he was in Shusha, Qajar issued death warrants in a manner befitting his character, and sent threatening letters to other khans.

Meanwhile, the political situation underwent radical change once more. Agha Muhammad Shah Qajar, who had made a name for himself through ruthless murders and worked to gain power in this way, was assassinated. Russian commander Sisyanov immediately took action to take advantage of the situation in the Karabakh Khanate. Ibrahim Khan of Karabakh, who had poor relations with the shah's palace and was intimidated by the defeat of Car-Balaken and Ganja, which had likely come up against an attack by Iranian troops, still failed to learn a lesson from the fate of the Kartli-Kakheti King family, and went against the advice of local authorities and tried to defend his control of Karabakh, albeit partially, with Russian bayonets. Toward this end, in 1805, he came to an agreement with General Sisyanov on the Kurakchay coast east of Ganja, in a document known in history as the Treaty of Kurakchay (actually the "Sworn Pledge") and accepted its harsh conditions.

Through this document the Karabakh khan together "with his family, family line, and country" entered into the sovereignty of the Russian empire, "forever rejected any sovereignty of Iran or any other state, or any type of dependence under any name," gave his eldest son as a hostage to Tbilisi, and vowed "not to contact any neighboring rulers without securing prior mutual approval" from Georgia's chief executive (Sisyanov). Additionally, it was agreed that a force of 500 Russian soldiers would be settled into Shusha Castle, and 8,000 chervonets annually to the treasury of the Russian Tsarist Empire. In return, the promise was made that "the personality of Ibrahim Khan and his heirs from among his relatives will have permanent domination over the Karabakh Khanate," and "dominion over affairs related to internal administration, judicial and divan affairs, as well as the income collected from the country, will remain under [the khanate's]

authority.”³ But Russia did not live up to its promises. Ibrahim Khan and his family were murdered in February 1806 due to the growing suspicions over his behavior and in response to Sisyanov’s assassination. Mehdigulu Khan of Karabakh, who served the Russians for years, was unable to withstand the schemes of General Madatov, who was of Armenian descent, and fled to Iran. Jafargulu Agha, who made a claim to the khanate and was played like a fiddle by the Russians, was exiled to Russia. The properties of the Karabakh khans were seized and the khanate was officially abolished as of 1822.

The Russian Tsardom’s new administrative structure in the South Caucasus did not suit the ethnic structure of the indigenous population. Active demographic changes made during and after the occupation destroyed the traditional local demographic structure, creating an entirely new situation. Russia’s demographic politics in this region in the 19th century was of a nature more openly discriminatory against Azerbaijan as compared to its neighbors. At the center of the Russian demographic politics were the Armenians, and special conditions were created for them. This situation would pave the way for the later emergence of many problems in the South Caucasus.

According to Article 14 of the Treaty of Turkmenchay, signed on February 13, 1828, at the end of the Second Russia-Iran War, “The Parties have decided that the subjects of both sides who have moved from one state to another and those who do so hereafter are allowed to settle wherever the government allows.” Article 15 further clarifies the topic of migration. In the article, firstly peace is promised to the people of the Azerbaijan province, and then the following is stated:

Apart from this, as of today civil servants and residents will be able to immigrate freely with their families from the Yerevan province to Russia, to transport and sell their movable goods, commercial products

³ Əhməd Bəy Cavanşir, *Qarabağ Xanlığının 1747-1805-Ci illərdə Siyasi Vəziyyətinə Dair – Qarabağnamələr*, p. 183; *Трактат Между Карабахским Ханом И Русской Империей О Переходе Ханства Под Власть России От 14 Мая 1805 Года* (ayrıca nəşr), (Şatq-Qərb, Bakü: 1992).

and goods and belongings without any hindrance by the government and local authorities for a period of one year. As for immovable properties, a five-year period has been granted for them to sell or make a decision about them as they please. However, this amnesty does not apply to persons who have committed a crime until the end of the stated one-year period.⁴

Although not specified here, “local residents” meant the Armenian population. Armenians not only from Qajar Iran but also from the Ottoman Empire were expected to settle within the borders of the Russian Empire and in the South Caucasus. A 15-point program was presented in a letter dated February 29, 1828, from court counselor Usimov to General Paskevich. The program proposed the establishment of a Christian Immigrants Committee to supervise the migration process; the establishment of a separate Christian region in the regions where immigrants settled; careful avoidance of Christians and Muslims cohabiting, and to this end, addressing the topic of some Muslim and Christian villages migrating to the regions where their coreligionists lived; the selection of fertile lands for the migrants to be settled in, with healthy environments, and plenty of water; and for certain privileges to be granted to the immigrants.⁵ In his letter dated November 4, 1828, Minister Nesselrode asked General Paskevich to establish closer ties with the Christian peoples in the occupied territories and reminded him of the importance of drawing them to their side.⁶

At that time, Armenians were scattered throughout different parts of Southern Azerbaijan, with most of them residing in Maragha, Urmia, Salmas, Hoy, and Tabriz. The March 30, 1818 address signed by Col. Lazarev, who was of Armenian descent and had been tasked

⁴ Əliyev, *Azərbaycan Tarixi*, p. 623.

⁵ Fəxrəli Valehoğlu (Hacılar), ‘Cənubi Qafqaza Böyük Erməni Köçü İlk Mənbələrdə’, *Elmi Axtarışlar*, Volume: 5, Issue: 10, (2009), p. 211.

⁶ John F. Baddeley, *Russia's Invasion of the Caucasus and Şeyx Şamil*, (Kayıhan, İstanbul: 1989), p. 221.

with encouraging Armenians to migrate, began with “Christians!”, and went on to inform local Armenians that they had the opportunity to choose from Yerevan, Nakhchivan, and Karabakh; that they were promised fertile lands there; that they would be exempt from taxation for six years; and that they would be provided other assistance. The address also said, “You will leave your homeland, which is cherished by every human being, but even the mere idea of Christian lands will uplift your spirits.”⁷

In the 1820s, approximately 40,000 Armenians were resettled from the Qajar state’s Azerbaijan province. Armenian officers from the Russian army such as Colonel Lazarev, Lieutenant-Colonel Felikov, Lt. Col. Argutinski-Dolgorukov, *Poruchik* (a lieutenant in the former Russian army) Melik-Yusupov, *Praporshchik* (non-commissioned officer in the Russian army) Shahnazarov, and also General Valerian Madatov were assigned to the Armenian migration project. These individuals exerted great effort in the resettlement work, and at times these efforts caused discontent in the Iranian government. In one of his letters to Col. Lazarev, Azerbaijan Governor Crown Prince Abbas Mirza complained that “the population of Armenian-populated villages were forced to leave their homeland due to the large number of soldiers sent there.”⁸ Politics regarding the Armenians sometimes led to tensions between Russia and Iran. The best-known example of this tension is the murder of Russia’s ambassador to Tehran writer Griboyedov as he tried to convince a married Armenian woman to migrate, which caused a diplomatic crisis between the two countries.

It is estimated that around 124,000 Armenians were persuaded to migrate from Iranian and Ottoman lands during this period, and it is clear that the resettlements continued afterward. Russia’s encouragement of Armenians living in Ottoman lands in particular to migrate

⁷ Сергей Глинка, Описание Переселения Армян Аддербиджанских В Пределы России, Москва: Типография Лазаревых, (1831), p. 110.

⁸ Глинка, Описание Переселения Армян Аддербиджанских В Пределы России, p. 78.

and its use of the Armenian population for political purposes was a constant source of tension in relations between these countries. Armenians who flocked to Nakhchivan but found insufficient amounts of prized lands there were advised to settle in Yerevan and Karabakh. According to Russian statistics from 1823, there were 15,729 Turkish families in Karabakh, and 4,366 Armenian families that were brought and settled with Russia's help. Of these Armenian families, 421 lived in cities and 3,945 lived in villages.⁹ N. Shavrov, who researched the Russian government's demographic policy in the South Caucasus, stated that in the early 20th century more than one million of the 1,300,000 Armenians living there "were not native residents, we [Russians] resettled them."¹⁰

The unification of the autocephalous Albanian Apostolic Church, which had existed since the 4th century, with the Armenian Church in Etchmiadzin played an important role in strengthening the Armenian element in the South Caucasus. The Albanian Church, whose independence was abolished by the Russian government in 1836, was subordinated to the Armenian Gregorian Church in Etchmiadzin. This incident bore a direct impact on the course of ethnic-based processes. A large segment of Albanians (mostly Udis) who were affiliated with the Armenian Church quickly became Armenian. Another important factor that tipped the scales of ethnodemographics in the South Caucasus in favor of the Armenian elements was the occupation period that led to thousands of Muslims leaving the area in its wake (35,000 people from the old Yerevan Khanate alone).¹¹

⁹ Zemfira Hacıyeva, *Qarabağ Xanlığı: Sosial-İqtisadi Münasibətlər Və Dövlət Quruluşu*, (Təhsil, Bakı: 2007), pp. 12-13.

¹⁰ Н. Н. Шавров, *Новая Угроза Русскому Делу В Закавказье*, С.-Петербург, (1911), p. 64.

¹¹ George A. Bournoutian, "The Ethnic Composition and the Socio-Economic Condition of Eastern Armenia in the First Half of the Nineteenth Century", *Transcaucasia, Nationalism, and Social Change*, ed. Ronald Grigor Suny, (Michigan University Press, Michigan: 1983), p. 79.

The Russian government's active resettlement policy directly affected the ethnopolitical situation. Most of the resettled population was settled into the pastures of the Turkish population and lands that belonged to Turkish owners. Naturally, this led to discontent among the native population. This factor played a major role in the emergence of what some Russian writers described as "the hostile attitude of locals."¹² Interestingly, Russian writers who feared the emergence of an Armenian national movement in the late 19th century attributed this to the state's mistaken resettlement policies. For example, Vasily Velichko said that the extremism of the efforts to resettle Armenians in the South Caucasus ran "contrary to the interests of the Russian people" and wrote,

The Muslims of the occupied provinces ask in a bitter, taunting manner: Where are the Russians? For whom have we been occupied? Apparently, not for themselves... We don't see any of your merchants, or any of your farmers. Everywhere there are our slaves of yesterday, the Armenians.¹³

KARABAKH AS A CULTURAL CENTER

As the role of the Karabakh Khanate/province in Azerbaijan's political landscape grew, its place in the nation's cultural life was growing in parallel. The capital city of the khanate, Shusha, proved itself to be a new cultural center, and was fast becoming comparable to the country's other cultural centers, such as Shamakhi, Sheki, Ganja, and Tabriz. Litterateurs born in other provinces moved here, finding for themselves a more amenable environment. The most notable examples from this period are Molla Penah Vagif (1717-1797) and Molla

¹² For example, see: Василь Величко, *Полное Собрание Публицистических Сочинений*, С.- Петербург: Издательство М.Д. Муретова, 1904, р. 202; Шавров, *Новая Угроза Русскому Делу В Закавказье*, р. 39; Firouzeh Mostashari, "The Politics of Colonization: Secularians and Russian Orthodox Peasants in Nineteenth Century Azerbaijan", *Journal of Central Asian Studies*, Volume: 1, Issue: 1, (1996), pp. 23-25.

¹³ Величко, *Полное Собрание Публицистических Сочинений*, pp. 17, 86.

Vali Vidadi (1709-1809). National literature entered a new period of progress through these great poets. The “koşma” style based on colloquial-folklore language began to surpass the classical preference that was ill-suited to Turkish, and through Vagif’s creativity became the leading style. They freed the native language’s poetic desire from “imprisonment” and transformed it into the people’s poetry. Vagif brought lyric poetry to a new level of realist development and brought it closer to the people’s spirit and style, following a different path from previous classics. Another characteristic of Vagif’s creativity was its temporality. In the poet’s lyrical *koşmas*, beauty took on a new meaning and gained a new freshness. Ibrahim Khalil Khan’s daughter Aghabeyim Agha, son Abulfat Agha, and grandson Jafargulu Agha were also known as notable poets.

Another valuable litterateur of the khanate period was Qasim Bey Zakir of the Javashir family. Amid the rich legacy of Qasim Bey Zakir, who was born in the city of Shusha in 1784, is his complaint about the current severe situation and his harsh protest against the spread of bribery and lawlessness. His concept of homeland is not limited to Karabakh, but covers the whole of Azerbaijan. Another well-known poet of Karabakh is Mohammad Bey Ashiq. Like many intellectuals of the period, he knew Eastern languages. Abdulla Canioğlu, a contemporary of Muhammad Bey, was born in 1782 in Shusha’s Tabrizli district and received a madrasa education. He penned flowing poems under his own name. In addition to the aforementioned poets, many other poets lived and produced works in Shusha. The earliest educational institutions, called “mekteb” were established in mosques, private shops, or private homes, and were known by the name of their founders. The Molla Panah Foundation School in Shusha is one of the best-known examples.

The Russian administration began its efforts to get to know Azerbaijan and govern it easily by researching the recent history of Karabakh. Various historians were asked to study the history of this re-

gion and produce writings on it. Among these, the *Karabakhname*¹⁴ written by Mirza Adigüzel Bey in 1845, stands out in several ways. This work is an important source when it comes to examining the worldview, mood, and political behavior of at least one segment of the local pro-Russian elite in the first half of the 19th century. A second *Karabakhname* was penned in Farsi by Mirza Jamal Javanshir in 1847, and is reminiscent of the first both in terms of content and format. For a long time, the author served Ibrahim Khan and Mehdigulu Khan and then the Russian army. This memoir was written at the suggestion of Governor-General Vorontsov and presented to him. Ahmet Bey Javanshir's Russian work *On the Political Situation of the Karabakh Khanate in 1747-1805*, penned in 1883, also relates the history of the Karabakh Khanate. The 24-chapter *History of Karabakh* written by poet and teacher Mir Mehdi Hazani, was dedicated to the khanate's 80-year history. This book is largely a summary of the aforementioned works by Mirza Adigüzel Bey and Mirza Cemal. Mirza Yusuf Nersesov's work *Tā-rih-i Safi*, penned in Farsi, can also be included in the list of *Karabakhnames*.

Even though Russian rule established a brutal colonial regime in Azerbaijan, the people in Karabakh were able to keep their culture alive. In fact, in the second half of the 19th century, new fields of Turkish culture managed to find a place for themselves. First and foremost, it should be emphasized that traditional national music spread more widely in Shusha and other Karabakh cities. During this period, master artists and music groups were more numerous in Shusha than any other province in Azerbaijan. For this reason, the city of Shusha was famed as the "Caucasian Conservatory." Instrumentalists such as Tarzen Sadıkcı, Harrat Gulu, Molla İbrahim, and Kar Khalifa, and Azerbaijani folk music "mugam" theorists such as Mir Mohsun Navvab were among the most important names of this conservatory.

¹⁴ *Qarabağnamələr*, ed. Akif Fərzəliyev, (Yazıçı, Baku: 1989), pp. 5-102.

There were two famous literary assemblies in Shusha. The first, *Meclis-i Üns* (Friendship Council), was established at Mirze Ebülkasım's madrasa in 1864. In 1872, upon the request of the famous poet Khurshidbanu Natavan, the assembly was moved to her palace. There were more than thirty members of the council, which was attended by famous artists in addition to Karabakh poets. Gatherings of the *Meclis-i Üns* continued until Natavan's death in 1897.

The second assembly of litterateurs was the *Meclis-i Feramuşan* (Assembly of the Forgotten), which was established in 1872 at the initiative of Mir Mohsun Navvab and continued its activities in close cooperation with the first. The name of the assembly has to do with Khurshidbanu Natavan's bringing the *Meclis-i Üns* members to her palace. Those who were not brought to the palace - those who were forgotten - established their own assembly. There were about forty members of the *Meclis-i Feramuşan*. Together with the poets, singers and instrumentalists also participated here. The *Meclis-i Feramuşan*, which bore a great influence on the cultural environment of Karabakh, operated until 1910 and was instrumental in the training of many people. Aşıq Peri, the first Azerbaijani professional woman *aşıq* (singer-poet), was also trained in Karabakh. At the beginning of the twentieth century, Üzeyir Bey Hacıbeyli, one of Azerbaijan's most famous politicians and cultural figures, was born in Karabakh and spent the early years of his youth there.

Writer and dramaturgist Najaf Bey Vezirov, one of the greatest representatives of Azerbaijani Turkish culture; writer, folklorist, and diplomat Yusif Vazir Chamanzaminli; writer and diplomat Ceyhun Hacıbeyli; literary historian Firidun Bey Kocharli; writer Süleyman Sani Akhundov; and writer Abdurrahim Bey Hagverdiyev were also born in Karabakh. Ahmet Ağaoğlu (1869-1939) was born in Shusha, attended school and spent his early youth there, and would later take on important roles in the political life of Azerbaijan and Turkey. Ağaoğlu's memoirs contain rich information about the general situa-

tion in Karabakh at the end of the 19th century, as well as the relations with the Armenian minority. Therefore, Karabakh became one of the important regions that were targets of Armenian attacks not just due to its natural beauty, rich culture, and famous personalities, but also as a region that has been at the center of the political process for the past 120 years.

KARABAKH AS AN ARMENIAN TARGET

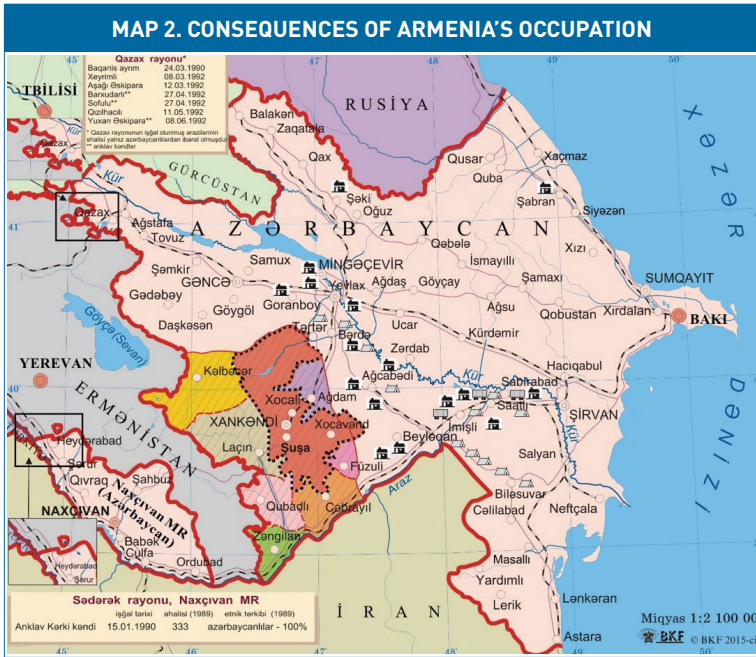
The claims of the Armenians about Karabakh and the acts of societal violence that began in 1905 are beyond the scope of this article. For this reason, the discussion will be limited to summarizing the three Karabakh wars.¹⁵ The fact that the internal borders inherited from Russian Tsarism ill befitted the ethnic makeup of inhabitants created land-border problems between the newly established states of Azerbaijan and Armenia in the South Caucasus. The years 1918-1920 went down in history as a period of mutual accusations, violence, and war between the two states. Armenia considered its own military superiority to be an opportunity and embarked upon an ethnic cleansing campaign in various regions of the South Caucasus and also in Karabakh. While dozens of villages and cities were destroyed, tens of thousands of people were also displaced from their homes and lands. From time to time, the Armenian National Council in Karabakh refused to recognize Azerbaijani authority. In response to this, the Azerbaijani government established a special general governorate in Karabakh and formed military forces under the governor's command. Karabakh was included in the Republic of Armenia in maps presented by Armenia at peace conferences in Istanbul and Paris. However, in early 1920, the Paris Conference recognized Karabakh

¹⁵ Editors' note: In the articles on Karabakh, the conflicts between the end of the 1980s and the ceasefire in 1994 are generally described as the First Karabakh War, and the conflicts in 2020 as the Second Karabakh War. However, the author of this section, the esteemed Nesib L. Nesibli, defines the violent events and conflicts that took place in the post-World War I period as the First Karabakh War.

as Azerbaijani territory. In March of the same year, a new uprising of Armenians occurred in Karabakh. Subsequent developments proved that this uprising was tailored to Soviet Russia's desire to facilitate its occupation of Azerbaijan. The Azerbaijani army was moved from the northern borders of the country to Karabakh, and Armenia made a request for peace.¹⁶

In return for the Armenians' "service" to Russia, the Bolsheviks gave the Zangezur and Göyçe regions to Armenia. Armenian claims to Karabakh entered a new era in 1921. A Soviet decision in July 1923 named one part of Karabakh "Nagorno-Karabakh" and accordingly formed the "Nagorno-Karabakh Autonomous Province." The time bomb set with this move was detonated in 1987, the USSR's final years. Armenia's Karabakh claims were brought to the agenda once more. Eventually, these claims turned into the Second Karabakh War. In this war, Soviet Russian military forces sided with Armenia. The 366th Russian Regiment played an ominous role in the Khojaly massacre. About 20 percent of the Republic of Azerbaijan's territory was occupied. With the signing of the Bishkek Protocol in May 1994, which put an end to the Second Karabakh War (1987-1994), the military clashes stopped. Thus, the Karabakh region was lost and together with the Zangezur and Göyçe regions being given to Armenia in 1920, this cast into doubt the mere existence of Azerbaijan (this situation is shown in the map below).

¹⁶ For detailed information, see: Nesib Nesibli, *Kuzey Azerbaycan İstiklalden İkinci İşgale, 1918-1920* (Altınordu, Ankara: 2018), pp. 91-117.



"Consequences of Armenia's Military Aggression", Azərbaycan Respublikasının Fövqəladə Hallar Nazirliyi, <https://www.fhn.gov.az/index.php?eng/pages/364>, (Accessed: 25 November 2020)

Twenty-six years after the end of the Second Karabakh War, on September 27, 2020, following a new provocation from the Armenian side, the Azerbaijani army launched operations to liberate the occupied territories with a countermove. Approximately one-third of the occupied territories (3,716 square kilometers) were freed within forty-four days, ravaging the Armenian army. As the war entered into its final phase with the liberation of the strategically important city of Shusha, a tripartite statement was signed on November 10, 2020, under pressure from Moscow. In accordance with this document, Russian military forces entered the former Nagorno-Karabakh and the region known as the Lachin corridor under the name of peacekeepers. The military operations phase of the Third Karabakh War has also come to an end. Thus, the majority of Karabakh, among Azerbaijan's most critical problems for over a century, has been liber-

ated. During this period, the Moscow administration that incited the Armenian attacks acquired a means of intervention in Azerbaijan's internal affairs through this conflict.

The 44-day war is a great victory for Azerbaijan. The Armenia-favored status quo formed with Russian support was ended and occupied lands were liberated. However, the Karabakh problem has not been put to an absolute end. The future status of the region detached from the whole of Karabakh as "Nagorno-Karabakh" has been left open to discussion.

The granting of autonomy to this region in an old or new way remains a major threat to Azerbaijan's national security.¹⁷ This situation also runs contrary to historical fact, for (i) the Karabakh region is a whole; never has one subset of it achieved historical, political, economic and demographic integrity. In 1923, the Soviet regime artificially divided Karabakh. (ii) The 68-year (1923-1991) Nagorno-Karabakh Autonomous Province experience did not bring stability but only wars between the two peoples. (iii) The Lachin corridor, which is five kilometers wide, is a divisive project that disrupts Karabakh's structure. (iv) Making Karabakh's population of one million population hostage to the community of 60-70,000 Armenians there runs contrary to the principle of justice. (v) The region under Russian and Armenian control (3,170 square kilometers) is not economically self-sufficient, and will always demand that foreign powers keep it afloat. (vi) The area that remains occupied is the geographical center of Azerbaijan (crossing the Astara-Kazakh and Nakhchivan-Khachmaz borders) and due to its being the center, poses a sensitive national security problem. (vii) Ensuring stability throughout Karabakh is one of the most important factors in the establishment of stability in the South Caucasus. This area must exit the sphere of influence of Russian imperialism. Otherwise, resto-

¹⁷ The Supreme Soviet of the Azerbaijan Soviet Socialist Republic, the local parliament, abolished the law granting autonomy to the Nagorno-Karabakh Mukhtar Province on November 26, 1991.

ration of the old status of “Nagorno-Karabakh” or the adoption of a new autonomy formula will cause a reversal of the seven principles and eventually lead to the outbreak of a Fourth Karabakh War.

CONCLUSION

Karabakh is one of the most geographically beautiful, economically productive, and historically rich regions of Azerbaijan. In the Azerbaijani Turkish imagination, Shusha Castle is a symbol of greatness and invincibility. With these features, Karabakh as a cultural center is an integral part of Azerbaijani Turkish culture. Among the painful experiences of the three Karabakh wars is Russia’s use of the Karabakh issue as an element of pressure on Azerbaijan. As long as Russia does not interfere, Azerbaijan is perfectly capable of easily resolving its own problems. It is certain that so long as Armenia, supported by Russia, does not have its hand cut off from Karabakh, there will be no rest for Azerbaijan. Accordingly, it should not be forgotten that Azerbaijani Turks fought for Karabakh three times and will fight a fourth time if necessary.

KARABAKH'S SIGNIFICANCE TO ARMENIA

MEŞDI İSMAYILOV*

INTRODUCTION

The Second Karabakh War, 44 days of violent military clashes that began on September 27 as a natural result of Armenia's increasing political and military provocations in recent years, ended with the tripartite statement signed by the state and government heads of Azerbaijan, Russia, and Armenia. The agreement reached between the parties is actually a ceasefire declaration stopping military operations. The ensuing phase will be one of diplomatic negotiations that aims to attain a comprehensive peace agreement. It is likely that in the upcoming phases Azerbaijan will attempt to defend the successes it won on the battlefield – by working in coordination with Turkey – against negative interventions it might face at the negotiation table.

As is well known, the Organization for Security and Cooperation in Europe (OSCE) Minsk Group that took on the mission of resolving the conflict through peaceful means assumed an ineffective stance against the aggressor state, rendering the diplomatic negotiations futile until the present day. The nearly 30-year period was referred to as the “status quo” by the international public, but was actually a situation that camouflaged Armenia's occupation policy. During this time, Armenia developed a series of political theses to clinch this situation that was favorable to itself and to convince the international public

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as well as Azerbaijan to accept its occupation as *de facto*. Among its main theses was a myth about the military invincibility of the Armenian army. The aim here was to create the perception that a military solution to the Karabakh conflict was impossible. Armenia wanted to attain its political goals through its thesis that Azerbaijan would be unable to defeat it in a war and therefore had no choice but to accept Armenia's conditions.

Armenia also referenced another military-political view connected to the aforementioned thesis when attempting to strengthen its hand regarding the Karabakh conflict. In its strategic plan, this was related to the privileges that came with membership in the Russian-led Collective Security Treaty Organization (CSTO). In other words, Armenia continued its aggressive stance with a sense of psychological superiority afforded by being under Russian military protection, and believed that Azerbaijan would not risk going to war with it. However, the Azerbaijani military's success on the battlefield changed the regional reality. From a military perspective, the winner of the Second Karabakh War was Azerbaijan, and the loser was Armenia. After the Azerbaijani military liberated the city of Shusha, the most strategic point in Nagorno-Karabakh on November 8, a last-minute move by Russia prevented Armenia from suffering a complete trouncing.

In the new situation that formed following the war, can it be said that the conflict has been resolved entirely and that Armenia has abandoned all of its claims regarding Karabakh? Historical inclinations, international power balances, and the geopolitical environment all indicate that to arrive at such a conclusion is to be overly optimistic. Well, what does Karabakh, for which so much blood and tears have been shed, mean to Armenia? Before answering this question, it would be prudent to first point something out. In this study what is meant by Armenia is not the Armenian people but rather the governing cadres and those who occupy the position of the chief instigators of the Karabakh wars and those who influenced their policies. The issue of

what the true interests of the Armenian people are and, accordingly, what their relations with their neighbors should be like is a separate topic that must be addressed. This article will examine the political, historical, and ideological aspects that led to two bloody wars in the last 30 years.

From the Armenian perspective, Karabakh's significance comprises two interrelated dimensions, "historical-ideological" and "military-geopolitical." Its geographical (geopolitical) significance is characterized as a dependent variable of its ideological dimension. In other words, Armenia's Karabakh policy gains significance in connection with both diaspora circles and the nationalist-ideological passions of the military-political elites. When examined from a political theory perspective, it can be seen that the true issue of the Armenia-Karabakh connection bears an ontological quality. From an institutional perspective, the political dynamics between modern states must be based fundamentally in international law, and therefore any Armenian claim on Karabakh leads to a violation of international law.

When examined from a geopolitical perspective, there is another characteristic of Armenia's Karabakh policy that indicates its dependency on the ideological dimension. In fact, the military-political dynamics regarding Karabakh can be characterized as an extension of Russia's regional geopolitical dynamics. In this sense from the *realpolitik* perspective, speaking of an independent Armenian policy on Karabakh can be accepted as partially correct. However, it must not be forgotten that parallel to this policy is a political construct under the guidance of another state's regional strategies that is working to make space for its own ideological motives.

"HISTORY IS FOR FIGHTING"

The first subject that must be addressed is the historical relationship between Armenia and Karabakh. The ultimate political goal of the nationalist intelligentsia's historical construct is based on a claim de-

fined as “Greater Armenia.” According to this, Armenians have claims to land in all of the states that neighbor Armenia today, especially Turkey. In my opinion, the military success achieved in the First Karabakh War paved the way for viewing this as the first step toward realizing this historical claim that was previously part of the nationalist imagination and following independence became a political strategy. In this regard, it can be observed that in postwar discourses the significance attributed to Karabakh was embellished with historical, religious, and warrior motifs. For example, in Thomas de Waal’s work on the subject which is well-known in Western literature, Karabakh’s cultural and symbolic significance to the Armenians is described as “the last outpost of their Christian civilization and a historic haven of Armenian princes and bishops before the eastern Turkic world begins.”¹ Elsewhere Karabakh has been described as a “shelter and castle” for Armenians, a nearly uninterrupted “last castle” defending a national autonomous tradition, or as “Nagorno-Karabakh, the heart of Armenian civilization for centuries.”²

In order to claim that Karabakh has belonged to the Armenians since the old ages, a series of historical theses were set forth in the name of breaking its ties with Azerbaijan. Attempts were made to associate Armenian presence in the area with an ancient and native character with theses like “Urartu,” “Hayasa-azzi,” “Greater Armenia,” and “the first Christian country.” According to these, all of the western regions of today’s Republic of Azerbaijan, including Nagorno-Karabakh, were composed of Armenian peoples since the 7th century BC and were part of Armenia.³

¹ Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, (New York University Press, New York: 2013), p. 3.

² Michael P. Croissant, *The Armenia-Azerbaijan Conflict: Causes and Implications*, (Praeger Publishers, Westport: 1998), p. 10.

³ Croissant, *The Armenia-Azerbaijan Conflict*, p. 13.

Due to our subject, it is mandatory to examine these theses in detail.⁴ Leading experts on the subject have denied the accuracy of these views. To use the concise statement of famous Russian historian I.M. Dyankonov, “barrels of ink were squandered” to establish such baseless claims.⁵ Accordingly, it will only be beneficial to examine those theses that are exclusive to Karabakh.

The only theory that has enabled Armenians to reference the existence of a settled ethnic group in Karabakh is the Urartu thesis. According to this, the name “Arsak” was first mentioned as the “Urtekhe/Urtekhini” region in Urartu sources.⁶ This thesis, which was only defended in Russian historical circles by historians of Armenian descent, has not been looked upon favorably in scientific circles. In addition to the toponymy of “Arsak” not being Armenian etymologically speaking, in a more general sense, philological research has demonstrated that a link cannot be established between the Urartu and Armenian languages. Armenian usage of place-names from ancient languages does not automatically provide that they belonged to Armenians.

With the Urartu thesis in this condition, another unsuccessful view was put forth to “demonstrate historical traces” in Karabakh. This view references some narrations of the Greek geographer Strabo. According to Strabo, a small region near Lake Van in Eastern Anatolia bore the name “Armeniya.” Following the death of Seleucid ruler Antiochus III in the 2nd century BC, his Median (Iranian) commanders Artaxias (Artashes according to Armenian sources) and Zariadris occupied

⁴ For more detailed information on nationalist theses, see: Meşdi İsmayilov and Barış Özdal, “Sosyal Teori Bağlamında Ermeni Milliyetçiliğinin Tarih ve Coğrafya Retoriği”, *Armenian Studies Journal*, Issue: 61, (2018), pp. 31-70.

⁵ See Armen E. Petrosyan, “O Prisojdenii Armyanskogo Naroda: Problema Identifikatsii Protoarmyan (Kriticheskiy Obzor)”, *Armyanskiy Vestnik*, Volume: 2/3, Issue: 1, (2009), pp. 66-102.

⁶ Ohannes Geukjian, *Ethnicity, Nationalism and Conflict in the South Caucasus: Nagorno Karabakh and the Legacy of Soviet Nationalities Policy*, (Routledge, New York: 2016), pp. 29-30.

neighboring countries Caucasian Albania, Atropatena (Adarbayjan), and some Iberian lands, expanding Armenian territory.

The Armenian national historical narrative is closely tied to the geographic expansion in the said period. Two claims have been made in this regard. According to the first, the lands along the right branch of the Kura River belonged to Greater Armenia from Artaxias's occupation until the 4th century, and were then added to the Caucasian Albanian state.⁷ The second claim has to do with the Armenian-ization of the population in the regions occupied during the period in question. The main defender of this view, S.T. Yeremyan, writes in this regard:

As the righthand side of Caucasian Albania (the Uti and Arsak regions) were located inside what became central Greater Armenia for nearly six centuries (until 387), it was subject to a process of Armenian-ization. By the fourth and fifth centuries the Arsak region had been Armenian-ized and the Armenian-ization process of the main parts of the Uti region was completed in the sixth century.⁸

However, the historical data reveal the impossibility of this schematic. After the defeat of Seleucid ruler Antiochus IV by Artaxias's army in 165 BC, the Armenian kingdom reentered Seleucid control. In 66 BC, Tigranes II surrendered to Roman commander Pompey and Armenia entered into Roman rule. Thus, the Armenian state that did not have any active existence was legally disbanded by 428. The true rulers in Armenia, where the Roman army was deployed in the first and second centuries, were the Roman *strategoi*. The Armenian czars, who were vassals of Rome, paid tax to the empire until 358.

The Armenian geography was a long stage to power struggles between the Roman/Byzantine and Iranian Empires, and was divided countless times, entering into the rule of various powers (through agreements made in 65 BC, and AD 37, 298, 387, and 591). Therefore,

⁷ Kamilla V. Trever, *Ocherki Po Istorii i Kulture Kafkazskoy Albanii*, (AN SSSR, Moscow: 1959), p. 154.

⁸ S. T. Yeremyan as quoted by Alisöhbət Sumbatzade, *Azerbaydjançı – Etnogenez i Formirovaniya Naroda*, (Elm, Baku: 1990), p. 66.

claiming that Tigranes II took advantage of internal strife in Rome and expanded the borders of his kingdom between 93 and 66 BC (a total of 27 times), creating maps of “Greater Armenia,” and making claims to land based on this is entirely baseless. Ultimately, it is impossible for a geography that was governed as a subject of the Roman and Iranian Empires between the first and fourth centuries to implement aggressive and assimilatory policies toward other regions.

The backbone of the historical construct of Armenian nationalism is represented by an emphasis on ethnicism, wherein a historical identity and belongingness are assigned to the region based on ethnicity. Through a mechanical definition, a historical sense of destiny and unity was formed between “Armenians” as an ethnic unit and “Armenia” as a geographic unit. With the definition of “Greater Armenia,” a political significance was attached to this sense that went beyond the geographic meaning. Whereas ethnographical, anthropological, and philological studies have demonstrated that a direct connection cannot be made between the toponymy of “Armenia” and the “Armenian” ethnic group as it is understood today.

It is known that the earliest written record of the geographical region known as Armenia is the Persian King Darius I’s Behistun Inscription, and here there was a longstanding history of different ethnic groups living together, and all of these were known as “Armenians,” meaning “from/of Armenia.” On the other hand, the group that today is accepted as Armenian refers to itself as “Hayk” and to its region of residence as “Hayastan” (High Country). According to historical data, the Hayk people settled into the Armenian geography later, and it is known that they are a non-native ethnic group.

It is not known exactly when the Hayks came to Armenia, but it is certain that cultural and political factors were influential in the ethno-genesis processes that caused them to evolve into today’s Armenians. Especially following the Gregorian Christian sect’s spread as an identity and adoption by the Hayk ethnic group, it was viewed as identical with the formation of the modern Armenian identity. Ultimately “Arme-

nia” is a geographical term and etymologically refers not to any ethnic group but to a specific region. Additionally, the word’s meaning is rooted in languages other than Armenian (the Indo-European language the Hayks speak). In this regard, attributing an ethnic meaning to this word and especially associating it with the Hayk ethnic identity is at odds with the historical (scientific) data.

To recap, sources from the period do not contain any references to an Armenian presence in any region between the Kura and Aras rivers. The Caucasian Albanians – with brief exceptions – succeeded in maintaining control of a large swatch of the South Caucasus for nearly 1,000 years between the third century BC until the 8th century AD. Christianity became the official religion of the Caucasian Albanian state in the 4th century. For this reason, there are many cultural and religious artifacts in Caucasian Albanian regions belonging to the Christian period.

Though the entrance of Islamic empire to the region brought an end to the sovereignty of the Caucasian Albanian state, the Albanian Patriarchate Church succeeded in continuing its existence for many years. As stated in Arab sources from this period, the Caucasian Albanians in North Azerbaijan and the Aderbayqanis in South Azerbaijan converted to Islam. Christianity’s political influence was limited to the mountainous regions of Karabakh in Caucasian Albania. Attempts by the Armenian Gregorian Church to secure influence over the Church of Caucasian Albania coincide directly with this period. For protecting the Caucasian Albanians’ cultural legacy was viewed as another way to lay claim to Karabakh. Toward this end, attempts were made to portray the Caucasian Albanian Church as a branch of the Gregorian Church. The aim was to portray the Christian peoples in Caucasian Albanian lands as Gregorians, and Armenian-ize them. It must not be forgotten, however, that this situation is not a perspective of the modern periods. This situation was formed beginning in the early periods when Christianity began to spread in Armenia, through participation of the Gregorian Church in regional power struggles.

The Caucasian Albanian Church, which was formerly based in Kebele and as of the 5th century was in Berde and led by a catholicos, had become an entirely independent Church. The Caucasian Albanian catholicoses worked to spread Chalcedonian Orthodoxy in Caucasian Albania to counter the Gregorian Church's Monophysitism. The aim of the Caucasian Albanian elites was likely to establish a religious-ideological synergy with the Byzantines and guard against the Armenians' continual Gregorianization policies.

With the establishment of Umayyad rule in the South Caucasus, the interests of the two major powers in the region during the time, the Islamic and Byzantine Empires, clashed. The Armenian Church took advantage of the resulting political situation to further its own interests, aiming to gain influence over Caucasian Albania's western regions first from a religious perspective, and then through Armenian-ization policies. Naturally, the Gregorian Church sided with the more powerful Islamic empire in this struggle. The Orthodox Caucasian Albanians were accused of engaging in Byzantine partisanship. The Armenian Church's schemes were successful, and with the aid of an army sent by the caliph, the Caucasian Albanian catholicos and his supporters were executed. As part of decisions made in a grand assembly in the town of Berde in 701 under supervision of the Islamic empire's army and led by the Armenian catholicos, Caucasian Albania's Karabakh bishops were subjugated to the Gregorian Church. The newly appointed catholicos Simeon swore an oath of allegiance to the Armenians and the St. Yelisey Temple (in today's Agdere district) was declared the patriarchate's new headquarters. A few years later, all the Karabakh bishops were made to swear allegiance to the Gregorian belief in a written vow that declared they would otherwise be declared apostates.⁹ Soviet historian I.P. Petrushevsky writes about this event:

⁹ Rəşid Göyüşov, *Qarabağın Keçmişinə Səyahət*, (Azarnashr, Baku: 1993), pp. 75-78.

The Caucasian Albanian Church's Chalcedonian (Orthodoxy) movement to defend its independence against the Armenian Church has been suppressed by Armenian-supporting monophysitists. The Armenian Church in Caucasian Albanian has become a vehicle for the country's Armenian-ization. Its role as such has been particularly prominent since the beginning of the eighth century.¹⁰

As of this period, the Gregorian-ization process among the Christian population living in the mountainous regions of Karabakh began. The conduct of religious rituals and texts in the Armenian language was an effective part of this process. Some Caucasian Albanians who did not want to be influenced by the Armenians converted to Islam, and others maintained their membership in the Caucasian Albanian Church. With the decrease in influence of the Islamic empire in the 9th century, the Caucasian Albanian Church began to free itself of Armenian influence and underwent a new renaissance period. The Gregorian Church reached its ultimate goal in 1836. On this date, upon the order of Russian Czar Nicholas I, the Caucasian Albanian Church was removed and subjugated to the Armenian Gregorian Church. All property belonging to the Caucasian Albanian Church was transferred to the Armenian Church. In the following period, the Caucasian Albanians' historical-cultural legacy was Gregorian-ized and thus a strong Armenian-ization policy was implemented in western Azerbaijani lands.

In conclusion, the historical connection between Karabakh and the Caucasian Albanian Church gains significance through two factual processes. Firstly, with the spread of Islam in the region, the presence of Christian Caucasian Albanians was limited to Karabakh. Despite strong pressure from the Gregorian Church from time to time, the Christian population of Karabakh essentially preserved its loyalty to the Caucasian Albanian Church. Secondly, after being officially abol-

¹⁰ Ilya P. Petrushevsky, *Dağlıq Qarabağ Kəndlisinin Xristianlaşdırmağa Qədər İnancı*, (Baku: 1930), p. 8.

ished in 1836, the Caucasian Albanian Church was subject to a strong Armenian-ization.

EFFECTS OF MIGRATION POLICY ON THE KARABAKH CONFLICT

Until now, an attempt was made to outline the main structure of the epistemological issues with the Armenian nationalist historical claims to Karabakh. These partially explain the presence of an Armenian community in Karabakh. The Caucasian Albanians who were the victim of Armenian-ization as of the 19th century tell only a small part of today's story. The main reasons for the Karabakh conflict from a political history perspective are related to these two important issues: The first issue is the heavy Armenian migration to the South Caucasus geography that took place beginning in the early 19th century, especially to the Karabakh and western Azerbaijan region. The second is the fact that the migrations carried out by Czarist Russia were related to its own imperialist interests.

Russia took an interest in the Caucasus beginning with Peter I. Despite partial success in the 18th century, it was unable to put down deep roots here. At the beginning of the 19th century, it began a struggle with the Ottoman and Iranian states in order finally to establish its influence in the South Caucasus. While the Russo-Iranian Wars ended with the Gulistan (1813) and Turkmenchay (1828) Treaties, North Azerbaijan came under Russian and Southern Azerbaijan came under Iranian rule.

A special article (paragraph 15) was included in the Treaty of Turkmenchay that provided for the settlement of Armenians into the northern Aras River regions. According to N.N. Shavrov's notes, in only the first quarter of 1828, 8,249 Armenian families crossed the Aras River and were settled into the Karabakh and Shirvan regions.¹¹ Although there were only two Farsi-speaking Armenian villages in the

¹¹ Nikolay N. Shavrov, "Novoya Ugroza Russkomu Delu v Zakafkazye: Predstoyashaya Rasprodaja Mugani Inorodcam", *Izvestiya, Az SSR Akademii Nauk*, N3, (1988), p. 55.

mountainous region of Karabakh at the turn of the 19th century, by the 1830s, this number had risen to 20. Ultimately in accordance with the Turkmenchay Treaty, 40,000, and according to the Edirne Treaty that ended the Russo-Turkish War of 1828-1829, 90,000 Armenians took up residence in various regions of Azerbaijan, including Karabakh.

Though Armenians continued to be resettled into the South Caucasus during the years of the Russian Crimean War, their numbers were not recorded. According to calculations by American historian Justin McCarthy, 560,000 Armenians were resettled into Azerbaijan between 1828 and 1920.¹² According to numbers provided by N.N. Shavrov, who served in important bureaucratic posts in Czarist Russia's Tbilisi, the total Armenian population of the South Caucasus reached 1.3 million in 1908. Of this total population, one million had been resettled there by Russia.¹³

As can be seen, Russia made it a military-geopolitical priority to establish a buffer zone region composed of an ethnic group loyal to it, in order to clinch its military successes and strengthen its imperialist presence in these regions. Thus, through the Armenian community resettled into the region, the seeds of ethnic discrimination were sown. The establishment of the Nagorno-Karabakh Autonomous Oblast by granting autonomy to Armenians in the mountainous areas of Karabakh in 1923 (the entirety of the Javanshir district, and the mountainous regions of Shusha and Jabrayil) would embody this ethnic discrimination in later periods. Meanwhile, the Zangezur region that historically belonged to Karabakh was gifted to the Armenian Soviet Socialist Republic that was formed in 1921 by the Moscow administration.

As a result, Russian imperial power settled entirely into the South Caucasus during the period 1828-1878. The Armenian perception of

¹² Justin McCarthy, *Population History of the Middle East and the Balkans*, (Isis Press, Istanbul: 2002), pp. 109, 292.

¹³ Shavrov, "Novoya Ugroza Russkomu Delu v Zakafkazye", p. 60.

the Russian Empire during this period was that of “a developed civilization and society, the defender of Christianity against Islam and the hope for liberation.”¹⁴ However, Russian-Armenian relations did not always progress along a straight path. Occasional attempts to impose the Russian language, policies of controlling the Armenian church, and partial support of nationalist plans led slowly to a sense of mistrust among Armenians toward Russia. This situation was more pronounced among the intelligentsia and the diaspora Armenians. Russia was blamed in many historical events where attempts to attain certain goals failed. For example, during the early phases of the Soviets’ foundation, Armenian nationalism openly criticized the Bolsheviks (Communists) for some of their decisions. In order to secure the USSR’s borders, Lenin had made clear concessions to Turkey in his negotiations with Atatürk. According to this view, the fate of the regions contested by Armenia with Azerbaijan and Georgia was not decided in Armenia’s favor, with the exception of Zangezur. Although the Armenians requested that the fate of Nagorno-Karabakh and Ahalkalek (Akhalkalaki) be decided based on a principle of assigning the regions to themselves, this was not approved by the Bolsheviks. In a similar manner, claims made to Nakhichevan based on certain economic and strategic reasons were not acknowledged. Moreover, according to this view, the Bolsheviks took from the Armenians the Kars and Ardahan regions which had belonged to the Russian Empire since 1878 and gave them to Turkey.¹⁵

In my opinion, dealing with the back and forth of this duality (on one hand, an emphasis on a monoethnic national identity shaped by a historical understanding embellished by fictional narrations, and, on the other hand, rhetoric about a shared Christian fate but in reality, a dependence on Russia for political reasons) led to difficult dialectic

¹⁴ Croissant, *The Armenia-Azerbaijan Conflict*, p. 5.

¹⁵ Levon Chorbajian, Patrick Donabedian and Claude Mutafian, *The Caucasian Knot: The History and Geopolitics of Nagorno Karabakh*, (Zed Books, London and New Jersey: 1994), p. 6.

contradictions. Attempts in the last 200 years to overcome the deeply rooted contradictions in the Armenian national character and collective psychology have not been successful. As can be seen, attempts have been made to inject these contradictions from a sociopsychological perspective with the development of an anti-Turkish enmity.

RESSENTMENT IDEOLOGY

From the perspective of international law, Armenia has been - to put it plainly - an occupier state for the last 30 years. From the Khojaly massacre it perpetrated during the First Karabakh War to its ballistic missile attacks targeting civilians in Ganja, Berde, and other towns, it has gone beyond occupation and demonstrated that it is a terrorist state committing crimes against humanity. While it is possible to explain Armenia's asymmetric and uncontrolled violence based on military, psychological, etc. reasons, in a more general sense the essence of the Armenian government's dominant paradigm is irredentist and stems from a diseased ideology.

The ideology of which we speak of is not a relatively new style of thinking that was formed in Armenia in the late 1980s and early 1990s. It has a history extending back at least a century and is related to the Dashnaktsutyun and similar gangs. It made its presence felt in the massacres that occurred in both Anatolia and Azerbaijan (1905 and 1908). This ideology always preserved its vitality among radical diaspora Armenians, and was manifest in the operations of the Asala terror organization. After the fall of the USSR, it took over the political climate in Armenia entirely, and revealed its true face during the Karabakh wars. In the background of this historical buildup, the same ideology and worldview can always be seen. As of the second half of the 19th century, the phenomenon that has manifested the ideology in question is Armenian nationalism.

As is known, nationalist thought is fundamentally built upon a distinction between "us" and "them." In a world where identities –

including national and ethnic identities – are changing, nationalist intelligentsia and elites always view sharpening the lines between “us” and “them” as an important duty. Toward this end, great importance is attributed to nationalist commentary on history, for by encouraging shared feelings among group individuals and a shared awareness, national (ethnic) identities are strengthened. Just as moderate approaches to the “other” can be envisioned in their nationalist reading of history, as Herder did, differences in this reading can also lead to extremist, radical views. From this perspective, the foremost issue with Armenian nationalist historical theses lays in their narration of events together with culturally traumatic influences. Over time, the resentment rhetoric that emerged as a natural consequence of this situation led to an intolerance of the “other” in the group identity and the strengthening of anomalous feelings.

In my view, the political aggression rooted in this type of collective mentality is best described through the resentment phenomenon conceptualized by Nietzsche and Max Scheler. In the most general sense, this concept can be defined as the problematic psychological state resulting from powerlessness constantly repeating itself. Nietzsche views the fear of the slave at the root of resentment. In other words, it is based in psychological mechanisms traversing the power relations between the powerful and the powerless (master-slave). According to this, the slave withdraws into himself due to his fear, and this suppression is one of the most important sources that resentment feeds on. The master can express his desires because he’s the master, but the slave’s desire is to be the master and he internalizes this. The withdrawal and suppression of this feeling paves the way to illness in the human psyche. For a person should actually act based on their desires. The thing that makes the human psyche ill is their inability to act in accordance with their desires and internalizing the feeling of resentment.¹⁶ According to

¹⁶ See: Carlo Ginzburg, *Güç İlişkileri: Tarih, Retorik, Kanut*, (Dost, Ankara: 2016), p. 47.

Scheler, when revenge, hatred, jealousy, and their effects are combined with powerlessness, a violent tension is born and the emotional state influenced by this tension turns into resentment.¹⁷

Armenian nationalism never escaped the archetypes in which it evolved under the influence of the historical conditions which shaped it during the earliest periods of its development. As is known, Armenian nationalism was formed in the 19th century as an extension of the Eastern Question, born of efforts by Western states, especially Czarist Russia, to topple the Ottoman state from within. The Armenians, who had until that point cohabited with Turkish peoples in the geographies in which they resided without a problem, and in fact enjoyed a high status granted by the Ottoman state as “millet-i sadıka” (loyal nation), were carried away by an obsession with extremist feelings, and dragged into a condition of resentment from which they never escaped.

Armenian nationalism can be viewed as a holistic discourse based on four dimensions/phases. The mythological nationalist narrative, the diaspora’s nationalist propaganda, and the nationalist rhetoric of the Soviet and post-Soviet era can be distinguished as the main components of the first dimension of this discourse. Resentment is intrinsic to each of these discourses and is ongoing in an *ad hoc* manner. For example, the most defining characteristic in the formation of this phenomenon is the “state of being unable to obtain something one wants to possess due to powerlessness,” which is precisely the sorry state of the first phase of Armenian nationalism. The characteristic of this phase is that, on one hand, a narrative of national origins and identity has been shaped by Armenian historians and clergy with an ethno-symbolic understanding of the Middle Ages, while, on the other hand, this narrative (as explained above) started to be employed against the Ottoman state for the sake of realpolitik goals in alignment with imperialist interests. The production of “Greater Armenia” maps transformed

¹⁷ Max Scheler, *Hinç [Resentiment]*, (Kanat Books, Istanbul: 2004), p. 28.

this emphasis into a political vision and formed the most important component of the national identity. The most farfetched expectation was the division attempted with the 1920 Treaty of Sèvres between the Allied Forces. In this way, their feelings of resentment were deeply implanted into the collective memory.

Ressentiment, which Scheler defines as “the mind poisoning itself,”¹⁸ puts common sense thinking out of commission and an obsessive mental state takes over. Among the most prominent emotional states caused by such a mental state include an inclination toward defamation and condescending hatred. For example, during Armenia’s Soviet period in the early 1980s, during an interview with Karen Demirchyan wherein he normally should have avoided nationalism and recommended that the working classes of all nations unite, his remarks instead reflected this kind of mental state:

First, the Communists protected Armenia against guaranteed destruction in 1920. They extracted it from the mouth of a lion or crocodile and saved it.¹⁹

The state of resentment can be most clearly seen in the nationalist discourse shaped by the diaspora, wherein great arrogance and hidden, strong ambitions represent an unparalleled potential for feelings of vengeance. In this narrative, responsibility for all of their disappointments and failures rests first and foremost with the Turks. The Turks are viewed as the scapegoats for not just one event but all of history. The political understanding in which the symbol of “Turkishness” is *a priori* perceived as “enemy” inevitably leads to wars and destruction, as took place in Karabakh.

While speaking once about the nature of politics, German political scientist Carl Schmitt indicated that the “enemy” symbol must not be made into a moral principle. According to Schmitt, distinctions be-

¹⁸ Scheler, *Hinç*, p. 7.

¹⁹ Razmik Panossian, “Armenia”, *Nations and Nationalism: A Global Historical Overview*, Vol. 4, ed. Guntram H. Herb and David H. Kaplan, (ABC CLIO, Santa Barbara: 2008), p. 1707.

tween “friend” and “enemy” should be categorical, and must take on a functional role in politics renewing itself. However, while a community with a feeling of resentment contemplates the “enemy” in this sense, as Nietzsche demonstrated, it is conceptualized as “devilish” and “a satanic enemy.” It is now a fundamental concept because it is for this reason, for example, that it can conceptualize “good,” that is to say, itself.²⁰

In conclusion, the fundamental impetus of the formation of resentment is a feeling of fear. The fear at the root of this feeling is also a dialectic fear. That is to say it is not a fear that can be expressed through “normal routes,” but rather it is a suppressed fear stemming from the condition of “not owning something.” In this manner it can be said that, contrary to what is expressed in the Armenian nationalist discourse, the hatred/fear of foreigners is not one-dimensional. Unfortunately, one part of this is a perception of Turks that is expressed with emotions such as animosity, hatred, and enmity. The other part is a suppressed fear of Russia that has continued since the early periods. This fear is that the Russians will abandon their support of Armenian ambitions. Just as the Dashnaktsutyun gangs viewed Czarist Russia as the most important vehicle to accomplish their goals, today the Armenian terrorists in Nagorno-Karabakh hope for support from Russia from the same perspective.

CONCLUSION

In conclusion, so long as Armenia continues to look at Turks in general and Karabakh and other lands that it makes claim to from the window illustrated above, it will be unable to free itself from the resentment swamp. As Armenia’s view of history and geography is fundamentally based in a problematic ideology, its geopolitical methods are also incorrect. While it should be making peace, cooperation, and economic development national priorities, unfortunately the nation itself has

²⁰ Friedrich Nietzsche, *Ahlakın Soykütüğü Üzerine [On the Genealogy of Morality]*, (Say Publications, Istanbul: 2020), p. 54.

become the most important threat to regional security and stability. Another aspect of the Karabakh ideology that is problematic in terms of Armenia's domestic politics is that it has constructed the entirety of the country's existence based on a single parameter. The key issue here is that when the single parameter that the country's fate is staked upon collapses, there will be no value left to keep its people standing. In order for an abiding peace to be established in the region, one of the urgent issues is the degree to which the dominant mentality in Armenia can be rehabilitated. Such rehabilitation appears to be quite difficult. Therefore, this failure in changing the paradigm may draw the country to a revanchist line and lay the groundwork for new problems in the future.



TWO

BACKGROUND OF THE KARABAKH CONFLICT



KARABAKH'S HISTORICAL BACKGROUND

ÖMER GÖKSEL İŞYAR*

INTRODUCTION

The Karabakh region comprises lands between the Lesser Caucasus Mountains and the Kura and Aras Rivers. It is bordered by the cross-roads between the Kura and Aras Rivers to the southeast, the Aras River in the south, and the Keshbek, Salvarti, and Erikli Mountains collectively known as the Karabakh Mountains to the west, and extends to Lake Gökçe and is bordered by the Goran and Kura Rivers to the east.

Historically the region was ruled by the Kingdom of Lesser Artsakh (250-227 BC) and then the Sassanids as of AD 387. The region was then controlled by the Huns (AD 454-5) and then the Kingdom of Caucasian Albania. Until AD 510, the Alban family of the Arsak Turks who were a branch of the Sakas, ruled this area. The region was later subject to Arab raids and in the 11th century was stage to waves of raids by Turkmen/Oghuz tribes, and eventually came under the rule of the Seljuk administration. Following Genghis Khan's invasion, Karabakh served as the summer base of the Karabakh Ilkhanid Kingdom. The Karabakh region was a subject of the Qara Qoyunlu Turkish state between 1410 and 1468, the Aq Qoyunlu Turkish state between 1468 and 1501, and the Safavid state between 1501 and 1736. During the Safavid era, the Karabakh Beylerbeylik was

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established with Ganja as its center.¹ In the 16th century, Karabakh's administration had transferred to the sons of the Ziyad Khan family, who were part of the Kachar branch of the Karaman Khanate. Between 1590 and 1608, the entire Azerbaijan region, including Karabakh, had been added to the lands of the Ottoman Empire. Later, all of these regions would become subject to contention between the Ottoman Empire and Iran, and changed hands many times. Famous 17th-century Turkish traveler Evliya Çelebi described Karabakh as "Lesser Azerbaijan."

Upon the weakening of the Safavid Empire, autonomous khanates were formed throughout the South Caucasus. The Karabakh Khanate with its headquarters in Shusha emerged in 1747.² This khanate was independent of the Ottoman Empire and Iran, and was able to survive until 1822. The Karabakh Khanate was forced to pledge allegiance and pay taxes to the Russian Tsardom beginning in 1805. With the Treaty of Kurakchay, dated May 14, 1805, the upper parts of the region (Upper Karabakh) were once more added to Russian lands under the name of the "Karabakh Khanate." The lower region was able to remain independent for a while longer.

The Treaty of Gulistan, signed between Russia and Iran, on October 12, 1813, in Karabakh's village of Gulistan, confirmed Russian dominance over the Karabakh Khanate region. Karabakh became one of the six Russian governorates (*guberniyas*) in the region (historical Caucasian Albanian lands) and was tied directly to the empire under the name "Karabakh governorate."³

In 1826, Iran launched a campaign to regain these territories. The Russo-Persian War that ensued ended with the February 10, 1828

¹ Zeynel Abidin Makas, *History and Cultural Geography of Azerbaijan*, (Kök Publications, Ankara: 1990), p. 11.

² Before the establishment of this khanate, the Armenians in the region had formed a *derebeylik* and had named it "Karabakh Derebeylik."

³ Cemalettin Taşkiran, *Geçmişten Günümüze Karabağ Meselesi*, (Genelkurmay ATASE Publications, Ankara: 1995), p. 69.

signature of the Treaty of Turkmenchay. The treaty confirmed once more that the entire region belonged officially to Russia. Within the framework of the Russian population policies implemented after the treaty, Armenians were able to comprise a majority of the Karabakh population. Following the 1829 Treaty of Edirne, Armenians migrating from Anatolia were resettled specifically into the Karabakh region. From an administrative perspective, the Karabakh region underwent several changes within the Russian Empire, and in 1868, became part of the Ganja state (Elizavetpol) as “Shushinsky,” a structure that endured until 1921.⁴

KARABAKH DURING THE COLLAPSE OF TSARIST RUSSIA

When the Romanov monarchy collapsed as a result of the revolution that broke out at the garrison headquarters in Petrograd (Petersburg) between March 2 and 15, 1917, Bolshevik revolutionaries and Armenian Dashnaks took advantage of the state of general chaos in the country and spread propaganda that some regions, like Karabakh in the South Caucasus, would be recognized as “Armenian territories.” Securing international support, and major support from the West in particular, Armenians declared that the Karabakh lands belonged to them.

On the other hand, immediately following the February Revolution (1917), the temporary government established in central Russia set up a Tbilisi-based Special Transcaucasian Committee (OZAKOM) with members selected from the South Caucasian parliamentarians in St. Petersburg. But when the Bolsheviks took control of Moscow with the Revolution of October 28 - November 7, 1917, OZAKOM refused to recognize this new revolution and government. The representatives of the three countries (Azerbaijan, Georgia, and Armenia) that made up OZAKOM came together on November 15, 1917 and formed the

⁴ Yasin Aslan, *Can Azerbaycan (Karabağ'da Talan Var)*, ed. Buğra Atsız, (Kök Publications, Ankara: 1990), p. 50.

Transcaucasian Commissariat (ZAKAVKOM) amongst themselves. This institution, which can be considered to be a regional government, would be responsible for governing the region until a “Founders Assembly” (*seym*) was formed.⁵

At this stage, while Karabakh was legally considered a subregion of Azerbaijan, in reality it was able to pursue independent policies. This operational reality continued until the establishment of the Soviet government in 1920. Indeed, at one point, authorities in Nakhchivan and Karabakh even established an Aras Turkish government amongst themselves.⁶ So it can be understood that during this period, a surprisingly harmonious environment existed between Turks and Armenians in Karabakh, owing to concerns over the Bolshevik Revolution. The two communities sent joint representatives to the Council of Commissars. Joint congresses were held three times in Shusha. However, this atmosphere of relative friendship did not prevent Karabakh Armenians from secretly organizing among themselves. Even amid this relatively peaceful environment that lasted until the summer of 1918, the idea of an “Armenian Union” that included the Karabakh and Zangezur regions still adorned the Armenian imagination. The Armenians seized the opportunity that they sought toward the end of 1917.

Following the December 18, 1917 ceasefire signed between Russian and Ottoman powers in Erzincan, the withdrawing Russian troops (*soldats*) handed their top-of-the-line weapons to Armenian gangs. The Turks of Karabakh and Ganja intercepted the railroad that Russian soldiers were using at Shemkir and seized the remaining weapons. Now armed, the Armenians immediately launched violent attacks in Eastern Anatolia and the Caucasus. However, as they were still wary of the Turks, they were unable to go farther than this.

⁵ Touraj Atabaki, *Azerbaijan: Ethnicity and Autonomy in Twentieth-Century Iran*, (British Academic Press, London: 1993), p. 24.

⁶ Veysel Ünüvar, *Kurtuluş Savaşında Bolşeviklerle Sekiz Ay, 1920-1921*, 2nd edition, (Göçebe Publications, Istanbul: 1997), p. 20.

Sensing a threat from the Ottoman Empire, the Armenians reverted to a “federation strategy” with the Azerbaijani Turks and Georgians. On March 1, 1918, Southern Caucasian delegates from the Russian Duma established the Transcaucasian Commissariat (*seym*, assembly). Therefore, a peaceful atmosphere was able to endure in Karabakh for a few more months.

The Bolshevik presence in the South Caucasus began with the establishment of the Baku Commune (Baksovnarkom) in December 1917. The commune was led by the Bolshevik Stepan Shaumyan, who was of Armenian descent. He was its chairman of Caucasian affairs, and allowed the establishment of an Armenian army corps under the command of Nazarbekyan, who was also of Armenian descent. This corps was composed of a 16,000-man triangular division, a 1,000-man cavalry brigade, and a 4,000-man militia force. Emboldened by this army corps, Dashnak Armenian committees restarted violent terrorist attacks in the Caucasus, especially in Karabakh, in March and April of 1918.⁷ Upon this, Minister of War Enver Pasha sent an army to the Caucasus led by Vehip Pasha and Soviet authorities agreed to make peace with the Ottomans and signed the March 3, 1918 Treaty of Brest-Litovsk. Article 7 of the treaty stipulated that the Bolsheviks would immediately disband and purge the Dashnak Armenian troops in Baku. On March 10, 1918, Vehip Pasha demanded that the Transcaucasian Commissariat withdraw its troops from the region. The Dashnaks and their Bolshevik conspirators made a final move on March 31, 1918, perpetrating the “Great Baku Massacre” against the Azerbaijani Turks.⁸ People fleeing the massacre to Ganja had hopes for Ottoman aid. The First Caucasian Corps led by Kazim Karabekir Pasha swiftly deployed to the region and protected the Azerbaijani

⁷ Karen Dawisha and Bruce Parrott, *Russia and the New States of Eurasia: The Politics of Upheaval*, (Cambridge University Press, USA: 1994), p. 9.

⁸ Dursun Yıldırım and M. Cihat Özönder, *Karabağ Dosyası*, Series: 110, No: III, A.29, (Türk Kültürünü Araştırma Enstitüsü Publications, Ankara: 1990), p. 16.

Turkish refugees in Ganja, and the Tbilisi-based seym had no choice but to compromise.

The Dashnaks, on the other hand, were not interested in reconciliation and withdrew from the Commissariat on April 26, 1918. On the brink of collapse, the seym made a decision the same day and declared itself the “Transcaucasian Democratic Federative Republic.”⁹ However, this institution would only last for one month. When the federal structure collapsed, three separate republics emerged in South Caucasia. In parallel to these events, the Karabakh Armenians declared their independence on May 28, 1918. But as soon as the Armenian Republic was formed, it came face to face with the Turkish army that had crossed Aras River to arrive in Gumru. The Turkish regiments completely decimated the Armenian army led by Nazarbekyan at Karakilise. Andranik Agha (Ozanyan) fled the army and together with the Armenian gangs that he gathered began to launch attacks on innocent civilians in Zangezur and Karabakh. When the Soviet administration in Baku and Moscow failed to respond to these attacks, the sole hope for salvation was once again the Turkish regiment. The Turkish regiment bypassed Yerevan and decided to head straight for Baku. The Armenians sign the Treaty of Gumru, which allowed the establishment of an independent mini-state in Yerevan and Echmiadzin. Following this, the Treaty of Batum was signed between the three independent states in the South Caucasus and the Ottoman Empire on June 14, 1918. This clarified all details concerning the border between Armenia and the Ottoman Empire, and it was agreed that the Karabakh region would remain part of the territory of the Azerbaijan Democratic Republic. In accordance with this treaty, the Karabakh General Governorate was established on January 15, 1919 as part of the Azerbaijani Democratic Republic.¹⁰

⁹ Hasan Tatlı, “Bolşevik İhtilali’nden Lozan Barış Konferansı’na Türk-Ermeni İlişkileri”, *Dünden Bugüne Türk-Ermeni İlişkileri*, ed. İdris Bal and Mustafa Çufalı, (Nobel Publishing-Distribution, Ankara: 2003), p. 519.

¹⁰ Nizamettin Onk, *Azərbaycan Karabağ Tarihi*, (Fatih Ofset, İstanbul: 1997), p. 76.

However, Dashnak gangs refused to acknowledge this order and continued their attacks on Karabakh, and demanded that Azerbaijan hand over the region to them. Unable to force acceptance of their demand, the gangs increased the violence of their attacks. In response to these attacks, Ottoman troops deployed to the region once more and the Islamic Army of the Caucasus was established. Commander-in-chief Enver Pasha appointed his stepbrother Nuri Pasha lieutenant general and installed him at the army's command. In an extremely ironic move in response to the army's successful deployment toward Baku and the elimination of the Bolshevik/Dashnak/Khinchak gangs, the Baku Commune invited a British regiment to the city. In response to this invitation, the commune was disbanded on July 16, 1918. In its place, the Dashnak-majority Centro-Caspian coalition government was formed.¹¹ When this new government was established a 1,000-man British regiment entered the city. However, faced with the advancing Turkish army, the regiment was also forced to leave the city. While violent clashes took place with Armenian gangs in Baku's surrounding areas, Turks were defenseless against Armenian attacks in the mountainous areas of Karabakh. Additionally, the Karabakh Armenians declared that they had established the "First Karabakh Armenian Assembly" during this period. It was declared that this assembly would be a form of self-government in the mountainous region of Karabakh (Nagorno-Karabakh). Using this assembly as a platform, the Armenians tried to form a government. Given these events, the Turkish regiments understood that before entering Baku they had to neutralize the gangs in the Lankaran, Karabakh, and Enzeli regions. After the necessary operations were carried out, the Turkish divisions were able to reach Baku on September 15, 1918. The Azerbaijan government in Ganja immediately moved its capital to Baku. After control of Baku was regained, the Democratic Republic of Azerbaijan attained the true

¹¹ Musa Qasımlı and Sabir İsmayilov, "Böyük Britaniya'nın Azərbaycan Siyaseti", 525. *Gazet*, N160 (12), 24 August 2002, <http://www.525ci.com/1270/yazarlar.htm>, (Accessed: 18 November 2020).

appearance of a state and divided the country into four administrative divisions (Baku, Ganja, Karabakh, Zakatali).

KARABAKH AND THE EVENTS AFTER THE ARMISTICE OF MUDROS

As is well known, after suffering defeat on the Syrian front during World War I, the Ottoman state was forced to request a ceasefire and signed the Armistice of Mudros on October 20, 1918. According to Articles 11 and 15 of the treaty, Ottoman forces were to withdraw from Azerbaijani territory. When the British entered the regions the Ottoman troops had left and the power balances shifted in favor of the Dashnak Armenians. Ultimately, Andranik's "Special Strike Force" was able to quash the three-day resistance by the regional people and take Shusha on December 6, 1918 as the Turkish forces retreated, and attempted a massacre there. But British commander William M. Thomson stopped Andranik, and later ensured that Karabakh and Zangezur were emptied. This was necessary in order to be able to defend the "righteousness" of Armenian land requests at the Paris Peace Conference. Therefore, the British ensured that these two regions were once again under Azerbaijani sovereignty, albeit temporarily. Nakhchivan was given to the Armenians in accordance with the logic of a "Caucasian dam" against the Ottomans. Meanwhile, the Armenians and Russians returned to Baku and held a congress called the "Democratic Council."¹²

The Paris Peace Conference held in January 1919 assigned all responsibility for the region to the United States of America. Col. V. H. Gaskel, the highest-ranked U.S. representative in Armenia, recommended in his letters to the Azerbaijan and Armenia presidents dated September 22, 1919 that Karabakh and Zangezur be left to Azerbaijan, and that a buffer zone be established by Armenians in southern Nakhchivan. Later, an agreement was reached for Azerbaijan and Armenia to

¹² Yıldırım and Özönder, *Karabağ Dosyası*, p. 16.

divide Karabakh between themselves. According to this plan, southern Karabakh, including Shusha, would belong to Azerbaijan, and northern Karabakh, including Khankendi (Stepanakert), would belong to Armenia. But the British High Commission in Tbilisi vetoed this plan. Following this, attacks by Andranik's gangs led to violent clashes breaking out in Karabakh once more. Eventually, the British intervened and ensured that Karabakh and Zangezur were given to Azerbaijan.

The Karabakh National Council signed a temporary treaty with the Azerbaijan Democratic Republic in August 1919. This treaty attempted to placate the sides by granting Karabakh Armenians "cultural autonomy." But this initiative failed to yield any concrete results. The November 1919 defeat of an Azerbaijani regiment by gangs in Zangezur emboldened Armenians in Karabakh to revolt. The Armenian uprising and guerilla operations reached a peak on March 23, 1920, when the rebellion was officially sanctioned by Armenia. The Ninth Karabakh Assembly declared that it did not recognize the treaty with Azerbaijan and that it wanted to join Armenia.¹³ The Azerbaijani army tried to suppress the rebellion. When the mobilized divisions left Baku unprotected against the Soviet Second Red Army Division based in Dagestan, this created the perfect conditions for a Bolshevik Revolution in the region. The Bolsheviks actually planned to occupy Baku. The Moscow administration tried to catch Azerbaijan off guard, and colluded with Pirumav and Zahoryan from the Armenian Social Democrat Party to lay the grounds for the Karabakh rebellion.

KARABAKH AND THE SOVIETIZATION OF AZERBAIJAN

On April 26, 1920, the Red Army that had entered Azerbaijani territory advanced toward Baku. The communists in Baku issued an ultima-

¹³ "The Nagorno-Karabagh Crisis: A Blueprint for Resolution: A Memorandum", Public International Law & Policy Group and The New England Center for International Law & Policy, Washington D.C., (May 2000), p. 3.

tum to the Parliament of the Democratic Republic of Azerbaijan under the name “Integrated Revolutionary Committee” and sought to take power. After fierce debates, the Bolsheviks took power in Baku and on the same day (April 26) declared the establishment of the Azerbaijan Soviet Socialist Republic (SSR). Toward the end of 1920, a Soviet administration was established in Armenia. Yet, it could not be said that the border disputes, including Karabakh, had been entirely resolved.

Soviet authorities recommended that the clashes that continued along the Azerbaijan-Armenia border be resolved through peaceful means.¹⁴ During this phase, Soviet Russia supported Azerbaijan more when it came to Karabakh, and used this chip to put pressure on the Dashnak Armenians. In May 1920, the Azerbaijan SSR and Soviet Russia issued an ultimatum giving Dashnak Armenia three days to withdraw their troops from Karabakh and Zangezur. Following this, the Armenians were forced to withdraw temporarily. But the Entente countries provoked the Dashnaks and the Armenians disbanded all councils formed by Azerbaijani Turks in the region and refused to come to any agreement.

TURKEY’S MILITARY OPERATION AND KARABAKH

As Armenian aggressions increased significantly, the Turkish Grand National Assembly (TBMM) decided to conduct a military operation to the east on June 23, 1920. Ahead of the operation, Soviet Foreign Affairs Commissioner Chicherin invited Turkish delegates to Moscow for negotiations. The Turkish government responded positively to Moscow’s invitation. At the same time, Azerbaijan had sent a delegation to Moscow in hopes of resolving the problems at its border with Armenia. While Armenia sent representatives to the negotiations on

¹⁴ Yet, Soviet Foreign Affairs Commissioner Georgy V. Chicherin openly supported giving Nagorno-Karabakh to the Armenians.

one hand, on the other it gave a secret order to begin a comprehensive guerilla war in Karabakh, Nakhchivan, and Zangezur as of July 1920.

The Bolsheviks displayed a dual stance. Their aim was actually to play the two sides against each other, weakening them, and making it easier to Sovietize the region. The Soviet Russian government that signed the Treaty of Sèvres with the Ottomans on August 10, 1920, also made an agreement with the Dashnak Armenian government. Following this, Bolshevik forces occupied Karabakh in accordance with this agreement and Sovietized it. The regions through which the Nakhchivan-Julfa-Shahtat railroad passed were left to the Dashnak Armenians.¹⁵

Following these negative developments closely, the TBMM started preparing for a military operation to open the road to Tbilisi. The Turkish divisions were deployed after a short time, and the Armenians began to lose territory. Soviet Russia stepped in immediately to mediate and made recommendations for mutual peace. While the Turkish side accepted these recommendations, the Armenians began to make unacceptable demands. Shortly thereafter, the Armenians began their attacks again. The divisions under the command of Kazim Karabekir responded to the attacks and crossed the Armenian border, marching to Gyumri. The Turkish troops only halted their advance when the Dashnak Armenians signed a declaration that they had abandoned the Treaty of Sèvres. On November 26, 1920, Dashnak government representative Hatisyan initialed this declaration in Gyumri-Alexandropol. On December 2, 1920, the Treaty of Alexandropol was signed between the two states. But, on the same day, the Dashnak government in Yerevan collapsed and the Republic of Armenia was officially Sovietized. Following this, Soviet Russia tried to get Turkish troops to leave the region as quickly as possible. In light of all these developments, no problems arose over the Karabakh and Zangezur regions that had been

¹⁵ Yıldırım and Özönder, *Karabağ Dosyası*, on p. 22 Salahi R. Sonyel, *Türk Kurtuluş Savaşı ve Dış Politika II*, (Türk Tarih Kurumu Publications, Ankara: 1986), p. 27.

left to the Azerbaijani SSR. Therefore, the two regions remained part of Azerbaijani territory.

THE CENTRAL SOVIET AUTHORITY'S APPROACH AND DECISIONS REGARDING THE "KARABAKH OBLAST"

While Armenia was entirely Sovietized, the Azerbaijan Soviet government vowed on November 30, 1920 that Nagorno-Karabakh would be a part of the Armenian Soviet administration, with the aim of providing an additional incentive to the Armenians. As can be understood, the "great Soviet paternalism" was making itself known. The immediate impact of this decision on Karabakh was that the rebellion died out quickly. Two weeks later, a group of Baku communist officials (Mdivani, Mikoyan, Ordzhonikidze) led by Communist Party of Azerbaijan (KP) leader Neriman Nerimanov sent a letter to Moscow defending the idea that these regions, where the public were majority Muslim, should remain in Azerbaijan. In addition to this, in the later period, Atatürk's Turkey entered the scene and was influential in shaping the view of the Soviet authorities on the matter in Azerbaijan's favor. People's Commissar of Nationalities Stalin recommended an "interim solution" and convinced Azerbaijan to give Zangezur to Armenia as a symbol of friendship and solidarity. As for Karabakh, it was to continue to be part of Azerbaijan.

The border issue was also important in terms of relations between Turkey and Soviet Russia. As a matter of fact, Soviet Russia agreed to keep Nagorno-Karabakh and Nakhchivan under the authority of Soviet Azerbaijan following the Treaty of Moscow signed with Turkey on March 16, 1921. On June 12, 1921, the Soviet government of Armenia, which opposed this decision, declared that Karabakh belonged to them. On appeal, the Soviet KP's Caucasus Bureau (*Kavburo*) convened and reconsidered the issue. After long discussions, the Kavburo General Assembly decided on July 4, 1921 with a three-quarter ma-

jority to give the Nagorno-Karabakh region to Soviet Armenia (*Sovetakan Hayastan*). But the day after the decision, Ordzhonikidze and Hmayak Nazaretian, an Armenian communist from Tbilisi, asked the Kavburo to reconsider this decision. In the new vote by the Kavburo (July 5, 1921), three members were absent and the four present members ruled a complete reversal of the previous decision, deciding that Nagorno-Karabakh would become an autonomous region (*oblast*) within Azerbaijan's sovereign territory. People's Commissar of Nationalities Stalin played a major role in this changed decision. The formal justification for the change in the decision was the argument that the Karabakh region was more economically dependent on Azerbaijan. In the text of the Kavburo's decision it is stated,

Taking into consideration the necessity of national peace between Muslims and Armenians, the economic ties between Upper and Lower Karabakh and the permanent tie between the region and Azerbaijan, it has been decided Nagorno-Karabakh will remain within the borders of Azerbaijan and it will be granted autonomy.¹⁶

The next steps on the issue fell to the Azerbaijani KP, which would determine the oblast's borders. In accordance with the party's decision on July 7, 1923, the oblast's center was moved from Shusha to Khan-kendi, an area with a dense Armenian population, and the name of the city was changed to "Stepanakert" in memory of the Armenian head of the Baku Commune, Stepan Shaumyan. While determining the oblast's borders, the Azerbaijani KP left the settlements in the north, such as Shamhor, Khanlar, Dashkesan, and Shahumyan areas with concentrated Armenian populations, outside the Karabakh region. The oblast would have a surface area of 4,400 square kilometers and a population of over 100,000. Nagorno-Karabakh was divided into five *rayons* (districts): Askeran, Shusha, Mardakert (Celabert), Martuni (Hovaşen), and Hadrut.

¹⁶ Quoted by Yıldırım and Özönder, *Karabağ Dosyası*, p. 27.

However, this administrative division did not last long. In the period 1924-1929, the Autonomous Republic of Red Kurdistan was established, including some parts of Karabakh (Lachin and Kubatli). Like Nakhchivan, this republic was part of Azerbaijan. The idea of an Autonomous Republic of Red Kurdistan originally arose from the Soviet authorities' desire to create a buffer zone breaking the link between Nagorno-Karabakh and Armenia. However, after the Bolsheviks assumed full control of the administration of Armenia, this autonomous republic was abolished at the end of 1929.¹⁷

While the federated republics of the union were reorganized and the Union of Soviet Socialist Republics (USSR) was established as part of the first Soviet Constitution adopted in 1936 and its ensuing laws and regulations, the previously adopted status quo of the Nagorno-Karabakh oblast and the broader Karabakh region were maintained. However, the status quo of Nakhchivan and Karabakh were the subject of constant complaints and protests by the Armenians in the region. Although such complaints were conveyed to Moscow through large numbers of petitions and letters, these attempts did not change the region's administrative structure.

KARABAKH AFTER THE WORLD WAR II

After World War II, the Stalin administration used Armenia in particular to justify its demands over the Turkish Straits. Therefore, the Armenians grew active again in a short time. As a matter of fact, an Armenian Congress was held in Echmiadzin with the participation of Armenian clergymen from around the world. Armenians in Karabakh also made demands to join Armenia starting in fall 1945. Armenian KP General Secretary Arutyunov sent a letter to the USSR's Central Committee of the Communist Party embellished with strong economic reasons recommending the attachment of Nagorno-Karabakh to

¹⁷ Hüdavendigar Onur, *Millet-i Sadıka'dan Hayk'ın Çocuklarına Ermeniler*, (Kitabevi, Istanbul: 1999), pp. 217-218.

Armenia, including the opinion of the regional public. Moscow forwarded this letter to Baku. Upon receiving this letter, Azerbaijan KGB President and the First Secretary of the Azerbaijan KP Begirov made a statement declaring what should be done. According to Begirov, resolving the situation required that the Shusha region with its predominantly Azerbaijan Turkish population should be separated from other areas and the three regions in the Armenian SSR with large Azerbaijani Turkish populations should be returned to Azerbaijan.¹⁸ Naturally, nothing came of this process.

In August 1960, an unfounded rumor spread among the Armenian diaspora that Nakhchivan and Karabakh would be attached to Armenia on the occasion of the “40th Anniversary of the Sovietization of Armenia.” In light of these rumors, the Soviet administration issued a statement declaring that the central authorities did not have the authority to make such an arrangement and that this could only happen upon the request of the Azerbaijan SSR, in accordance with the Soviet Constitution.

In 1963, Armenians conveyed similar demands to the Khrushchev administration in a much more organized and determined manner. In a joint statement issued by the 2,500 Armenians living in Karabakh, they accused Azerbaijan of neglecting the region’s economic development and demanded it become part of Armenia. Like previous requests, this request was not accepted by the Soviet administration and although Khrushchev abandoned plans to visit the Armenian SSR to discuss the Nagorno-Karabakh issue in 1964, Moscow agreed to commemorate the so-called 50th Anniversary of the Armenian Genocide in Armenia in 1965. Thus emboldened, the request to give Karabakh to Armenia was repeated in the 1966-1967 period. Moscow’s approach to this latest petition was for the “problem between the two republics

¹⁸ Gregory Bondarevsky, “The Karabakh Problem, the Roots of the Political Crisis, and the Origins of the War between Armenia and Azerbaijan (a Russian Viewpoint)”, <http://www.caspianimes.com>, (Accessed: 19 November 2020).

to be resolved amongst themselves.” During Leonid Brezhnev’s term as party general secretary, a similar request was made, but likewise yielded no results.

THE KARABAKH ISSUE IN THE GORBACHEV ERA

Affected by the softening of the Mikhail Gorbachev period, the Armenian elite were able to make their voices heard more effectively. In 1987, two important events occurred concerning the Nagorno-Karabakh region. The first was the resignation of Heydar Aliyev, former chief of the Azerbaijan KP, from his position in the Politburo in October 1987. Armenians welcomed this development very positively. Beginning October 10, demonstrations were held in Yerevan, where the slogans of unification with Nagorno-Karabakh were chanted. Undoubtedly, Aliyev was one of the biggest obstacles to the unification of Nagorno-Karabakh with Armenia.¹⁹ Secondly, in November 1987, Gorbachev’s senior economic consultant, Armenian-born Abel Aganbegyan, made a statement during a visit to Paris that “Moscow supported Armenian unification with Nagorno-Karabakh.”²⁰ These two events led Armenians to develop optimistic expectations regarding Nagorno-Karabakh.

In January 1988, a petition signed by approximately 75,000 Karabakh Armenians demanding a referendum on the region’s status was sent to Moscow. Upon receipt of this request, Gorbachev formed a special commission on the issue. Thirteen commission delegates were appointed from Nagorno-Karabakh and four from Moscow. Then, Gorbachev called a special meeting of the Central Committee to discuss new Soviet policies for the nations within the USSR. The Arme-

¹⁹ Juhani Laurila, “Power Politics and Oil as Determinants of Transition: The Case of Azerbaijan”, Bank of Finland Institute for Economics in Transition, BOFIT-Online, Issue: 10, (1999), p. 7.

²⁰ Nesrin Sarıahmetoğlu, “Dağlık Karabağ Olaylarının Perde Arkası”, *Caucasus: War and Peace: The New World Disorder and Caucasia*, ed. Mehmet Tütüncü, (SOTA, Haarlem: 1998), p. 210.

nians, encouraged that the issue had been opened to discussion for the first time in the Soviet era, immediately took action. On February 20, 1988, the Nagorno-Karabakh Oblast Council of People's Commissars took a historical step and issued a decision to "re"-unite with Armenia, sending this to Moscow for ratification. This decision was confirmed in a vote of 17:11 in favor of the resolution based on Article 70 of the 1977 Soviet Constitution that provided for self-determination. While making this decision, the oblast's council alleged that Azerbaijan failed to take into consideration the region's unique economic and cultural needs. The Azerbaijan SSR side did not recognize this decision and issued complaints about the Armenians to Moscow. In accordance with Article 78 of the constitution, Azerbaijan was required to accept this right of self-determination. However, Azerbaijan did not accept the decision. The Moscow administration eventually rejected this border change, albeit it in a delayed manner. Even Moscow's delay in decision-making served to further encourage the Armenians. Therefore, all Armenian members of the Nagorno-Karabakh Soviet were insistent upon the previous decision. According to them, the USSR Central Committee issued its refusal ignorantly.

The bureaucratic tensions between the Armenians and Moscow soon turned into tensions between Azerbaijani Turks and Armenians. The first place where the tension manifested was Sumgait near Baku. Following the murder of some individuals on both sides, increasingly violent incidents took place in Sumgait in February 1988, continuing for three days. It was alleged that over 30 Armenians were killed in the clashes. Following these events, the Azerbaijani Turks in Armenia's Ararat region were exiled. Despite these events, the Kremlin administration did not change the status of Nagorno-Karabakh. In fact, Gorbachev dismissed the oblast's KP chief and on February 25, 1988 appointed Genrikh Poghosyan in his place.²¹

²¹ Ömer Göksel İşyar, *Sovyet-Rus Dış Politikaları ve Karabağ Sorunu*, (Alfa, İstanbul: 2004), p. 381.

In addition, Gorbachev suggested on March 24, 1988 that the people of the two countries remain friendly and asked them to solve this problem in the spirit of *perestroika* and *glasnost*. In other words, he did not offer a concrete solution to the parties. Simultaneously, the Central Committee of the Communist Party of the USSR and the USSR Council of Ministers issued a long decision on March 24 to take measures to accelerate the socioeconomic development of the Nagorno-Karabakh region. This decision envisaged Nagorno-Karabakh remaining an autonomous region of Azerbaijan in the period 1988-1995 and foresaw its being subject to special measures to be later determined. Additionally, the decision made provisions for an integrated program regarding the oblast's economic and social development to be completed by 2005. As can be understood, Moscow's approach was to try and decrease Nagorno-Karabakh's desire to unite with Armenia by forcing Azerbaijan to develop the region. However, these initiatives failed to yield the desired results on either side.

The Nagorno-Karabakh issue has become a symbol of national struggle for activist circles in Armenia. Their ambitions for an independent and "Greater Armenia" (*Haidat*) had resurfaced once more. This issue was an important vehicle for the rise of the Azerbaijani Popular Front Party (APFP) in Azerbaijan and was a catalyst in the strengthening of the idea of "Greater Azerbaijan," which includes such ideals as uniting with the "Iranian Azerbaijan" in the south and attaining the ideal of "Turan," which was the dream of the old Musavat regime. Therefore, on both ends of the tension making any compromises over Nagorno-Karabakh was perceived as a betrayal of national ideals. As a matter of fact, the Supreme Soviet Presidium of the Azerbaijan SSR officially rejected the June 13, 1988 request of the Nagorno-Karabakh Regional Soviet to be unified with Armenia. Meanwhile, the Soviet of the Armenian SSR applied to the Supreme Soviet of the USSR on June 15 and demanded that the problem be resolved in their favor.

As a result, the Karabakh issue was presented to the Soviet central authority. On July 18, 1988, the Presidium of the Supreme Soviet of the USSR ruled that the region should remain within the borders of Azerbaijan, granting it extensive rights to autonomy. The decision led to public protests in Yerevan and Nagorno-Karabakh. On the other hand, the destruction of Nagorno-Karabakh's Tophane Forest in 1988 in order to establish an industrial facility led to national outcry in Azerbaijan. The outrage was such that members of the public gathered in Baku's Freedom Square²² from November 17 to December 9, 1988, beginning a public square movement. The movement was quashed by the Soviet Special Forces on December 5, 1988 and subsequently a state of emergency was declared across Azerbaijani territory on December 24.

Soviet Russia also decided to establish a "Special Administrative Committee" on Nagorno-Karabakh on January 12, 1989. Within the framework of this decision, a temporary special administration (the Volsky Committee) was established under the chairmanship of A.I. Volsky, who had been sent from Moscow, on the condition that the principle of Nagorno-Karabakh as an independent province as part of Azerbaijan was reserved. Thus, Azerbaijan's control of the region was temporarily suspended. This sparked major pushback in Baku. In particular, the AHC accused Azerbaijan KP First Secretary Vezirov of treason. In order to ease internal tensions, the Moscow administration ended the detention of the leaders of the Azerbaijani National Movement. Popular movements in Azerbaijan thus gained a new dynamism. The Armenians, on the other hand, initially supported the temporary special administration in Nagorno-Karabakh, but later found this solution to be inadequate. According to them, such a practice was implemented without taking into account Nagorno-Karabakh's "decision on reunification" with Armenia. Therefore, the Nagorno-Karabakh

²² At the time it was known as "Lenin Square."

Special Administrative Committee failed to prevent the reignition of regional conflict.

The Congress of People's Deputies of the Soviet Union held elections on March 26, 1989. Following the elections, the Presidium of the Supreme Soviet of Armenia released the leaders of the Karabakh Committee, nationalist Armenians who had been arrested after the Spitak earthquake of December 7, 1988. The members of the free-standing committee founded the Armenian National Movement (ANM) under the leadership of Levon Ter-Petrosyan on June 24, 1989. The ANM openly advocated for unification of Nagorno-Karabakh with Armenia. Subsequently, the Soviet of the Shaumyanovsk Region that shared a border with Nagorno-Karabakh and was home to about 16,000 Armenians, decided to unify with Nagorno-Karabakh.²³ Armenians in Nagorno-Karabakh formed a "National Council" among themselves in August 1989 to replace the former regional committee that predated the special administration. The ANM also won the by-elections held in Armenia. Meanwhile, the Soviet authorities refused to recognize the National Council.

When it became clear that the Nagorno-Karabakh Special Administrative Committee had failed, the Supreme Soviet of the USSR abolished the structure, on November 28, 1989, and decided to return to the old system. Therefore, Azerbaijani authority was restored to Nagorno-Karabakh. But Armenians in the region took action against this decision, and declared the "United Armenian Republic" on December 1, 1989.²⁴ Immediately afterwards, the Nagorno-Karabakh National Council decided to secede from the Azerbaijan SSR. Naturally, Azerbaijan rejected this illegal decision. The USSR Supreme Soviet also refused to accept the aforementioned resolutions.

Due to these back-to-back developments, tensions were at all-time highs in Azerbaijan, where social explosions and agitations occurred

²³ Peter Rutland, "Ermenistan'da Demokrasi ve Milliyetçilik", trans. Cahide Ekiz, *Avrasya Dosyası*, Volume: 2, Issue: 4, (1995-96), p. 22.

²⁴ İşyar, *Sovyet-Rus Dış Politikaları ve Karabağ Sorunu*, p. 387.

beginning in January 1990. In response, the senior management in Moscow declared a state of emergency in Nagorno-Karabakh on January 15, 1990 and in Baku on January 19. On January 15, Moscow decided to implement measures aimed at eliminating the autonomy of Nagorno-Karabakh entirely. Additionally, it formed the "Organization Committee of the Republic" (Orgkom) in Azerbaijan. The inclusion of Baku and Ganja in the state of emergency led to great public outcry. In response to these reactions, KGB forces bombed Baku on January 19. The next day, the Soviet army entered Baku, weapons blazing. When Soviet troops opened fire on protesters in Freedom Square, 131 people were killed and 744 injured. Simultaneously, troops affiliated with the Soviet Ministry of Internal Affairs took control of Nakhchivan and Karabakh. Many Azerbaijani Turks were killed in the clashes that broke out. The January 20 massacres went down in Azerbaijani history as the "Black January" incident. Unable to prevent the military intervention, Azerbaijani leader Vezirov was forced to step down and was replaced by Ayaz Mutallibov. However, this change of power did not contribute to regional stability.

Mutallibov sought to develop more moderate relations with the Moscow administration. Since Armenia refused to be party to the new Union Agreement designed by Gorbachev that Azerbaijan joined, the Moscow administration took some initiatives that favored Azerbaijan in Nagorno-Karabakh, in order to strengthen Mutallibov's position. However, when the USSR began to collapse, and Armenia and Azerbaijan declared their national independence, respectively, Nagorno-Karabakh and its neighboring Shaumyanovsk regions issued the "Declaration of the Nagorno-Karabakh Republic" on September 3, 1991, in a decision jointly issued by their legislative bodies. This declaration only stated its intention to secede from Azerbaijan, but not from the USSR.

In a law published in November, the Supreme Soviet of Azerbaijan officially abolished Nagorno-Karabakh's status as an autonomous region. Azerbaijan President Mutallibov signed off on this law on No-

vember 23, 1991, putting it into force. On November 27, the USSR Constitutional Oversight Committee requested the annulment of Azerbaijan's law, finding it unconstitutional. In response, a referendum was held in Nagorno-Karabakh on December 10, 1991. The result was that the public wanted to secede. Following receipt of the referendum results, parliamentary elections were held in Nagorno-Karabakh on December 28, 1991. The Nagorno-Karabakh Parliament held its first session on January 6, 1992, and accepted and published the Declaration of Independence in the same session.

CONCLUSION

Even the central authorities of the USSR tried to balance between the two republics in this conflict, they were unable to follow a neutral policy. For if any concessions were made to Armenia on the future of Nagorno-Karabakh, it would have opened a Pandora's box, and separatist ideas and movements would spread rapidly throughout USSR territory. Therefore, Soviet Russia, the foremost defender of Marxism, did not want to surrender to nationalist sentiments. Nonetheless, the pro-Armenian attitude adopted by central Soviet press organs from the early stages of the conflict deepened the problem by encouraging the Armenians. The fact that the Soviet government would give this impression from time to time gradually worsened the situation and ultimately dragged the two countries into a regional war that would last for a long time and cause heavy losses of land and lives.

NAGORNO-KARABAKH'S LEGAL STATUS AND THE PEOPLE'S RIGHT TO SELF-DETERMINATION

HECER QASIMOVA*

INTRODUCTION

Armenian attempts to reestablish their state since the beginning of the Middle Ages have failed to yield any results for about 1,500 years. Only in the early 20th century with the collapse of Tsarist Russia and the establishment of the Bolshevik government in its place were the Armenians able to seize the historic opportunity for which they had been waiting. The Russian Empire successfully used the Armenians, who have historically been instrumentalized by major powers to realize their geopolitical interests, to strengthen its own position in the South Caucasus. The Armenians, on the other hand, hoped to capitalize on Tsarist Russia's "Christianization" policy in the implementation of their political plans to create a "Greater Armenia" at the expense of Ottoman and Azerbaijani lands.

To this end, Armenians provided all possible assistance to the Russians during Russia's wars with both Iran and Turkey. Katchaznouni, one of the leaders of the Dashnak Party, stated that they were convinced that Tsarist Russia would grant autonomy to the Armenians in Turkey. However, although the Tsarist army empowered and supported the Armenians in the occupied Turkish territories, they did not create

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suitable conditions for them to realize their plans. The reason for the increase in the Armenian population in the South Caucasus was the Christianization policy in the region. Between 1828 and 1829, the latter led to approximately 125,000 Armenians from Iran and Turkey being officially settled into the fertile lands of Elizavetpol and Yerevan provinces where their population was sparse.¹ Especially in the wake of the signing of the Treaties of Gulistan and Turkmenchay, the Armenians were resettled, leading to the formation of an artificial territorial division.² Russia brought over one million Armenians from Iran and Turkey to Azerbaijan during the period of 1828-1911 alone. In addition, World War I was among the reasons for the increase in the Armenian population in the South Caucasus.

In this study, Nagorno-Karabakh's legal status is analyzed within the framework of the principle of self-determination. First, the planned population policies in Karabakh, an Azerbaijani territory, the injection of an Armenian population into the region, and subsequent attempts to tie the region to Armenia are evaluated from a legal perspective. In this context, how the Nagorno-Karabakh issue became a problem since the start of Soviet control of the South Caucasus, the attempts to separate Karabakh from Azerbaijan through various means, and its legal equivalent are analyzed by dividing them into two periods. Then, the relationship of the right to self-determination with Nagorno-Karabakh is discussed, taking into account the fundamental rulings of international law.

ATTEMPTS TO CREATE KARABAKH PROBLEM

After the dissolution of the Transcaucasian Seym in May 1918, with the establishment of three independent republics (Azerbaijan, Geor-

¹ *Azərbaycan Tarixi*, Z. M. Bünyadov və Y. B. Yusifovun redaktəsi ilə, (Baku: 1994), pp. 582-583.

² История Армянского Народа (С Древнейших Вре́мён До наших Дней), Под Редакцией Проф. М. Г. Нерсисяна. Издательство Ереванского Университета, Ереван – (1980), p. 268.

gia, and Armenia) in its place, Armenian nationalists began large-scale military attacks to realize their territorial claims. Established by the Democratic Republic of Azerbaijan (ADR) in January 1919, the Karabakh Governorate, which included the districts of Shusha, Javanshir, Jabrayil, and Zangezur, was declared the capital of Shusha with Khosrov bey Sultanov as its governor, and was declared by the Allied Powers as part of Azerbaijan in April 1919. The Nagorno-Karabakh Armenian National Council officially recognized the government of Azerbaijan. This fact completely refutes Armenian claims that Nagorno-Karabakh had a status of an “independent legal entity” or “independent legal division.”³

The Armenian National Council, which was formed in various parts of the Republic of Armenia and the South Caucasus and demanded territories from neighboring states under the illusion of a “Great Armenia,” was actually led by the Dashnak Party in Yerevan, and occasionally started clashes in Nagorno-Karabakh. In this context, the ADR government spent most of its time trying to prevent Armenian revolts in the region. It is no coincidence that when the Red Army invaded Azerbaijan in April 1920, the majority of the time of the army of the Azerbaijan Republic was spent preventing Armenian uprisings in Nagorno-Karabakh and Zangezur. At the beginning of these uprisings, there was a certain agreement between Russia and the Armenians. Therefore, the attempts to transfer control of Zangezur, Nagorno-Karabakh, and Nakhchivan to Armenia as soon as the Soviet government in Armenia was established were no accident.

The establishment of the Soviet power in Azerbaijan after the Red Army's entry into Azerbaijan in April 1920 with the participation of the Armenian Bolsheviks, the collapse of the ADR, and the suppression of the national liberation movement in Karabakh created new op-

³ See: *Legal Aspects for the Right to Self-Determination in the Case of Nagorny Karabakh*, Annex to the Note Verbale Dated 21 March 2005 from the Permanent Mission of Armenia to the United Nations Office at Geneva Addressed to the Office of the United Nations High Commissioner for Human Rights, E/CN.4/2005/G/23, 22 March 2005, p. 2.

portunities for the Armenians to make political plans. In a joint meeting of the Azerbaijan Communist Party Central Committee's political and organizational bureaus on November 30, 1920, a discussion was held over a telegram about the Armenian Revolutionary Committee's declaration of Soviet power in Armenia and a declaration on this subject was accepted. The declaration that was announced by Nerimanov emphasized that a congratulatory letter had been sent to the Armenian Revolutionary Committee. It was also stated that full rights to self-determination had been granted to the villagers working in the Nagorno-Karabakh region (West Zangezur was given to Armenia with this declaration).

It is interesting that in the letters and telegrams he sent to V. Lenin and J. Stalin, S. Ordzhonikidze, who acted as freely as if he were the true leader of Caucasia, twisted N. Nerimanov's declaration and crudely ignored the statement he made, completely "forgetting" the words "villagers working in the Nagorno-Karabakh region are being granted the right to self-determination." In a memo he sent to Lenin and Stalin on December 2, 1920, he stated that Azerbaijan had officially announced the handover of Nakhchivan, Zangezur, and Nagorno-Karabakh to Armenia just the previous day.⁴

During a meeting of the Central Committee of the Russian Communist Party (Bolshevik) (RK(b)P MK) on July 4, 1921, serious disagreements emerged over the Nagorno-Karabakh conflict. Consequently, the decision was made to transfer the Nagorno-Karabakh issue to the RK(b)P MK for consideration, considering the importance of Azerbaijan and Nerimanov's proposal. Due to certain reasons the topic was not presented to the RK(b)P MK and instead was reconsidered the next day during a meeting of Stalin and the RK(b)P MK's Transcaucasian Bureau. As a result of deliberations in the meeting the plenum made the following decision on the issue: taking into con-

⁴ Rəftar İmanov, *Azərbaycanın Ərazi Bütövlüyünə Qəsd Qondarma Dağlıq Qarabağ Muxtar Vilayəti*, (Adiloğlu Nəşriyyatı, Bakı: 2005), p. 74.

sideration the economic relations of Upper and Lower Karabakh and maintaining Nagorno-Karabakh within the borders of the Azerbaijan Soviet Socialist Republic (SSR), broad rights of regional autonomy were granted to it, with Shusha, which was part of the autonomous region, declared its center.⁵

The aim was to install Armenians artificially into a large swath of Karabakh territory, to force the Azerbaijani government to grant them autonomy without regard to the rights of the Azerbaijan Turks living there, to strengthen the position of the Armenians in the historical lands of Azerbaijan, and to give Azerbaijani lands to the Armenians under different names. Coming to the same conclusion, the Azerbaijani government long resisted this, albeit not openly, and tried to protect the 114,000-square-kilometer Azerbaijan that it had taken over from the ADR. However, as a result of the insistence and pressure of the Bolsheviks and the Armenian nationalists acting on their behalf, whom they had installed into positions of responsibility in Azerbaijan, the Azerbaijan SSR adopted the decree dated July 7, 1923 on the Nagorno-Karabakh Autonomous Oblast (NKAO), which gave autonomy to the Armenians who had settled in the mountainous part of Karabakh. According to the decree, “the establishment of an autonomous region in the Armenian part of Nagorno-Karabakh as part of the Azerbaijan SSR” was envisaged. The decree is as follows: “In the Armenian-populated part of Nagorno-Karabakh, an autonomous region has been established as part of the Azerbaijan SSR, with the center of Khankendi. The governing bodies of the autonomous region are the Regional Executive Committee and local councils.”

The document emphasized that this decision would serve to “strengthen international solidarity” between the Azerbaijani and Armenian peoples. In fact, this was the next step in ultranationalist Armenian plans to annex Karabakh to Armenia after the capture of

⁵ C. Quliyev, *Dağlıq Qarabağın Yaranması Tarixi*, Azərbaycan SSR EA Xəbərləri, JV^o3, (1973), p. 12.

Zangezur. In other words, it was not an indication of the self-determination of the peoples as the Azerbaijani government was forced to ratify, but a manifestation of the grounds for a separatism inherent in future territorial claims. This goal became clearly visible during later developments in this period. Indeed, when the RK(b)P MK Transcaucasian Bureau decided to establish the Nagorno-Karabakh Autonomous Region on July 5, 1921, the city of Shusha was proposed as its center. But an autonomous region centered in Khankendi was established. The reason for this was clear: Armenians understood that since Azerbaijanis were the majority in Shusha, they would not be allowed to realize their nationalist plans as they wished. For this reason, they deliberately moved the autonomous region's center to a small settlement in order to lay the groundwork for the realization of their true intentions by resettling Armenians here, paying no attention to Shusha's status as center. These calculations enabled the Armenians later to attain the result they expected. The next step in the Armenianization of the region was to change the name of the ancient Khankendi, founded by the Karabakh khans in the 18th century, to "Stepanakert," in honor of Stepan Shaumyan, Azerbaijan's violent enemy, on October 6, 1923.

On the other hand, despite the fact that Turkish (the Azerbaijani dialect), spoken by a majority of the population, was declared the official state language of the entire republic in the July 31, 1923 decree "On the Nationalization of State Institutions in the Azerbaijan SSR," in Article 9 it was written, "[T]he language of communication in the Autonomous Region of Karabakh is Armenian." The Regulation on the Nagorno-Karabakh Autonomous Region published on November 24, 1924, expanded this view, stating that "all clerical work, court proceedings, and school education in the Nagorno-Karabakh Autonomous Region are conducted in Armenian."⁶ Considering that there were not only Armenian but also dozens of Turkish villages in Nagorno-Kara-

⁶ *Azərbaycan Tarixi*, 6th volume.

bakh, it is clear how illogical it was to speak of the principle of “self-determination of the peoples.” The fact that Turks living in their ancient homelands were forced in government establishments to read, write, and use the language of the Armenians, who had later settled there, was both a serious violation of rights and completely contrary to the principle of self-determination. Another point is concerning the Nagorno-Karabakh Statute adopted in 1924. Here, it can be seen that there were 193 villages within the defined borders of Nagorno-Karabakh. However, when the Decree on the Autonomous Region was prepared in 1923, it was planned to include 169 villages. It seems that the Armenians seized this opportunity zealously and added 24 more villages to the overall number.

The most influential forces behind the persistence and urgency in resolving the autonomy problem were L. Mirzoyan, S. Ordzhonikidze, A. Mikoyan, A. Myasnikov, A. Nezaretyan, L. Karakhanyan, Danelyan, and in general, the leaders of the Armenian Dashnak Party. Nərimanov described this influence in his memoirs as follows: “In the person of Sergo [Ordzhonikidze] and Stalin, I have no doubts that the Azerbaijan Communist Party does not trust us Turks and leaves the fate of Azerbaijan to the Armenian Dashnaks.”⁷

Another aspect of the issue was the claim that they put forward at that time to establish a “Kurdistan district” in the territory of the former Qubadlı district. The Armenians who realized the Dashnak Party’s territorial claims in Azerbaijan, skillfully took advantage of the “divide and rule” policy of the Russian administrators, either capturing Azerbaijani lands whenever possible, or creating a suitable environment for future attacks. The idea of the district of Kurdistan was born on this basis. The pioneers of this idea were the Armenians who stoked disagreement between Azerbaijanis and Kurds living in the region and sowed the seeds of conflict. Indeed, the specific in-

⁷ Nəriman Nərimanov, *Ucqarlarda İnqilabımızın Tarixinə Dair*, (Baku: 1992).

troductioin of the idea of “Red Kurdistan” by the Armenians in the 1980s and the steps taken to seize the Lachin corridor with this tool serve as a vivid example of this.⁸

In the statute, it was stated that power in the Nagorno-Karabakh Autonomous Region belonged to the Congress of Soviets, which convened at least annually, to the All-Russian Central Executive Committee, and to local councils during the inter-congress period. This charter established the Home Affairs, Justice, Education, Health, and Agriculture Commissariats, the Central Statistics Office, and the National Economic Council for the management of certain areas in the region, and defines the legal responsibilities of these organizations.

As can be seen, a completely autonomous structure was established in the ancient lands of Azerbaijan according to the wishes of the Armenians, and all the elements of their self-determination were secured. This step was taken without considering the views of Azerbaijanis living in Nagorno-Karabakh and through the violation of their rights. The special autonomy distinction in the mountainous part of Karabakh was made artificially, not based on any scientific-geographical principle, but only to separate the regions where Armenians lived. However, even these unfounded concessions did not deter Armenian nationalists from their claims over Turkish lands and their separatist activities on this issue.

NAGORNO-KARABAKH DURING THE DISSOLUTION OF THE USSR

In the period after its foundation, the Soviet administration expanded the powers of the Nagorno-Karabakh Autonomous Region. The status of an autonomous region within the Azerbaijan SSR was reflected in the 1936 and 1977 Constitution of the USSR, the Constitution of the Azerbaijan SSR, and the Supreme Soviet of the Azerbaijan SSR's

⁸ Imanov, *Azərbaycanın Ərazi Bütövlüyünə Qəsd Qondarma Dağlıq Qarabağ Muxtar Vilayəti*, p. 83.

“Nagorno-Karabakh Autonomous Region” law of June 16, 1981. As a national territorial body, the Nagorno-Karabakh Autonomous Region had a form of administrative autonomy and held a range of rights to meet the specific needs of its population. According to the constitution of the former USSR, Nagorno-Karabakh was represented by five deputies in the Supreme Soviet of the USSR and Azerbaijan by 12 deputies in the same assembly.

Ultimately, the Armenians never gave up their claim to annex these lands to Armenia; although they had broad rights of autonomy from Azerbaijan and comprehensive opportunities created by the state for the region’s development, they were always on the lookout for favorable conditions for an annex. After the mid-1980s, on the eve of the collapse of the USSR, the Armenians were evaluating the opportunity they had been waiting for. The Armenians’ separatist claims over the territorial integrity of Azerbaijan were realized under the principle of “self-determination of peoples.” Using this principle, during a February 20, 1988 meeting of the Council of People’s Representatives of the Nagorno-Karabakh Autonomous Region, the representatives of the region’s Armenian community decided to apply for the secession of Nagorno-Karabakh from the Azerbaijan SSR and its annexation to the Armenian SSR. In response to this, on June 15, 1988, the Supreme Soviet of the Armenian SSR adopted a decision to annex the Nagorno-Karabakh Autonomous Region to the Armenia SSR and asked the USSR Supreme Soviet to evaluate and ratify the annexation of the region from the Azerbaijan SSR to the Armenian SSR. On the other hand, on July 12, 1988, the Council of People’s Representatives of the Nagorno-Karabakh Autonomous Region made an illegal decision to separate the region unilaterally from the Azerbaijan SSR.

But Article 78 of the USSR Constitution stated that the territory of an allied republic could not be changed without its consent. At the same time, the constitutions of the Azerbaijan SSR and Armenia SSR emphasized that the determination of the borders between the allied

republics was possible with the mutual consent of the relevant republics and the approval of the central organs of the USSR. In addition, Article 3 of the Nagorno-Karabakh Autonomous Region Law, which was adopted on June 16, 1981 and defines the final official status of Nagorno-Karabakh autonomy, stated as follows:

Changing the boundaries of the autonomous region is stipulated in accordance with the legislation of the USSR and the Azerbaijan SSR, including the organization and evacuation, naming and renaming of districts, cities, towns, and other settlements, and the determination and resettlement of the administrative centers of the districts of the autonomous region.

Within this framework, with the June 17 and July 18, 1988 decisions of the Supreme Soviet of the Azerbaijan SSR and the Supreme Soviet of the USSR, the annexation of the Nagorno-Karabakh Autonomous Region from the Azerbaijan SSR to the Armenia SSR was declared unacceptable based on Article 78 of the USSR Constitution and Article 70 of the Constitution of the Azerbaijan SSR.

As a result of separatist Armenian militant activities, on January 12, 1989, the Presidency of the Supreme Soviet of the USSR adopted a resolution on the implementation of a special form of government in the Nagorno-Karabakh Autonomous Region of the Azerbaijan SSR. The purpose of the establishment of the Special Management Committee in the Nagorno-Karabakh Autonomous Region was to ensure that the autonomous region was taken from Azerbaijan and given to Armenia. However, as a result of the democratic struggle of the Azerbaijani people, the Special Management Committee was abolished on November 28 and replaced by the Organization Committee, a new body. Meanwhile, the Armenian SSR, which affirmed its occupation policy in its legislative activities, made a decision that contravened the constitution to annex Nagorno-Karabakh to Armenia on December 1. This initiative was an obvious legal intervention against the territorial integrity of Azerbaijan, which revealed the essence of Armenia as an aggressive state.

On January 10, 1990, the Presidency of the Supreme Soviet of the USSR made a new decision “on the inconsistency with the USSR Constitution of the resolutions adopted by the Supreme Soviet of the Armenian SSR on Nagorno-Karabakh on December 1, 1989 and January 9, 1990.” In the decision, it was stated that unification of Nagorno-Karabakh with the Armenian SSR without the Azerbaijan SSR’s permission was illegal.

On August 30, 1991, the Supreme Soviet of the Azerbaijan SSR made a declaration on the restoration of state independence, and on October 18, the “Constitutional Law on State Independence” was passed. Two days later, the so-called Nagorno-Karabakh Republic was established in a joint session of the Nagorno-Karabakh Autonomous Region and the Shaumyan District Deputies Council, which did not belong to the region, and a “referendum” was held over the law on December 10. In the shadow of the so-called establishment, Armenia tried to cover up its aggressive policy and activities. However, facts like the fighting of the Armenian armed forces against the Azerbaijani army, their direct participation in the occupation of the Azerbaijani territories and presence in these lands, the establishment of the so-called Nagorno-Karabakh Republic, the unconstitutional decisions of the Supreme Soviet of Armenia on its annexation to Armenia, and so forth were clear evidence that Armenia was a party to the conflict. As a matter of fact, in its ruling on the lawsuit “Chiragov and Others v. Armenia,” filed on June 16, 2015, the European Court of Human Rights underlined that Armenia had “effective control” over the occupied Nagorno-Karabakh and surrounding areas.

The Azerbaijan Republic refused to recognize this so-called structure and the Supreme Soviet of the Azerbaijan Republic adopted the law “on the abolition of the Nagorno-Karabakh Autonomous Region,” referencing Article 68 of the Constitution of the Azerbaijan Republic, on November 26, 1991. According to the law, on the basis of the sovereign right of the Republic of Azerbaijan to resolve problems within the

national state structure, the Supreme Soviet of the Azerbaijan Republic declared illegal the 1923 establishment of the Nagorno-Karabakh Autonomous Region which ran contrary to the national interests of the Azerbaijani people; created conditions for deepening national hostility between the Azerbaijani and Armenian peoples; aimed to demolish its infrastructure and break economic ties in Karabakh, the largest natural and economic region in Azerbaijan; and served as a factor utilized by Armenian nationalists to destroy all ethnic, historical, political, economic, and spiritual characteristics that make Nagorno-Karabakh an eternal part of Azerbaijan. It was also emphasized that at the time of the establishment of the autonomous region, no national and cultural autonomy was established for the half million Azerbaijanis living in the Armenian SSR, and in the following years, the Azerbaijani population was forced to emigrate from Armenia and there were currently no Azerbaijanis left there.

The law also underlined that the Armenian leadership policy of severing the historical lands of Azerbaijan and the use of the Nagorno-Karabakh Autonomous Region as a tool of this policy posed a real threat to the sovereignty and territorial integrity of the Republic of Azerbaijan. Ultimately, it was decided to end the status of a Nagorno-Karabakh Autonomous Region as a national territory on the grounds that the protection of a national territory structure for a small Armenian group in the Republic of Azerbaijan would lead to increased violence and widespread terror against the Azerbaijani people. In this context, the decision of the Azerbaijan Central Executive Committee on the "Establishment of the Nagorno-Karabakh Autonomous Region" dated July 7, 1923 and the Azerbaijan SSR's Law on the Nagorno-Karabakh Autonomous Region of June 16, 1981 were also deemed invalid.

The law also restored the historical names of the cities of Stepanakert, Mardakert, and Martuni. The city of Stepanakert regained its old name of Khankendi, the city of Mardakert became Aghdere once

more, the province of Mardakert became Aghdere, the city of Martuni became Khojavend, and the province of Martuni became Khojavend. According to the law, there were also some changes to the region's administrative and regional structure.

In the establishment of the so-called regime under the name of self-determination, Armenia referenced the "procedure for solving the problems related to the withdrawal of the Allied Republic from the USSR" in the USSR law dated April 3, 1990. Armenia hoped that the establishment of the "Nagorno-Karabakh Republic" would be considered a "perfect" step in terms of international law. However, the purpose of the law dated April 3, 1990 was to regulate bilateral relations within the USSR by establishing special rules that the allied republics had to obey in the event of their separation from the USSR. The decision to secede an allied republic must be based on the will of the people of that republic, freely expressed via referendum, and this decision must then be approved by the supreme legislature of the allied republic.

It should not be forgotten that until November 26, 1991, the area covered by the Nagorno-Karabakh Autonomous Region was an indivisible part of Azerbaijan until the full independence of the Republic of Azerbaijan and its recognition by the international community. Thus, all the decisions of the high state of the former USSR, especially the decisions of January 10 and March 3, 1990, made it clear that any change to the border between the Azerbaijan SSR and the Armenian SSR or to the national and regional division established by the constitution was unacceptable. After the collapse of the USSR, the international legal doctrine *uti possidetis juris* formed the basis of the national, regional, and international legitimacy of the borders of the new independent states, according to which the administrative boundaries of the former Azerbaijan SSR, including the Nagorno-Karabakh Autonomous Region, were recognized as international borders after the independence of the Republic of Azerbaijan and protected under international law. As a matter of fact, a similar

approach was adopted in United Nations Security Council (UNSC) Resolutions 822, 853, 874, and 884.⁹

THE CONNECTION BETWEEN SELF-DETERMINATION AND KARABAKH

As for the principle of self-determination of peoples that the Armenian separatists used as grounds, as can be seen in the Armenia-Azerbaijan conflict and similar conflicts, this principle is deviated from its main purpose (the development of friendly relations between states and strengthening peace) and used as a tool to violate the territorial integrity and inviolability of state borders, running contrary to other important principles of international law. Upon this point emerges the issue of which rights are given to people by the normative content of this universally recognized international legal principle and how the methods of its implementation are determined. Who are those who can act as the subject of this principle? Although there are approximately 4,000 peoples and nations in the world, considering that there are approximately 195 officially recognized states, what are the consequences of giving this right to every people and nation?

The right to self-determination is included in a number of important documents, such as the *jus cogens* norm of international law, including Article 1, paragraph 2 (and Article 55, paragraph 1) of the United Nations (UN) Charter. According to this article, “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace” is one of the main objectives of the UN. This principle was confirmed and developed in the UN General Assembly’s Declaration on the Granting of Independence to Colonial Countries and Peoples of December 14, 1960. Accordingly, “Any attempt aimed at the partial or total disruption of the national

⁹ <https://documents-dds-ny.un.org>, (Accessed: 22 November 2020).

unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.”

Article 1 of the 1966 International Covenant on Economic, Social and Cultural Rights of 1966 is as follows:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

The “Declaration on Principles of International Law concerning Friendly Relations and Co-Operation among States in accordance with the Charter of the United Nations” adopted by the UN General Assembly on October 24, 1970, also reveals the principle of self-determination in the context of liberation from colonial oppression and the fight against foreign domination. This declaration also sets out the framework for the application of this principle, based on other important principles of international law:

Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Analysis of these documents allows us to distinguish two aspects of the modern principle of self-determination: (i) the internal direction, in which every nation can freely determine its economic, social, and cultural development without external interference; (ii) the external aspect that independently determines its political status (the establishment of a sovereign and independent state, union, or integration with an independent state, another political status freely determined by the people).

The internal aspect of the right to self-determination includes the participation of the population (national and ethnic minorities) in the governance of various spheres of society, and the granting of rights: civil, political, social, cultural, etc. According to the dominant view, the external aspect of this principle comes to play when the state blocks the implementation of the internal aspect. This principle includes the right of people to develop, and if people are able to evaluate all opportunities for their development, there is no need for the external aspect. In other words, if a state acts in accordance with the principles and norms of international law in the field of human rights and freedoms today, it will not be possible for a new state to emerge as a form of self-determination.

According to the provisions of international law (especially the 1970 Declaration on Principles and 1993 Vienna Declaration) and the provisions of modern practice, the external aspect of the right to self-determination applies only to colonial and foreign-dependent territories. Therefore, as the status of a region ruled in accordance with the status of the colonial power differs, such a region's achievement of independence and secession does not harm the principle of the integrity of the ruling region. Only such an approach makes it possible to apply the principle of self-determination without contradicting the principle of territorial integrity of states. This principle should not constitute a legal basis for separatist activity. Its application should be consistent with the sovereignty and territorial integrity of states and should not allow a particular territory to secede from the state.

In addition, this right is exercised by the free will of the persons concerned, that is, the people under colonial rule should not be subjected to any external pressure, coercion, or intervention while exercising their right to self-determination. The use of external force or acts of terrorism for the right to self-determination is unacceptable. There can be no question of a land change by any use of force contrary to the principles of international law.

As for the Nagorno-Karabakh Armenians, the form of autonomy of the Nagorno-Karabakh Autonomous Region within Azerbaijan fully reflected the economic, social, cultural lifestyle, and national characteristics of the population. Armenian was used in the work of all government, administrative, and judicial bodies, as well as in the work of the prosecutor's office and in education, reflecting the linguistic needs of the majority of the region's population. Local television and radio programs, newspapers, and magazines were published in Armenian. There were five independent publications in this language. Unlike Azerbaijan's other mountainous regions administrative units far from the capital, the Nagorno-Karabakh Autonomous Region had the technical infrastructure for broadcasting programs on television and radio.¹⁰

Investment in the region's development was higher than the general indicators for Azerbaijan (residential construction was 3.64 square meters per person in Azerbaijan, compared to 4.76 square meters in the Nagorno-Karabakh Autonomous Region. The number of hospital beds per 10,000 people was 15 percent more than in other regions of the country). The fact that the indicators of the Nagorno-Karabakh Autonomous Region regarding the provision of housing, goods, and services were above the country average was a characteristic feature of the social and cultural development of the region. According to the main indicators of social development, the region enjoyed living standards that exceeded the national average and the Nagorno-Karabakh Autonomous Region as a whole was developing faster than Azerbaijan.

Specific statistical examples prove that the Nagorno-Karabakh Autonomous Region and its Armenians enjoyed all the conditions for the full realization of their right to self-determination. Under these conditions, the desire to establish a new state in the territory of the Azerbaijan Republic meant nothing other than separatism. This approach and

¹⁰ "Münaqişənin Tarixi Aspektləri", Azərbaycan Respublikası Xarici İşlər Nazirliyi, <https://mfa.gov.az/az/content/109/munaqisenin-tarixi-aspektleri>, (Accessed: 22 November 2020).

fair stance of Azerbaijan is supported by the international community (UN General Assembly, UNSC, Council of Europe, Organization of the Islamic Cooperation, European Court of Human Rights) and international law. The doctrine and spirit of modern international law do not support separatism and occupation under the guise of the principle of the self-determination of peoples, as in the cases of Crimea and Catalonia. Otherwise, this situation would create a dangerous trend for states.

On the other hand, those subject to the doctrine of self-determination on which Armenia is basing its claim are peoples - not nations, ethnic, and national minorities. Armenians living in Azerbaijan are not a people but a national minority. Therefore, the people are a multinational society living in the territory of any state. The nation is a historical human unit that is formed on the basis of common culture, literary language, religion, region, stable economic relations, and psychological character. In addition, at the beginning of the century, the Armenian people chose their fate and established Armenia.

International legal documents including this principle also prescribe the public. On the other hand, the descent of this right to national minorities and ethnic groups living in the territory of the state is itself a violation of the rights of dozens of other nations. This thesis is widely accepted in international law. Meanwhile, the Armenians in Nagorno-Karabakh taking refuge in this principle without consulting the Azerbaijani society living there, after perpetrating ethnic cleansing, is completely contrary to the normative content of the right.

Article 5 of the Constitution of the Republic of Azerbaijan also states that the Azerbaijani people are in unity and that their unity is the foundation of the state. The Republic of Azerbaijan as a sovereign state is the result of the will and self-determination of the Azerbaijani people living in all its lands alone, not those living in just a part of its territory. Some of the people cannot make a decision that is of vital importance to the land of the whole nation.

Indeed, according to the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by the UN General Assembly Resolution 47/135 of December 18 1992, the principle of self-determination of peoples is not the right of national minorities. Ethnic, religious, and linguistic minorities have only cultural autonomy and their interests are respected within a democratic state. The Republic of Azerbaijan was signatory to the Framework Convention for the Protection of National Minorities, the 1992 European Charter for Regional or Minority Languages, the 1994 Minsk Convention, and other international conventions in order to ensure the protection of the rights of its national minorities, and as a result, all necessary domestic measures have been taken.

CONCLUSION

In the modern age, when colonies do not actually exist, the claim of national minorities to self-determination within the generally recognized boundaries of states is in itself a violation of the rights of all of a state's peoples. To interpret the principle of self-determination at one's own discretion without taking into account the realities of today's international arena, as the Armenians, poses a real threat to international peace and security as a whole. No principle (in particular the use of force and the threat of force, the territorial integrity of states, and the inviolability of borders) can be applied without first reconciling with other principles of international law.

As can be seen, the principle of self-determination of peoples (its external element) can only be realized under certain conditions in today's absence of colonies. For example, if a state's constitution includes this right, it may be possible to exercise this right. The constitutions of the former USSR and Yugoslavia included the right of their subjects to secede. By comparison, the multinational Russian Federation does not accept this internationally recognized principle of law in its constitution, which is universally recognized by its subjects. As a matter

of fact, the decision of the Constitutional Court of the Russian Federation on the conformity of the law dated March 5, 1993 with the constitution states that “the Constitution of the Russian Federation does not provide for withdrawal from the Federation.” In the context of this decision, the territory of the Russian Federation is an indivisible whole. Therefore, the Constitution of the Russian Federation does not contradict the principles of international law, including the principle of self-determination of peoples.

Finally, as stated in the Paris Charter for a New Europe, the right of peoples to self-determination must be exercised in accordance with the UN Charter, the principles of international law, and, in particular, the territorial integrity of states. Since this principle is critical to the stability of international relations, application of the principle of self-determination should not be in the form of a violation of the principle of territorial integrity of nations, and in this context, Boutros Boutros-Ghali, a former secretary-general of the United Nations who was also an international legal expert, said,

If every ethnic, religious, or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well-being for all would become ever more difficult to achieve.¹¹

¹¹ Бутрос Бутрос Гали, Повестка Дня Для Мира. Нью Йорк, (1992), р. 10.

CAUSES AND OUTCOMES OF THE FIRST KARABAKH WAR

ARAZ ASLANLI*

INTRODUCTION

The war that restarted after Armenia's provocation on September 27, 2020, suddenly made the Karabakh issue the most important issue on the world agenda. Abruptly, a heated conflict broke out within the context of a problem that had been considered "frozen" for years. From the statements of senior officials on both sides on the very first day, it became clear that this time the clashes would not be short-lived.

In the period between the historical emergence of the Karabakh conflict until the present day, the process has been influenced by very different forces and dynamics in terms of the conflict's fate, which makes resolving the problem more difficult on the one hand; while on the other hand, the participants in the war and its geography led to suppositions that it might expand further. However, the war continued mostly under the control of Azerbaijan, Turkey, and Russia. The wishes of three countries were fulfilled to a significant extent as of November 10, 2020 resulting in the implementation of four United Nations Security Council (UNSC) resolutions (Resolutions 822, 853, 874, and 884).

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Generally speaking, it can be said that the two very complex factors below have been the most important in the birth of the Karabakh conflict, its transformation into a war, and its remaining unresolved for years, although Armenia and Azerbaijan's internal dynamics, especially Armenia's expansionist policy, also played a role. (1) The struggle for the South Caucasus: The struggle that was historically between Russia, the Ottomans, and the Safavids/Iran has been waged between more and more powers since the 20th century, with the participation of other important actors in the international system. (2) The issue known as the "Armenian issue" in the broader geography (especially Anatolia and the Caucasus): From the 19th century onward, the major powers outside the Ottoman Empire attempted to develop policies based on the Armenian population in the region, and in the 20th and 21st centuries, tried to put pressure on Turkey via the "Armenian allegations" and relations with Armenia.

When examined periodically, it is possible to trace the foundations of the Karabakh problem back to the 19th century (perhaps even earlier). At the beginning of the 20th century, especially between 1918 and 1923, important developments took place concerning the problem's fate. However, in its current form it would be more correct to consider the problem as the "work" of the nearly 10-year period in the second half of the 1980s and the first half of the 1990s. This period is the main focus of this study. However, in order to understand the issue better, some time is spent addressing the history of the problem in brief and in general terms.

HISTORICAL OVERVIEW

It will be beneficial first to take a brief look at the important developments in the history of the Karabakh conflict until the end of the 20th century. Among these is the establishment of the Karabakh Khanate in the region in the middle of the 18th century under the leadership of Panah Ali Khan. After Panah Ali Khan, his son Ibrahim (Khalil) Khan became the Karabakh khan. Among the most critically import-

ant developments of the Ibrahim Khan period regarding the Karabakh conflict was the signature of the Treaty of Kurakchay. According to the Treaty of Kurakchay, signed in 1805 between Ibrahim Khan and the commander of the Russian military unit P.D. Tsitsianov, the Karabakh Khanate was incorporated into Russia as a Muslim Azerbaijani territory.¹ It can be seen clearly from the name of the Karabakh Khanate, the nature of the governments in the region, and even the imperial decree signed on September 10, 1806 regarding the situation of Mehdigulu Khan, who became the Karabakh khan after Russia's killing of Ibrahim Khan, that the Karabakh region belongs to the Azerbaijan Turks.²

During this period, in order to maintain its strong position in its wars with both the Ottoman and Qajar states, and also in alignment with its goal of descending to the warm seas, Russia lent great importance to the formation of an Armenian-majority structure in the Caucasus to serve as a strong checkpoint. In the book entitled *Armenian-Russian Relations in the 18th Century*, published in Armenia's capital of Yerevan in 1967, the following is stated on this subject:

As early as May 19, 1783, Knyaz GA Potemkin, in his letter to Catherine II, stated that when they had the opportunity, they would do whatever necessary to put Karabakh under the control of the Armenians and thus do what was necessary for a Christian state to emerge in Asia.³

¹ "Kürekçay Müqavilesi", <http://www.azerbaijan.az>, (Accessed: 20 November 2020); For the original text, see: Трактат Между Карабахским Ханом И Российской Империей О Переходе Ханства Под Власть России От 14 Мая 1805 года, Azərbaycan Cümhuriyeti Dövlət Arşivi (Государственный Исторический Архив АР, ф.130, оп.1, д. 14, лл. 245-248).

² Cemil Hasanlı, *Sovet Dövründə Azərbaycan Xarici Siyaseti (1920-1939)*, (Azerbaijan Ministry of Foreign Affairs, Baku: 2012), on p. 132 "Vısoçayşaya Gramota General-Mayora Mehtikuli Aga ot Sentyabrya 1806 Goda", Акты Кавказской Археографической Комиссии (Tiflis'teki Kafkasya Arkeografya Komısyonu Belgeleri - Архив Главного Управления Наместника Кавказа. Томъ III. Издан Под Редакцію Председателя Комиссии А.Д.Берже. Тифлис, 1869, pp. 336-337.

³ Dursun Yıldırım and Cihat Özönder, *Karabağ Dosyası*, (Türk Kültürünü Araştırma Enstitüsü, Ankara: 1991), on p. 84 18. *Yüzyılın I. Yarısında Ermeni-Rus İlişkileri*, Volume: 2, Part: 2, (Yerevan: 1967), pp. 204-205; "Ekaterina Vtoraya i G. A. Potemkin Liçnaya Perepiska, 1769- 1791" (The Personal Correspondence of Catherine II and G.A. Potemkin 1769-1791), http://lib.rus.ec/b/145330/read#n_2, (Accessed: 20 November 2020).

After Russia's wars with the Qajar state (Iran) and the Ottoman Empire, the density of the Armenian population in the region was increased with the agreements signed in 1813, 1828, and 1829. Although various rebellions broke out in the region in the late 19th and early 20th century, until 1918, the Karabakh region continued to be a region of Azerbaijan (subordinate to the Ganja Gubernia) in Tsarist Russia.

Another important factor in terms of the historical foundations of the Karabakh conflict was the rapid organization of the Armenians in the late 19th and early 20th centuries. Among the most important of these organizations was the "Dashnaktsutyun Committee" established in 1890. The committee aimed to establish an Armenian state mostly comprising Ottoman lands in Eastern Anatolia. During this period, Armenian organizations seeking expansionism also expressed claims, albeit in a weaker manner, to territories under the rule of Tsarist Russia.

The first serious Turkish-Armenian conflict in the Caucasus took place in 1905. Conflicts between the two societies stopped in the period from 1906 to 1918, when events took place that were important for historical and Tsarist Russia. During the Soviet period, some intellectuals on both sides stated that there was actually no hostility between Armenians and Azerbaijani Turks in 1905 and that conflicts were provoked by the Tsarist administration. As for the reason for these provocations by Tsarist Russian officials, it was a strategy of trying to prevent workers' movements by redirecting societies to struggle against each other instead of fighting against Tsarist rule. Another important dimension in terms of the beginning of the 20th century was that the Armenian society had armed organizations that made it stronger than the yet unorganized Azerbaijani society.

Tensions between the two communities flared up again towards the end of World War I. The main factors in this were the negative outcome over Armenians colluding with foreign powers against the Ottoman Empire during the war, their desire to achieve goals they were unable to reach in Anatolia in the Caucasus instead, and the serious

power vacuum in the Caucasus following the 1917 Bolshevik Revolution. During this period, the Armenians, who were armed under the leadership of the Dashnaks, began to attack regions belonging to Azerbaijan in addition to those in Eastern Anatolia. Massacres of Turks took place in March 1918 in regions including Baku, Shamakhi, and Guba, where not many Armenians lived.⁴

Meanwhile, the Azerbaijan Democratic Republic was established on May 28, 1918 and the historical Karabakh region remained a part of it. The Azerbaijani authorities avoided escalation of the Karabakh conflict over external provocations by holding direct meetings with the leaders of the Armenian population and taking the necessary military precautions. As the independent Republic of Azerbaijan was officially recognized during the Paris Conference on January 12, 1920, the fact that the Karabakh region was a part of it was internationally recognized.

Until Azerbaijan was occupied by Russia on April 27, 1920, Ottoman and later British armies were present within its borders. Both powers continued to see the Karabakh region as a part of Azerbaijan. However, the occupation of Azerbaijan and Armenia by Soviet Russia changed the balances significantly. The leaders of the Armenian Soviet administration conveyed their claims regarding the Karabakh region of Azerbaijan to Moscow and also raised them to the Caucasus Bureau of the Communist Bolshevik Party (RK [b] P). Upon these allegations, the RK (b) P Caucasus Bureau, which convened on July 4, 1921, declared its opinion that the mountainous part of the Karabakh region should be unified with Armenia. However, Azerbaijan reacted strongly to this.⁵ On July 5, 1921, the RK (b) P Caucasus Bureau met

⁴ Samuel A. Weems, *Armenia Secrets of a "Christian" Terrorist State*, (St. John Press, Dallas: 2002), p. 59.

⁵ For detailed information on the topic, see: "Dağlıq Qarabağa Muxtariyyet Verilmesinin Esas Hadiselerine Dair Esas Cedvel", *Qarabağ: Real Tarix, Faktlar, Senedler- Garabagh: Real History, Facts, Documents*, Yaqub Mahmudov and Kerim Şükürov, (Tehsil Neşriyyatı, Baku: 2005).

again with the participation of representatives of the RK (b) P Central Committee. In this meeting, the following decision was made with the recommendation of Ordzhonikidze and Nazaretyan:

Taking into consideration elements such as the necessity of national peace between Muslims and Armenians, the necessity of taking into account the economic ties of the Upper and Lower Karabakh regions, the permanent connection of the region with Azerbaijan, it has been decided that Nagorno-Karabakh is to remain within the borders of the Azerbaijan Soviet Socialist Republic, and for an expansive autonomy to be granted to the region with the city of Shusha as its administrative center.⁶

On July 7, 1923, the Azerbaijan Central Executive Committee decided to establish the Nagorno-Karabakh Autonomous Oblast (NKAO) in the aforementioned geography, with Khankendi as its center.⁷ A short time later, Khankendi's name was changed to "Stepanakert."

The steps taken during the establishment of the Union of Soviet Socialist Republics (USSR) ensured a relatively quiet period in terms of the Karabakh problem. However, both in this period and after the establishment of the USSR, the strategies followed by the Moscow administration led to a continuous increase in the potential for conflict within Azerbaijan. Establishing an autonomous structure in a small part of the historical Karabakh region of Azerbaijan by drawing administrative boundaries where only Armenians lived, pursuing policies aimed at changing the ethnic structure of the population in favor of the Armenians, and reviving the so-called genocide claims were all part of this strategy.

All of the constitutions and laws adopted during the USSR period viewed the Nagorno-Karabakh Autonomous Oblast as a part of Azerbaijan, and it was confirmed that the region could not be separated without Azerbaijan's consent.

⁶ "Dağlıq Qarabağa Muxtariyyet Verilmesinin Esas Hadiselerine Dair Esas Cedvel", pp. 54-55.

⁷ K. Istorii Obrazovaniya Nagorno-Karabakhskoy Avtonomnoy Oblasti Azerbaydjanskoy SSR: Dokumenty i Materialy, (Azernashr, Baku: 1989), pp. 52-53.

THE CONFLICT HEATS UP AGAIN

The Karabakh problem escalated again in the 1980s. Armenian extremism, which had been quietly fed for years, different policies of USSR leaders and the subsequent policies Gorbachev tried to implement, the internal socioeconomic problems of the USSR, and the external interventions of the Western Bloc countries led by the United States of America (USA) played an important role in this. The 1984 publication in Russian of the book *Oçaq* (January)⁸ by *Literaturnaya Gazeta* 's Armenian correspondent Zori Balayan, which incited hatred of Turks and included territorial claims against Azerbaijan (under the Soviet system it was almost impossible to publish a book without the regime's permission); Gorbachev's economic advisor Abel Aganbegyan's speech in Paris;⁹ and the activities of ultranationalist Armenian groups in Armenia and Moscow strengthened the idea that Armenia's territorial claims to Azerbaijan were supported by Russia in Azerbaijan and Armenia. The allegations used as tools of propaganda that "the Armenian population in Azerbaijan were deprived of their fundamental rights" and that "the Azerbaijani administration made them live in economic hardship" were not true, due to the nature of the Soviet system. All administration was conducted under a system of central planning, with decisions made by the Moscow administration, not Baku. In addition, a 1988 special commission from Moscow reported that the social and economic indicators of the former NKAO were above the Azerbaijani average.

The first official step that heated up the process was the decision of the NKAO Soviet (110 of its 140 members were Armenian) on February 20, 1988, addressing the Supreme Soviets of Azerbaijan and Armenia, stating its desire to secede from Azerbaijan and join Armenia.

⁸ Zoriy Balayan, *Oçaq* (*Ovaz*), (Sovetatak Qrox, Yerevan: 1984).

⁹ Edalet Tahirzade, *Meydan: 4 İl 4 Ay*, (Ay-Yıldız, Baku: 1997), p. 16; Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, (New York University Press, New York: 2003), on p. 20 *L'humanite* (18 November 1987).

But the application was rejected on the grounds that it ran contrary to the Constitutions of the USSR and Azerbaijan.

The first step in terms of active conflict was the murder of two Azerbaijani youth by Armenian gangs in the Askeran district on February 22, 1988. Subsequently, claims of “Gorbachev’s promise to unite NKAO with Armenia” were published in Armenian newspapers, and over 100,000 Azerbaijani Turks living in Armenia (Zangezur, Gokcha, and other regions) were subjected to massacres and forced to migrate. At the end of the process, approximately 200,000 Azerbaijani Turks were forced to leave Armenia. As those who were forced to migrate generally settled in Baku and Sumgait, clashes occurred between Armenians and Azerbaijani Turks especially in these two cities. In the clashes that took place between February 27 and 29, 1988 in Sumgait, 32 people were killed, 26 of them Armenian and 6 Azerbaijanis.¹⁰

On July 12, 1988, the NKAO Assembly went beyond its jurisdiction and decided to unify with Armenia. This decision was rejected on the grounds that it was contrary to the Constitutions of the USSR and Azerbaijan. Although the Supreme Soviet of the USSR temporarily suspended Azerbaijan’s administration of the NKAO on January 12, 1989 and directly transferred it to the Special Management Committee of Moscow, on November 28, 1989, this decision was reversed and administration of the NKAO was restored to Azerbaijan.

Yerevan’s December 1, 1989 decision to annex the NKAO and the Moscow administration’s security forces in the region supporting the country’s aggression instead of stopping its expansionist policy had paved the way to war. Indeed, on January 2, 1990, a bus convoy carrying Azerbaijani Turks in Khankendi, the NKAO’s administrative center, was attacked by Armenian gangs. The security forces were just barely able to prevent the attack, and one person was killed and three others injured during the incident. Twelve people were killed and 22

¹⁰ Araz Aslanlı, *Karabağ Sorunu ve Türkiye-Ermenistan İlişkileri*, (Berikan Publishing House, Ankara: 2015), pp. 51-52.

taken hostage when Armenian armed forces attacked two Turkish settlements in the region on January 12, 1990. In a bus bombing in Tbilisi-Agdam on August 10, 1990, 20 people lost their lives and 30 people were injured. When Armenia declared its sovereignty on August 23, 1990, it disregarded international law and represented the NKAO as its own territory.¹¹

In 1991, the trend of small-scale clashes, constant accusations by both sides blaming each other, and the Moscow central administration's failure to take the necessary measures continued. Along with the attacks on Azerbaijani settlements in the region, Armenian gangs carried out bombings of passenger trains traveling the Moscow-Baku route on May 30 and July 31, 1991. Eleven people lost their lives in the first terrorist attack and 22 others were injured, and in the second terrorist attack 16 people were killed and 20 people were injured.

Meanwhile, the acceleration of the dissolution of the USSR caused Armenia to change its tactics regarding the Karabakh conflict. When Azerbaijan and Armenia began to become independent subjects of the international system, Armenia tried to avoid direct territorial claims to Azerbaijani land, instead claiming that "Nagorno-Karabakh Armenians were struggling for independence," in order to avoid issues in terms of international law. Within this context, a group claiming to represent Armenians in the region gathered and declared the so-called Artsakh Armenian Republic.¹²

In September 1991, Russian President Boris Yeltsin and Kazakhstan President Nursultan Nazarbayev attempted to mediate a solution to the problem between Azerbaijan and Armenia. As a result of the visits to the region and negotiations conducted, an agreement was signed on September 23, 1991 under the guarantorship of Yeltsin and Nazarba-

¹¹ For the entire document, see: "Deklaratsiya o Nezavisimosti Armenii", <http://www.parliament.am>, (Accessed: 20 November 2020).

¹² Shahan Avakian, *Nagorno-Karabagh: Legal Aspects*, (2005), <http://www.armeniaforeignministry.com>, (Accessed: 20 November 2020).

yev. When Armenia failed to comply with the agreement, the Azerbaijani side invited observers from Russia and Kazakhstan to demonstrate that the ceasefire had not been respected. On November 20, 1991, a helicopter carrying a 22-person delegation including high-level Azerbaijani officials, including the justice and interior ministers, Kazakh and Russian observers and journalists, was shot down from an Armenian-controlled area.¹³ There were no survivors in the incident. This incident forced the Azerbaijani side to make some decisions. The railway which had remained open until that day and fed Armenia was closed, and the Azerbaijan Supreme Soviet abolished the special status of the NKAO in its meeting on November 26, 1991.¹⁴ However, all these steps were not sufficient to solve the Karabakh problem. Better educated, better organized, and in possession of more foreign military support, Armenia continued its occupation.

CLASHES LEAD TO WAR

After the disintegration of the USSR and the start of international organization membership processes for Azerbaijan and Armenia, tactical changes began to be seen in the occupation policy of the Yerevan administration. In the new strategy, firstly the former NKAO, a region of Azerbaijan, would be separated from the country in a way that would be accepted by the international public, and then the unification of this region with Armenia would be fully realized. For this purpose, the so-called Artsakh Armenian Republic was declared on January 6, 1992, as a result of a “referendum” held on December 10, 1991 as a part of the defunct structure (the former NKAO) under the control of Russian soldiers and the Armenian army.¹⁵

¹³ <http://mfa.gov.az/eng>, (Accessed: 20 November 2020).

¹⁴ “Azerbaycan Respublikasının Dağlıq Qarabağ Muxtar Vilayətini Ləğv Etmək Haqqında Azerbaycan Respublikasının Qanunu”, <http://karabakh-doc.azerall.info/ru/law/law012az.htm>, (Accessed: 22 November 2020).

¹⁵ Avakian, *Nagorno-Karabagh*.

By 1992, the Azerbaijani side was forced to fight on two fronts against the Russian-backed Armenians without a regular army, relying on only militia forces and volunteers. For attacks were being launched from both a region within Azerbaijan (the former NKAO geography) and Armenia. Armenian gangs also carried out terrorist attacks against Azerbaijan. For example, on January 8, 1992, a ferry was attacked by Armenian groups in the Caspian Sea. Twenty-five people were killed and 88 people were injured in the attack. On January 28, 1992, a helicopter carrying Azerbaijani refugees was shot down by the rocket fire from Armenian forces and 44 people were killed. Not content with these, Armenia committed acts of genocide first in Garadaghly and then in Khojaly in February 1992 in order to break Azerbaijan's resistance.

Khojaly, with a population of 7,000 and home to the only airport in the region, was besieged in the summer and autumn of 1991 as a result of Armenian attacks, and transportation to the city was only possible by helicopter. On February 25-26, 1992, Armenian forces occupied Khojaly, which they had long besieged and attacked, with support from the 366th Russian Armed Regiment in Khankendi and committed a genocide in the city. During the occupation, at least 613 people were killed, including 63 children, 106 women, and 70 elderly people. In addition, 1,275 people were taken prisoner, over 500 people were injured, and 150 people are still missing. Most of the people under siege were killed by brutal methods, with international organizations¹⁶ and the world media¹⁷ describing the event as a human tragedy.

¹⁶ <http://www.amnesty.org/ailib/aipub/1994/Eur/551294.Eur.Txt>, (Accessed: 20 November 2020); <http://www.unhchr.ch>, (Accessed: 20 November 2020).

¹⁷ "Nowhere to Hide for Azeri Refugees", *The Guardian*, 2 September 1993; "The Face of a Massacre", *Newsweek*, 16 March 1992; "Massacre by Armenians", *The New York Times*, 3 March 1992; Thomas Goltz, "Armenian Soldiers Massacre Hundreds of Fleeing Families", *The Sunday Times*, 1 March 1992; "Corpses Litter Hills in Karabakh", *The Times*, 2 March 1992; Jill Smolowe, "Massacre in Khojaly", *Time*, 16 March 1992, "Nagorno-Karabagh Victims Buried in Azerbaijani Town", *The Washington Post*, 28 February 1992.

What happened in Khojaly would be recognized as a genocide by many countries in the following years.

There are several reasons why the operation against Khojaly was carried out in the form of a massacre. Among these are factors such as the hostility nursed toward Turks in the Armenian subconscious and the mood of the perpetrators of the attacks, but the incidents also aimed to intimidate the people and weaken their resistance by deliberately carrying out the operation in this fashion. According to this strategy, if the psychological resistance of the region's Azerbaijani Turks was broken and they were intimidated by the murders of their families, resistance to future attacks would be weaker, with everyone trying to save their lives and, more importantly, the lives of their families. Years later, former Armenian president Serzh Sargsyan made statements confirming this.¹⁸

An important development took place in March 1992 regarding the internationalization of the Karabakh conflict and the solution process. On March 24, 1992, during a meeting of the Conference on Security and Co-operation in Europe (CSCE)¹⁹ Council of Foreign Ministers it was decided to hold a conference on resolving the Karabakh conflict in Minsk, the capital of Belarus.²⁰ Eleven countries were named participants of the conference: Azerbaijan, USA, Germany, Armenia, Belarus, Sweden, Italy, France, Russia, Turkey, and Czechoslovakia (this list later changed several times). The duty of coordinating the Minsk Conference was assigned to Italy, and the Italian representative Mario Rafaelli was appointed conference chair. The conference was planned to be held in Minsk in July 1992, and the United Nations (UN) also

¹⁸ Waal, *Black Garden*, p. 172.

¹⁹ The CSCE became the Organization for Security and Co-operation in Europe (OSCE) in 1995. Subsequent mentions in this article will refer to the organization as the OSCE.

²⁰ "Minsk Process", <http://www.osce.org>, (Accessed: November 20, 2020); For full text of the declaration see: "Helsinki Additional Meeting of the CSCE Council 24 March 1992 Summary of Conclusions", Organization for Security and Co-operation in Europe, <https://www.osce.org/files/f/documents/3/9/29121.pdf>, (Accessed: November 20, 2020).

lent its support to the OSCE initiative. During a meeting of the UNSC on March 26, 1992, the decision was made not to intervene directly in the problem and to support the initiatives of the OSCE.²¹ Despite intensive efforts, the Minsk Conference has not been held to this day due to the irreconcilable attitude of the Armenian side.

To the contrary, Armenia continued its aggressive policies and continued to occupy Azerbaijani lands and commit new massacres. For example, one day after an agreement between Azerbaijani Parliament President and head of state Yagub Mammadov, Armenian President Levon Ter-Petrosyan, and Iranian President Hashemi Rafsanjani in Tehran on May 7, 1992, the Armenian army occupied Shusha, the key to the Karabakh region, and on May 17, 1992, it occupied Lachin, which connects the region to Armenia. The occupation of Khojaly, Shusha, and Lachin in about 80 days determined the fate of the first phase of the war to a great extent.

AZERBAIJAN BEGINS TO RECOVER AND FOREIGN POWERS INTERVENE AGAIN

Abulfaz Elchibey, who won the presidential election on June 7, 1992, was more determined to establish a national army and liberate the territories from Armenia's occupation. Armenia, on the other hand, intensified its attacks by planning to accelerate the occupation and land a more devastating blow to Azerbaijan. Therefore, Azerbaijan launched a counterattack on June 12, 1992 and liberated a significant part of its territory from the Armenian invasion by the fall of 1992. However, with the involvement of foreign powers with aspirations in the region, the serious military support of Armenia, and the beginning of internal conflicts in Azerbaijan, Azerbaijan had lost its upper hand in the clashes to Armenia as of the end of 1992.

²¹ Manvel Sarkisyan, *Političeskie Problemi Kavkaza i Armeniya: Politika Armenii v Regione* (Policy Problems of the Caucasus and Armenia: Armenia's Regional Policy), (Armyanskiy Tsentr Strategičeskix i Natsionalnix Issledovaniy, Yerevan: 1998), p. 59.

At the beginning of 1993, mediation efforts by certain states, especially Russia and the USA, were continuing, on the one hand, as Armenia's attacks continued, on the other. On February 20, 1993, negotiations began in Rome with the participation of representatives of Azerbaijan, USA, Russia, Armenia, and Minsk Conference Chairman Rafaelli. Although an agreement could not be reached for the official start of the Minsk Conference, it was agreed upon during the negotiations that observers should travel to the region at least to ensure the ceasefire. However, on March 27, 1993, Armenia launched an attack on the Kalbajar region, one of the corridors connecting Armenia and Azerbaijan with the former NKAO. The attacks led to the complete siege of Kalbajar by Armenian forces beginning on April 3, 1993. During the occupation of Kalbajar, a portion of the population was killed or taken hostage, and those remaining became refugees. The Azerbaijani side announced that the Armenian side had received assistance from Russian military units during the attack.

Armenia's invasion of Kalbajar caused waves of reactions in the international public opinion. Immediately after the occupation, Turkey, USA, Pakistan, Iran, Britain, the Organization of the Islamic Conference (OIC), Italy, and France issued statements condemning the occupation.²² The European Union also called on Armenia to end its occupation.

The Azerbaijan side withdrew from the OSCE process due to Armenia's continued occupation of its territories while negotiations were ongoing, and at the same time intensified its efforts at the international level, especially at the UN, to end the occupation. On April 6, UNSC President Jamsheed Marker expressed to the council his discomfort with the worsening situation between Azerbaijan and Armenia, the Armenian invasion of Kalbajar, and all of these acts that threatened the

²² Nazim Cafersoy, *Elçibey Dönemi Azərbaycan Dış Politikası (Haziran 1992-Haziran 1993)*, (ASAM Publications, Ankara: 2001), p. 85.

peace in the region. On April 14, the UN secretary-general presented a report on the occupation to the UNSC.²³

The UNSC discussed the Armenian invasion of Kalbajar on April 30, 1993 and unanimously adopted Resolution 822. In fact, it is almost impossible for the council to adopt a resolution clearly reflecting the occupation of Azerbaijani territories by Armenia. Due to the open support of Russia and the indirect support of France and the USA, all permanent UNSC members, there is almost no chance that a resolution will publicly declare that Armenia is an occupying state. As a matter of fact, the resolution issued referenced the previous statements of the president of the council and the report he presented, expressing discomfort over the alarming dimension of the war between Azerbaijan and Armenia and the invasion of Kalbajar by the Armenians. In addition, the principles of inviolability of internationally accepted borders, the unacceptable acquisition of lands by force of arms, and the independence and respect for territorial integrity of all states were emphasized.

Although an attempt was made to preserve balance in accordance with the wishes of Russia, the USA, and France, despite furious protests by Armenia it was stated in the resolution that the tension was between Armenia and Azerbaijan. Another positive point is that it was emphasized that it was necessary to end the occupation of other regions of Azerbaijan before Kalbajar (although these were not plainly stated, these were understood from the negotiations to be Lachin, Shusha, Khojaly, etc.).

On May 3, 1993, Russia, Turkey, and the USA announced that they had initiated a peace initiative within the framework of the OSCE process under the leadership of Russian President Yeltsin. Although Azerbaijan accepted the parties' proposals for the evacuation of the

²³ "Items Relating to the Situation between Armenia and Azerbaijan", BM, https://www.un.org/en/sc/repertoire/93-95/Chapter%208/EUROPE/93-95_8-19-ARMENIA%20AND%20AZERBAIJAN.pdf, p. 4, (Accessed: 22 November 2020).

Armenian forces from Kalbajar by May 14, 1993 and for the continuation of peace negotiations within the framework of the OSCE from May 17, Armenia refused to accept this. After a Yeltsin-Ter-Petrosyan meeting held on May 27, there was a change in Armenia's attitude. Although Armenia officially stated that it accepted all the offers of the mediators, it soon blocked the process by claiming that the Armenians in the region did not accept the conditions.

In a June 3-4, 1993 meeting of the representatives of nine OSCE countries (USA, Russia, France, Turkey, Italy, Germany, Czech Republic, Sweden, and Belarus) held in Rome, an "Emergency Action Plan" aimed at resolving the Armenia-Azerbaijan clashes was accepted and presented to the parties. According to this plan, the Armenian side must begin a complete withdrawal from Kalbajar by June 15, the withdrawal process should be completed on June 20, and as of July 1, 50 OSCE observers should be deployed to the region. After that, negotiations within the framework of the Minsk Conference should resume, no later than August 7. Azerbaijan immediately accepted and signed this peace plan prepared by the nine countries. Armenia also accepted this plan, but maintained that some forces in the occupied region were not under the control of the Armenian administration, and demanded an extra month to withdraw from Kalbajar.²⁴

COUP ATTEMPT IN AZERBAIJAN AND INTENSIFICATION OF ARMENIA'S ATTACKS

Meanwhile, a coup attempt with foreign support had begun in Azerbaijan. The Armenians were encouraged by this coup attempt, which brought Elchibey's rule to an end and created the risk of civil war, and not only did not evacuate Kalbajar, but, quite to the contrary, intensified their invader attacks on Azerbaijani lands. Azerbaijan, which had to contend with internal turmoil, was not much able to fend against

²⁴ *Nezavisimaya Gazeta*, 16 June 1993.

the Armenian attacks. Haydar Aliyev, who came to power in Azerbaijan after Elchibey, tried to prevent civil war and establish stability on the one hand, and to stop the attacks of Armenia on the other, but this was not easy.

Until the end of 1993, Armenian invasions and UN resolutions condemning them came one after the other. On July 23-24, a large part of the Agdam region of Azerbaijan was occupied by Armenia. In its July 29 meeting, the UNSC adopted Resolution 853 on the issue. The resolution referenced the principles of “inviolability and territorial integrity of borders” and called for the enforcement of Resolution 822, and in fourteen articles called for the urgent and unconditional withdrawal from Agdam and other occupied regions, the resolution of the problem within the framework of the OSCE Minsk Group, and emphasized the necessity for Armenia to take all necessary steps toward this end.²⁵

The efforts of the OSCE Minsk Group between July 21 and August 12 toward enforcement of UNSC Resolutions 822 and 853 were inconclusive. For since August 11, 1993, Armenian forces intensified their attacks on the Fuzuli and Jabrayil regions. On August 18, UNSC chairperson and permanent representative of the United States to the UN Madeleine Albright made a long statement in response to the Armenian attempts to occupy Fuzuli and expressed her concern about the deterioration of the situation between Armenia and Azerbaijan as follows:

UNSC Resolutions 822 and 853 on the clashes in Azerbaijan's Nagorno-Karabakh region must be enforced, an end must be put to the attacks on Azerbaijan's Fuzuli rayon and [troops must be withdrawn from] previously occupied Kalbajar, Agdam and other areas.²⁶

²⁵ “RESOLUTION 853 (1993) Adopted by the Security Council at its 3259th Meeting, on 29 July 1993”, BM, <http://daccess-dds-ny.un.org/doc>, (Accessed: 22 November 2020); “1993 UN Security Council Resolutions on Nagorno-Karabakh”, United States Department of State, <http://2001-2009.state.gov/p/eur/rls/or/13508.htm>, (Accessed: 24 November 2020).

²⁶ “Items Relating to the Situation between Armenia and Azerbaijan”, pp. 15-17; Musa Qasimov, *Azerbaijan Beynelxalq Münasibetler Sisteminde*, (Genclik, Baku: 1996), pp. 119-122.

The meetings of the OSCE Minsk Group with representatives of Azerbaijan and Armenia resumed in Rome on August 9. During the meetings, the “Emergency Action Plan” envisioning the removal of the Armenian armed forces from Azerbaijan was addressed.²⁷ On August 23, the Armenian army occupied a large portion of the Fuzuli and Jabrayil regions, and this was followed by the occupation of Qubadli on August 31. The UNSC’s Resolution 874 on the Armenian-Azerbaijani conflict on October 14, referenced its previous Resolutions 822 and 853, the statement of its chairperson on August 19 and the letter of the OSCE Minsk Conference chairman dated October 1, and addressed the independence and territorial integrity of Azerbaijan and other states. Expressing discomfort at “the clashes occurring in the Nagorno-Karabakh region of Azerbaijan and between Armenia and Azerbaijan,” it listed 13 articles. These articles called for the enforcement of Resolutions 822 and 853 and “immediate and unconditional withdrawal from occupied lands,” and called on the OSCE to take the necessary steps to implement this plan.²⁸

With no sanction power backing them up, these resolutions were unable to stop Armenia’s invasive attacks. In fact, with the invasion of the town of Horadiz on October 23 and Zangilan between October 28 and November 1, almost all of the historical Karabakh region, including the former NKAO, was occupied by Armenian forces. The UNSC adopted Resolution 884, the last of its series of “ineffective decisions,” on November 11, following the occupation of Horadiz and Zangilan. Referring to UNSC Resolutions 822, 853, and 874, it expressed unease at the strained relations between Azerbaijan and Armenia; the increase in military operations leading to the occupation of the Azerbaijan Republic’s rayon of Zangilan and city of Horadiz; and the violation of

²⁷ *Xalq Qezeti*, 14 August 1993.

²⁸ “RESOLUTION 874 (1993) Adopted by the Security Council at its 3292nd Meeting, on October 14, 1993”, BM, <http://daccess-dds-ny.un.org/doc>, (Accessed: 24 November 2020); “1993 UN Security Council Resolutions on Nagorno-Karabakh”.

international borders. Meanwhile, it emphasized the “[unacceptability of] the use of force to gain territory” and “Azerbaijan’s territorial integrity.” The resolution condemned the violation of the ceasefire between the parties, the occupation of the Zangilan rayon and the invasion of the town of Horadiz, as well as attacks on the civilian population and the territorial integrity of Azerbaijan.²⁹

The common feature of the UNSC resolutions is that they constantly emphasized the inviolability of Azerbaijan’s territorial integrity, that Armenia was a party to the problem, and that the occupied territories should be abandoned immediately without preconditions. The negative aspect of the decisions was that they failed to label Armenia openly as the aggressor nation; they failed to put forward any plan for sanctions in the case that Armenia did not withdraw from the places it had occupied (as in the example of Iraq’s occupation of Kuwait); and failed to take any steps in this regard.³⁰

It can also be observed that the “Urgent Action Plans” prepared by the OSCE Minsk Group to implement the decisions of the UNSC had no effect. One of the main reasons for this is that the OSCE does not have a mechanism to sanction a party that avoids implementing the relevant decisions.

THE PROCESS LEADING TO THE 1994 CEASEFIRE

In the first half of 1994, the mediation efforts of the OSCE and Russia for the signing of a ceasefire agreement between the Yerevan and Baku administrations intensified. Both sides started to approach

²⁹ “RESOLUTION 884 (1993) Adopted by the Security Council at its 3313th Meeting, on 12 November 1993”, BM, <http://daccess-dds-ny.un.org/doc>, (Accessed: 24 November 2020); “1993 UN Security Council Resolutions on Nagorno-Karabakh”.

³⁰ It is actually obvious how illogical it is that a region with no army or military equipment somehow managed to attack itself with the attacks the Armenians launched with planes, tanks, and heavy artillery weapons. Also, video footage shows that during the invasion of Kalbajar attacks were launched from the direction of Khankendi and the Armenian border.

the ceasefire positively at the beginning of the year, as the war had worn out both countries. While the Yerevan administration had achieved a degree of satisfaction by occupying the former NKAO and its environs, the Baku administration had decided that it would be difficult to continue the war under the unstable conditions in Azerbaijan brought about by foreign powers and the support they lent to Armenia. Still, both sides made their final moves in a bid to sit stronger at the negotiation table. Azerbaijan stopped Armenia's attacks on Ganja and liberated Horadiz from Armenian occupation in the south.

Despite being a member of the OSCE Minsk Group, Russia prioritized its own plan for the establishment of peace.³¹ After a meeting between the defense ministers of Azerbaijan, Armenia, and Russia in Moscow on February 18, 1994, a protocol was signed; between February 28 and March 1, the Russian deputy minister of defense and the special representative of the president visited Baku and Yerevan in an important first step toward a ceasefire. Between March 31 and April 3, the president of the High Council of Kyrgyzstan, as a representative of the Interparliamentary Assembly of the Commonwealth of Independent States (CIS), and the special representative of the Russian president visited the cities of Baku, Yerevan, and Khankendi. The meeting of the Council of Heads of State of the CIS held in Moscow on April 15 brought the Russian, Azerbaijani, and Armenian presidents together in a discussion over the issues. As an outcome of the meeting, a joint declaration was published on the "events in the Nagorno-Karabakh region and its surroundings."

Between April 26 and May 2, the OSCE delegation visited the region. On May 4-5, in Bishkek, within the framework of the CIS Interparliamentary Assembly, the representatives of the Parliament of Kyrgyzstan and the Russian Foreign Ministry brought together the

³¹ Araz Aslanlı, "Denge Politikasının Doğal Sonucu: Aliyev'in Moskova Ziyareti", *Stratejik Analiz*, Volume: 2, Issue: 23, (2002), p. 50.

presidents of the Parliaments of Armenia and Azerbaijan, as well as the representatives of the Azerbaijani and Armenian populations of the former NKAO. Their aim was to sign the Bishkek Protocol as a step towards peace.

In the first version of the protocol prepared by Russia, only the Armenian representatives of the former NKAO were listed alongside Azerbaijan, Armenia, and intermediary state officials, and so Afyaddin Jalilov, the vice-president of the National Assembly of Azerbaijan, returned to Baku without signing the document. For information previously given to Azerbaijan had stated that the protocol would be signed between Azerbaijan and Armenia. After Jalilov returned to Baku, this time the Russian Foreign Ministry official, the special representative of the Russian president on the Karabakh conflict Vladimir Kazimirov came to Baku and asked the Azerbaijani side to sign the protocol. Following the negotiations held in Baku, it was decided that the protocol would be signed between Azerbaijan and Armenia, and the representatives of the Azerbaijani and Armenian community of the Karabakh region would sign the document as related parties. The President of the Azerbaijan National Assembly Rasul Guliyev signed the document that had been thusly revised.

The protocol stated that clashes in the former NKAO and surrounding areas harmed the Azerbaijani and Armenian publics, lent support to the relevant declaration of the April 15 CIS summit, and emphasized that the efforts of the Interparliamentary Assembly and the CIS in this regard as well as the UN and OSCE resolutions on the solution of the problem (especially UNSC Resolutions 822, 853, 874, and 884) must be enforced. Addressing the protocol signed in Moscow between the ministers of defense of Azerbaijan, Armenia, and Russia on February 18, it was stated that a consensus had been reached on the cessation of fire and the provision for a return of the displaced as of the night between May 8 and May 9. On May 9, a ceasefire agreement was signed between the defense ministers of Azerbaijan and Armenia

and representatives of the separatist Armenian leadership in the former NKAO and went into effect on May 12.

With this development, Armenia's invading attacks on Azerbaijani territories and the war between the two countries were officially suspended. Despite frequent violations following the 1994 ceasefire and occasional expectations that these violations would lead to war, this agreement between the two countries was comprehensive and stayed in effect long-term, until the beginning of the next war on September 27, 2020.

OUTCOMES OF THE OCCUPATION UP UNTIL THE 1994 CEASEFIRE

Armenian attacks also continued in the stage after the 1994 ceasefire. As this study addresses the period comprising the second half of the 1980s up until the ceasefire period, it will be beneficial to provide brief information about the outcomes of Armenia's attacks during this period. Due to the impossibility of establishing the facts on the ground in a timely manner, it is difficult to put forth precise data on the outcomes of Armenia's attacks and the occupations it perpetrated.

That being said, 20,000 Azerbaijanis were martyred and over 50,000 people were injured during the occupation. Approximately 5,000 Azerbaijani citizens were captured by Armenia and the fate of most of them remains unknown. It has been determined that 451 of the prisoners, 86 of whom were women, were killed by Armenia (some for the purpose of organ trafficking). Nearly one million Azerbaijanis were displaced and had to leave their lands and live in tents for years.

Over 900 settlements were destroyed during the occupation; 4,366 schools, libraries, museums, hospitals, health centers, cultural centers, monuments, theaters, cinemas, and similar places were demolished and burned. Some of the grave consequences of the occupation were revealed by the liberation of Azerbaijan from occupation in 2020. In addition, over 40,000 works that had been on display in museums

were stolen. Numerous forest areas were cut down or burned (this topic was included in the Council of Europe and UN resolutions). Environmentally, the region resembles a disaster zone.

Azerbaijan was not the only one whose lands suffered from Armenian occupation. Yerevan's occupation policy negatively affected the entire region, including its own citizens and Azerbaijani citizens of Armenian origin living in the areas it occupied. The issue of the occupied Azerbaijani territories being used for drug and weapons smuggling, illegal organizations, and terrorist activities has frequently come to the fore. Even in the Armenian media, the issue has been raised that an artificial life was lived in the occupied lands, and people were kept there by force. When people did not want to live in the region despite the incentives funded by money collected from the diaspora, the Armenian administration's attempt to implement a policy of moving prisoners to the region was a topic of domestic political debate. Even as the Armenian government illegally deployed its soldiers to the region, a case filed with the European Court of Human Rights made public the subject of its torture of its own soldiers.

Armenia has perpetrated a complete cultural genocide in the territories it occupied. The Armenian army dealt significant damage to Caucasian Albanian and Islamic architectural structures under occupation. The historical Azerbaijani city of Shusha, which was also included on the UNESCO (tentative) World Heritage List as a historical architectural reserve, was almost completely destroyed by the Armenian military units and gangs of Azerbaijani Armenians who joined them.³²

CONCLUSION

Although it is possible to go back to the historical foundations of the Karabakh conflict, the most important developments that determined the nature of the problem up until September 27, 2020 took place in

³² "Shusha Historical and Architectural Reserve", UNESCO, October 24, 2001, <http://whc.unesco.org/en/tentativelists/1574>, (Accessed: 20 November 2020).

the period between the second half of the 1980s and the 1994 ceasefire. During this period, the Armenian administration tried to expand its territory by annexing some of the Azerbaijani territories. Toward this end, it first made a discursive and then official territorial claim to Azerbaijan. The Armenian Parliament also issued decisions in this vein.

The Soviet administration of the period refused to accept the Yerevan administration's demands, on the grounds that they were contrary to the Constitution of the USSR and other laws, because it had to abide by the laws of the USSR at the official level, even though it actively supported Armenia. During the collapse of the USSR, Armenia carried out armed attacks and terrorist acts on Azerbaijani territory. In addition, all Azerbaijani Turks living in Armenia were expelled from their historical homeland, and they were subjected to torture and massacres. At least 215 Azerbaijani Turks were killed in the period before the active clashes began (1987-1990).

Parallel to the collapse of the USSR, Armenia tried to give the impression that it made no territorial claims to Azerbaijan and that Armenians in the Karabakh region were "struggling for independence" in order to avoid any difficulties posed by international law. However, they were unable to garner any serious support in this regard. Although Armenia was unable to strengthen its legal position in the period of 1990-1994, it was able to occupy approximately 20 percent of Azerbaijani territory thanks to strong external support and internal dynamics in its favor. Despite the attempts to stop the war several times between 1991 and 1993, the Yerevan administration occupied new territories after each ceasefire agreement it signed.

During this process, many countries condemned the Armenian invasions. International organizations, especially the UNSC, made decisions condemning the occupation and demanding that the occupation be ended immediately and without preconditions. However, Armenia did not implement these decisions; to the contrary, it continued its aggressive policies, turning the risk of civil war that Azerbaijan expe-

rienced in the summer of 1993 into an opportunity. The recovery of Azerbaijan towards the end of 1993 caused Armenia's losses to increase. At the beginning of 1994, both sides started to look more favorably upon the cessation of conflicts and peace initiatives, due to the effects of the destruction caused by the long-standing war.

In the February-May period of 1994, especially with the mediation of Russia and the participation of the OSCE and the CIS Interparliamentary Assembly, the initiatives for a ceasefire were intensified and the First Karabakh War was replaced by a ceasefire as of May 12. The 1994 ceasefire did not actually stop the war, but violations took place almost every day, such as the events of April 2016, July 2020, and others, with the possibility of a major war restarting sometimes arising. However, the non-conflict process continued until September 27, 2020, when Azerbaijan rescued its territory from the Armenian occupation by counterattacking as a result of intense provocations by Armenia.

DIPLOMATIC NEGOTIATIONS AND THE MINSK PROCESS IN THE KARABAKH CONFLICT

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ARAZ ASLANLI**

INTRODUCTION

Since the second half of the 1980s, when the Karabakh problem began to re-emerge, various activities have been undertaken to solve the problem or to stop the conflict. Since the problem was an internal matter of the Soviet Union (USSR) until the end of 1991, it would be more accurate to evaluate the activities aimed at preventing the escalation of tensions as an attempt by the Moscow administration to keep the problem under control rather than mediation. For this reason, the attempts of the USSR during its dissolution phase can be defined as the first mediation efforts.

Since September 1991, some states and regional and international organizations both started to take initiatives toward the solution of the Karabakh problem. In this context, the regional states Russia, Turkey, Iran, and Georgia suggested mediation. Among them, the proposals of Russia and Iran were accepted; Turkey's proposal was constantly rejected by Armenia, while Georgia's was not taken seriously. The mediation initiative of the Organization for Security and Co-operation in Europe

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(OSCE) has been the longest-running and most heavily institutionalized among the initiatives of international organizations. Within this framework, the Minsk process began and, in time, the Minsk Group and its co-chairs came to the fore. In this study, the history of the attempts to solve the Karabakh problem, the plans offered by the mediator states and international organizations, and the reasons for the failure of the efforts are discussed.

MEDIATION ATTEMPTS OF NEIGHBORING STATES

The first attempt to mediate a solution to the Karabakh conflict came from the Russian Federation and Kazakhstan in September 1991, during the dissolution phase of the USSR. When internal turmoil arose in Moscow in August 1991, the independence process of the republics that were members of the USSR was accelerated, and in parallel, Armenia's attempts to unite the Azerbaijani lands with itself gained a new dimension. As the situation grew tense, Russian President Boris Yeltsin and Kazakhstan President Nursultan Nazarbayev visited Baku late on September 20, 1991.¹ The leaders, who traveled to the city of Ganja the next day, after taking adequate security precautions, moved on to Khankendi, the center of the former Nagorno-Karabakh Autonomous Oblast (NKAO), and from there traveled to Yerevan. Yeltsin and Nazarbayev tried to start the peace process and determined the approximate preconditions for it in their meetings. In accordance with this agreement, Azerbaijan and Armenia came to an agreement under the guarantorship of Yeltsin and Nazarbayev in the peace talks that started in the city of Zheleznovodsk in the south of Russia on September 23, 1991. The agreement envisaged a ceasefire between the parties, Armenia's acceptance of the NKAO as belonging to Azerbaijan, and

¹ Musa Qasimov, *Azərbaycan Beynəlxalq Münasibətlər Sistemində*, (Genclik, Baku: 1996), p. 102.

the provision of certain opportunities for the region to govern itself.² The Zheleznovodsk Declaration was the first ceasefire agreement in the Karabakh conflict.

The second leg of the talks was held by officials of the two sides in a village in the Ijevan district on the Azerbaijan-Armenia border. In the statement released after the meeting, it was emphasized that “it is imperative to stop the vicious circle based on murder and revenge.” But in the meantime, mutual attacks occurred. A visit to the region by observers from Russia and Kazakhstan upon Azerbaijan’s request to determine the situation regarding the ceasefire resulted in a great disaster as Armenia increased its aggressive attitudes. On November 20, 1991, a helicopter carrying members of the Azerbaijani government (Secretary of State Tofig Ismayilov, Deputy Prime Minister Zulfu Hajiyev, Minister of Internal Affairs Mehmedmed Esedov, and Attorney General Ismet Qayibov), justice and security officials, two Russian generals, Kazakh and Russian observers (Deputy Minister of Internal Affairs of Kazakhstan Sanlal Dasumovich Serikov and others), and journalists was shot down from the Armenian-controlled area. This attack resulted in the death of all those aboard the helicopter. With this development, the peace initiative initiated by Yeltsin and Nazarbayev remained ineffective.

Efforts toward peace talks intensified again in February 1992. The mediation proposals made by Iran at the beginning of February 1992 were not accepted by the parties. On February 20, at the initiative of the Russian Ministry of Foreign Affairs, the foreign ministers of Azerbaijan, Armenia, and Russia met in Moscow, and at the press conference held after the meeting, it was announced that a decision had been made to end the conflict as soon as possible and to lift the blockade on settlements. On February 24, Iranian Foreign Minister Ali Akbar

² For the complete text of the Zheleznovodsk Declaration, see: “Zheleznovodsk Declaration”, Conciliation Resources, (November 2005), <http://www.c-r.org>, (Accessed: November 26, 2020).

Velayati made a visit to the region to mediate between the parties. As the parties were trying to come to an agreement on the basic issues for a ceasefire, the Armenian side carried out the Khojaly genocide two days after this visit. In Khojaly, Azerbaijani civilians were brutally murdered by the Armenian armed forces, and this event went down as a black mark in the history of the Caucasus and the world.

Iran reattempted to start mediation at the end of April 1992, and as a result of these efforts, on May 7, 1992, in Tehran, the President of the Azerbaijani Parliament (also Deputy Head of State) Yagub Mammadov, Armenian President Levon Ter-Petrosyan, and Iranian President Hashemi Rafsanjani agreed to resolve the issue. A three-way meeting was held. As a result of the meeting, an agreement consisting of eight articles was signed between Azerbaijan and Armenia. But just one day after the agreement was signed, the Armenian army occupied Shusha, which is the key to the Karabakh region, and Lachin, which connects the region to Armenia, on May 17. This raised doubts about the “sincerity” of Iran’s mediation and Armenia’s attitude toward peace and caused another attempt to fail.

On August 26, 1992, Kazakhstan President Nazarbayev made a new attempt to broker a ceasefire. To this end, on August 27, the Alma-Ata Protocol and on September 3, the Ijavan Protocol were signed between the foreign ministers of Azerbaijan, Armenia, and Kazakhstan. However, Armenia soon announced its withdrawal from the Alma-Ata Protocol, and Kazakhstan’s persuasive efforts were ineffective.

On September 19, 1992, in the city of Sochi with Russian mediation, the defense ministers of Azerbaijan, Armenia, Russia, and Georgia signed agreements on the provision of a ceasefire and other issues as of September 25.³ However, this agreement was not abided by because of Armenia’s insistence that former NKAO Armenians in Azerbaijan participate in the negotiations in an official capacity. In addition to

³ Araz Aslanlı, *Karabağ Sorunu ve Türkiye-Ermenistan İlişkileri*, (Berikan Publishing, Ankara: 2015), p. 67.

what has been stated, although Turkey made several attempts to solve the problem, the Armenian side rejected these attempts. However, in the 1990s, some Turkish officials and Turkish political leaders held secret meetings with Armenian officials through third parties regarding Ankara-Yerevan relations and the solution of the Karabakh conflict, which was later reflected in the media.

The mediation attempts of Georgia and Iran after 1992 were not taken seriously by the parties. Although not all of Russia's initiatives after assuming the Minsk Group co-chairmanship are within the framework of the Minsk process, it will be most appropriate to consider them within the scope of the CSCE/OSCE.⁴

MEDIATION INITIATIVES BY INTERNATIONAL ORGANIZATIONS AND THE MINSK PROCESS

At the CSCE meeting held in Prague on January 30, 1992, the international dimension of the Karabakh problem expanded with Azerbaijan and Armenia becoming members of the institution. Although the European Parliament convened in Strasbourg in mid-February 1992 and decided to send observers to the region, Armenia's realization of the Khojaly genocide in a short time escalated tension.

At the 46th meeting of the United Nations (UN) General Assembly held on March 2, 1992, the resolution on the admission of the Republic of Azerbaijan to the UN was adopted. On March 6, the diplomatic mission of Azerbaijan's special representative to the UN started its activities in New York, and in November of the same year, Azerbaijan's permanent representation at the UN was opened. In accordance with Article 39 of the UN Charter, Azerbaijan appealed to the UN Secretary General and the President of the United Nations Security Council (UNSC) regarding the expansion of Armenia's open aggressions, call-

⁴ Following the December 1994 Budapest Summit, the name of the Conference on Security and Co-operation in Europe (CSCE) was changed to the Organization for Security and Co-operation in Europe (OSCE).

ing upon the body “to stop these attacks immediately, to prevent clear violations of the rules of international law and the UN treaty, and to assist in the resolution of the issue through peaceful means.” The UN secretary general sent a delegation headed by the special representative of the UN secretary general, former United States (USA) secretary of state Cyrus Vance, to Yerevan, Baku, and the former NKAO in March 1992 to learn about the situation in the conflict zone. A report was submitted to the UNSC regarding the results of the visit.

The CSCE Council of Ministers convened in Helsinki on March 24, 1992, evaluated the attacks of Armenia against Azerbaijan, and made the final declaration in Paragraphs 3-11. It called for an international conference to be held in Minsk, the capital of Belarus, for the solution of the problem.⁵ In Article 9 of the declaration, the names of eleven countries - consisting of Azerbaijan, USA, Germany, Armenia, Belarus, Sweden, Italy, France, Turkey, and the Czechoslovakia- are specified as the participants of the conference. The task of coordinator for the Minsk Conference was given to Italy and the Italian representative Mario Rafaelli was appointed to preside over the conference. The conference was planned to be held in Minsk in July 1992. This initiative of the CSCE received support from the UN as well. At the UNSC meeting on March 26, 1992, the decision was made not to intervene directly in the problem and to support the initiatives of the CSCE.⁶ On April 1, 1992, a meeting was held in Rome under the chairmanship of Rafaelli with the participation of the representatives of the countries to take part in the Minsk Conference. During the same days, the CSCE delegation visited Baku.⁷

⁵ “Minsk Process”, <http://www.osce.org>, (Accessed: 19 November 2020); For full text of the declaration see: “Helsinki Additional Meeting of the CSCE Council 24 March 1992 Summary of Conclusions”, <http://www.osce.org>, (Accessed: November 19, 2020).

⁶ Manvel Sarkisyan, *Politiçeskie Problemi Kavkaza i Armeniya: Politika Armenii v Regione*, (Armyanskiy Tsentri Strategičeskix i Natsionalnix Issledovaniy, Yerevan: 1998), p. 59.

⁷ Araz Aslanlı, “Türk Dünyasının Kanayan Yarası: Karabağ”, *Yeni Türkiye*, Türkler Özel Sayısı, Volume: 19, Issue: 200, (2002), pp. 194-208.

During the visit of the CSCE delegation to the conflict zone at the beginning of May, the Armenian army occupied the city of Shusha in Azerbaijan.

At the CSCE Senior Council meeting held in Helsinki on May 21, 1992, the representatives of 51 countries other than Armenia voted in favor of a bill proposed by the U.S. representative that emphasized the territorial integrity of Azerbaijan and proposed the withdrawal of all foreign military forces in the region. The bill did not become a resolution because no consensus could be reached. Armenia's insistence on the participation of former NKAO Armenians in the negotiations to be held in June and July 1992 under the name of "Nagorno-Karabakh Republic" was not accepted by the other participants and thus the negotiations were prevented.⁸ As a result, the envisaged Minsk Conference could not be realized.

U.S. President Bush and Russian President Yeltsin, who met in the Kremlin on January 3, 1993, expressed their dissatisfaction with the "clashes in Nagorno-Karabakh and on the Azerbaijan-Armenia border" in a declaration they signed regarding Armenia's attempts to occupy Azerbaijani lands, and stated that the problem must be resolved within the framework of the foundational principles of the CSCE.

On February 20, 1993, the Rome talks begin in Rome with the participation of representatives of Azerbaijan, the USA, Armenia, and Russia, and the President of the Minsk Conference Rafaelli. As an outcome of the talks a compromise was reached over the enforcement of a complete ceasefire between the sides and the deployment of observers to the region. However, on March 27, 1993, Armenia launched an attack on the Kelbajar region in Azerbaijan. In the aftermath of these attacks, as of April 3, Kelbajar had been completely occupied by Armenia. The occupation was condemned by many countries and international organizations and interrupted the negotiations at the CSCE

⁸ "Baker Roma Toplantısından Umutlu", *Azadlıq*, June 15, 1992.

level, and the issue was raised to the UNSC.⁹ On April 30, the UNSC also discussed the Azerbaijan-Armenia conflict and the occupation of Kelbajar and adopted Resolution 822 in a unanimous vote of 15 members. The resolution “expressed alarm at ... the latest invasion of the Kelbajar district of the Republic of Azerbaijan by Armenian forces... and reaffirmed the respect for sovereignty and territorial integrity of all states.... [and] the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory,” and demanded the withdrawal of all occupying forces from the Kelbajar rayon and other recently occupied rayons of Azerbaijan.¹⁰

Meanwhile, at a CSCE Senior Council meeting held in Prague on April 26-29, 1993, it was emphasized that Armenia should take a step toward the evacuation of Kelbajar in order to continue peace talks. The final declaration of the meeting, which demanded the removal of the invading forces from the Kelbajar region and the start of negotiations within the framework of the CSCE Minsk Conference, was vetoed by Armenia.¹¹ On May 3, under the leadership of Yeltsin, Russia, Turkey, and the USA announced that they had launched a peace initiative within the framework of the CSCE process. Although Azerbaijan accepted the parties’ proposals for the Armenian forces to evacuate Kelbajar by May 14 and to continue the peace talks within the framework of the CSCE as of May 17, Armenia did not agree to this.

A new document on the resolution of the Armenia-Azerbaijan conflict was prepared during the meeting held in Rome on June 3-4, 1993 by the representatives of nine CSCE member countries (USA, Russia, France, Turkey, Italy, Germany, Czech Republic, Sweden, and Belar-

⁹ Nazim Cafersoy, *Elçibey Dönemi Azərbaycan Dış Politikası* (June 1992 - June 1993), (ASAM Publication, Ankara: 2001), p. 85.

¹⁰ “RESOLUTION 822 (1993) Adopted by the Security Council at its 3205th Meeting, on 30 April 1993”, UNSCR, <http://unscr.com/en/resolutions/822>, (Accessed: February 10, 2021); “1993 UN Security Council Resolutions on Nagorno-Karabakh”, US Department of State, <https://2001-2009.state.gov/p/eur/rls/or/13508.htm>, (Accessed: February 10, 2021).

¹¹ Elçin Ahmedov, *Ermenistanın Azərbaycana Tecavüzü və Beynəlxalq Təşkilatlar*, (Tuna, Baku: 1998), p. 64.

us).¹² The “Emergency Action Plan” for the implementation of UNSC Resolution 822 and the continuation of the negotiations within the framework of the CSCE was accepted and presented to the parties. According to the plan, the Armenian side should begin to withdraw completely from Kelbajar on June 15, the evacuation process should be completed on June 20 and 50 CSCE observers should be stationed in the region as of July 1. Then, no later than August 7, negotiations were to begin within the framework of the Minsk Conference. Azerbaijan immediately accepted and signed this peaceful plan of the “Nines.” Armenia also accepted this plan, but demanded another month for the evacuation of Kelbajar, claiming that some forces in the occupied region were not under the control of the Armenian administration.¹³

On July 23–24, 1993, most of the Agdam district of Azerbaijan was occupied by Armenia. A UNSC meeting on July 29 adopted Resolution 853 on the subject. After emphasizing that Resolution 822 on the occupation of Kelbajar must be implemented, the resolution addressed the inviolability of borders and territorial integrity; emphasized in 14 articles that Armenia must withdraw from Agdam and the other occupied regions urgently and unconditionally; and stated that the conflict must be resolved within the framework of the CSCE Minsk Group, and that Armenia must take all necessary steps toward this end.¹⁴ But the efforts of the CSCE Minsk Group from July 21 to August 12, 1993 for the enforcement of UNSC Resolutions 822 and 853 were ineffective. For this time the attacks of the Armenian forces on the Fuzuli and Jabrayil rayons intensified.

Meanwhile, negotiations of the CSCE Minsk Group resumed in Rome with the participation of representatives of Baku and Yerevan on August

¹² Levon Chorbajian, Patrik Donabedian and Claude Mutafian, *The Caucasian Knot: The History and Geopolitics of Nagorno Karabakh*, (Zed Books, London: 1995), p. 36.

¹³ *Nezavisimaya Gazeta*, June 16, 1993.

¹⁴ “RESOLUTION 853 (1993) Adopted by the Security Council at its 3259th Meeting, on 29 July 1993”, UNSCR, <http://unscr.com/en/resolutions/853>, (Accessed: February 10, 2021); “1993 UN Security Council Resolutions on Nagorno-Karabakh”.

9. During the meetings, the “Emergency Action Plan” envisioning the removal of the Armenian armed forces from Azerbaijan was addressed. Representatives of the former NKAO Armenian community declared their opposition to the plan and suggested some changes.¹⁵ Amid this process, by the end of August 1993, Armenian forces had occupied Fuzuli, Jabrayil, and Qubadli. From September 21 to 28, the CSCE Minsk Group held meetings in Paris to evaluate the latest developments. The “Emergency Action Plan” presented by the CSCE to the parties was never implemented; to the contrary, Armenia continued to occupy Azerbaijani lands. Thereupon, the UNSC adopted Resolution 874 on October 14.

At a meeting of the CSCE Minsk Group held in Vienna on November 2-8, 1993, representatives of nine countries issued statements condemning the latest situation in the region. As a result, in a declaration adopted by the joint request of the nine countries, the launch of military attacks and the occupation of new regions by force were considered a violation of CSCE principles. The nine countries called upon the invading forces to leave the Horadiz and Zangilan regions immediately and to implement the UNSC’s resolutions. Also in Vienna, the “Emergency Action Plan” for the implementation of UNSC Resolutions 822, 853, and 874 was again submitted for discussion by the parties by the CSCE Minsk Group.¹⁶ On November 11, the council adopted its Resolution 884 on the occupation of Horadiz and Zangilan. However, neither the four resolutions of the UNSC nor the “Emergency Action Plan” prepared by the CSCE Minsk Group to implement the council’s resolutions at the same time had any effect.

PATH TO TRUCE: RUSSIA AND THE CSCE

During the January-May 1994 period, while Armenia continued its invasionary attacks, mediation attempts by the CSCE and Russia con-

¹⁵ *Nezavisimaya Gazeta*, August 20, 1993.

¹⁶ *Adjusted Timetable of Urgent Steps to Implement*, UN Security Council Resolutions 822, 853, and 874, November 12, 1993-Azerbaijan Republic Foreign Affairs Ministry Archive.

tinued. Although Russia was a member of the CSCE Minsk Group, it had its own ideas about preserving its former influence in the region by prioritizing its own plan for peace. Azerbaijan, on the other hand, did not want Russia to become too powerful, so it wanted the country to mediate within the framework of an international or regional organization, not on its own. In this context, the president of the Kyrgyzstan Supreme Assembly, acting as a representative of the Commonwealth of Independent States (CIS) Interparliamentary Council, and the special representative of the president of Russia visited the cities of Baku, Yerevan, and Khankendi between March 31 and April 3, 1994. During the CIS Heads of State summit held in Moscow on April 15, the heads of state of Russia, Azerbaijan, and Armenia came together and discussed the issue. During the summit, a joint statement on “the events in and around the Nagorno-Karabakh region” was also published.

The CSCE delegation visited the region between April 26 and May 2, 1994. On May 4-5 in Bishkek, within the framework of the CIS Interparliamentary Assembly, the representatives of the Kyrgyz Republic Parliament and the Ministry of Foreign Affairs of Russia brought together the heads of the Armenian and Azerbaijani parliaments, and the representatives of the former NKAO's Azerbaijani (Azerbaijani Turks) and Armenian populations. During this meeting, the Bishkek Protocol was signed on May 5, 1994 as a step towards peace. In this protocol, which would form the basis for the ceasefire agreement that would be signed later, the names of only Armenian representatives (separatists) of the former NKAO were mentioned, as well as the officials of Azerbaijan, Armenia, and the mediator states. Thereupon, Deputy Chairman of the Azerbaijan National Assembly Afiyaddin Jalilov, who did not sign the document signed by the other parties, returned to his country. After Jalilov's return, this time Yeltsin's special representative for the Karabakh conflict, Vladimir Kazimirov, came to Baku and asked the Azerbaijani side to sign the protocol. After negotiations held in Baku, it was decided that the protocol would be signed between Azerbaijan and

Armenia, and that the representatives of the former NKAO Azerbaijani and Armenian communities would sign with the status of “related party.” Azerbaijan signed this amended version of the document.

In short, the protocol emphasized that the clashes in the former NKAO and its surrounding regions harmed the Azerbaijani and Armenian peoples and the other peoples of the region; the CIS summit on April 14, 1994 supporting the cessation of armed conflict and reconciliation; the efforts of the Interparliamentary Council and the CIS toward this end; and the necessity of enforcing the resolutions on the conflict adopted by the UN and the OSCE (above all UNSC Resolutions 822, 853, 874, and 884). In addition, referring to the protocol signed in Moscow between the defense ministers of Azerbaijan, Armenia, and Russia on February 18, 1994, it was stated that a consensus had been reached on a ceasefire and the return of refugees beginning on the night between May 8 and May 9. However, since the Bishkek Protocol could not be signed on time, the ceasefire agreement between the defense ministers was only realized on May 9, 1994 and the ceasefire went into effect as of May 12.

POST-CEASEFIRE PEACE NEGOTIATIONS: RUSSIA’S ATTEMPT TO MONOPOLIZE THE CONFLICT

In the period after the ceasefire, Vladimir Kazimirov, Russia’s representative in the Minsk Group, visited the region frequently in June and July 1994 and held meetings.¹⁷ Kazimirov stated that the purpose of the talks was to “strengthen the ceasefire and prepare the ‘Great Political Agreement.’” The agreement proposed by Russia envisaged a four-stage solution to the Karabakh problem, as reported in the media. In the first stage, the military forces of the parties were to withdraw 5-10 kilometers, the Armenian forces were to withdraw from Agdam

¹⁷ V. Mitayev, “Rossiya i Zapad v Karabakskom Konflikte”, <http://www.zakafkazya.org>, (Accessed: November 28, 2020).

and Fuzuli within two days, and the creation of a security zone with peacekeepers and observers was stipulated. In the second stage, the withdrawal of Armenian forces from Jabrayil, the exchange of hostages and prisoners of war, and the return of Aghdam and Fuzuli immigrants was planned. In the third stage, the Armenians were to withdraw from Zangilan, Qubadli, and Kelbajar within three weeks, operation of the natural gas line passing through Armenia to Nakhchivan would begin, and a resumption of rail and road transportation would be restarted. In the final stage, the status of Nagorno-Karabakh, Lachin, and Shusha would be negotiated.

With the signing of the proposed agreement, Russia aimed to send its own army to the conflict zone and thus strengthen its position in the entire Caucasus. But Western states opposed Russia's attempts to reassert its influence in the Caucasus. In this regard, the United States, in particular, expressed its objections. Therefore, there was a clear objection from the West to Russia's demand to grant "UN peacekeeping force" status to its military forces. The harsh attitude of the West on this issue was also reflected in official statements of the representatives of the USA, England, Germany, and Turkey. The U.S. Representative to the CIS James Collins stated that they would not allow the armed forces of any state to be brought to the conflict zone alone and that they prioritized seeking a solution to the problem only within the scope of the CSCE.

Within the framework of the peace plan, Azerbaijan opposed only the placement of Russian soldiers in the region as peacekeepers. Making a statement in July, President of Azerbaijan Heydar Aliyev stated that they could accept the entry of Russian soldiers into the region within a multinational CSCE peacekeeping force.¹⁸ The fact that the negotiations held in Moscow with the mediation of Russia between

¹⁸ "Azerbaycan Respublikasının Prezidenti Heyder Eliyevin Utro Rossii Qezetine Mühahidəsi - 6 iyul 1994-cü il", <https://lib.aliyevheritage.org/az/7235858.html>, (Accessed: November 28, 2020).

August and September did not yield any results demonstrated that Russia's attempts to mediate alone were unsuccessful. Subsequently, the CSCE Senior Council decided on September 16 that the peacekeeping force to be sent to the conflict area should be multinational.¹⁹

On October 24, 1994, at the special meeting of the CSCE, a proposal by Italian Deputy Minister of Foreign Affairs Martini on how to establish a peacekeeping force was accepted. Within the framework of this accepted plan, up to 3,000 soldiers and necessary military equipment would be deployed to the region. The plan stipulated that one state can represent a maximum of 30 percent of the military force in the peacekeeping force to be sent to the region under the responsibility of the Minsk Group. The first reaction to the idea of sending the CSCE peacekeeping force to the region came from Russia, which thought that the conflict would escape from its own control. However, the plan, which was accepted by Azerbaijan, was rejected by Armenia.

At the CSCE Budapest Summit meeting held in December 1994, the structure of the Minsk Group was changed and a co-chairmanship system was established instead of a single-chairman system. At this meeting, during which Russia was given permanent co-chairmanship status within the Minsk Group, it was also decided that NATO and Russia should form a joint peacekeeping force and that these forces could first be deployed in the conflict zone between Armenia and Azerbaijan (actually, in the Azerbaijani territories occupied by Armenia).²⁰ With this decision, the CSCE gave Russia the position of permanent co-chairman in the Minsk Group, reducing its reactions, and attempting to prevent the issue of the conflict's resolution from leaving the framework of the CSCE and being monopolized by the Moscow administration.

¹⁹ Arsen Gasparyan, "Dinamika Karabakskovo Konflikt; Rol Rossiskoy Federasii v Evo Uregulirovani", <http://www.coc.org/journal/cac06-1999>, (Accessed: November 28, 2020).

²⁰ Manvel Sarkisyan, *Politicheskiye Problemi Kavkaza: Armeniya, Politika Armenii v Regione*, (The Armenian Center for National and International Studies, Yerevan: 1995), p. 55.

During meetings in Moscow in May 1995, the Yerevan administration made the sudden decision not to participate in the Minsk Conference talks. Thus, not only Moscow but also the Helsinki and Baden-Baden talks, which were planned to be held between June and July 1995, were ineffective. The Baku administration had only one gain in 1995 that can be considered a political success. This was the addition of Lachin to the first stage of the plan for the evacuation of Azerbaijani lands occupied by Armenia upon the suggestions of the Minsk Conference co-chairmen V. Lozinski and H. Talvitye in the Minsk Group meetings held in Moscow between September 3 and 9.

In late February 1996, OSCE President Flavio Cotti, OSCE Minsk Conference Co-chairs V. Lozinsky and H. Talvitye, and Minsk Group Co-chairs V. Kazimirov and R. Niberg visited the region. During the visit, Flavio Cotti stated that he supported Azerbaijan's proposal to establish an autonomous structure within the borders of Azerbaijan within the framework of the former NKAO, and that all kinds of assistance would be provided to resolve the conflict. Cotti stated that international organizations such as the OSCE also had difficulties in resolving such conflicts and underlined that the parties to the conflict should come together to achieve peace.²¹ U.S. Deputy Secretary of State Strobe Talbott, who visited the region after the OSCE representatives, also argued that direct talks between the Azerbaijani and Armenian authorities were essential. Kazimirov, the Russian co-chair of the Minsk Group, stated that he did not believe that a positive result will come from the talks between Baku and Yerevan.

From June 15-18, 1996, the OSCE Minsk Group held a new meeting in Moscow.²² These talks also focused on the provision of a withdrawal from Shusha and Lachin and the establishment of security for both sides, but the Armenian side indicated that Azerbaijan's military capacity had developed significantly and, claiming that this

²¹ *Panorama*, March 6, 1996.

²² *Nezavisimaya Gazeta*, July 2, 1996.

would always pose a threat to Armenia, stated that it would not be possible to withdraw from Shusha and Lachin. Armenia displayed similar attitudes during the meetings held in Stockholm in July 1-5. By the time the OSCE summit meeting was held in Lisbon on December 2-3, there was still no recommendation accepted in the Minsk Group meetings or in the bilateral meetings held in Frankfurt and Amsterdam.²³

TESTING THE OSCE'S SINCERITY ON THE KARABAKH CONFLICT: THE LISBON SUMMIT

One of the most important agenda topics of the OSCE Lisbon Summit held December 2-3, 1996 was the Armenia-Azerbaijan conflict. During the meeting, Azerbaijan stated that it would consent to the establishment of an autonomous structure at the highest level within the framework of the former NKAO, provided that it preserved its territorial integrity within the framework of OSCE principles. This proposal by Azerbaijan was supported by all the members of the OSCE Minsk Group, except Armenia. Toward this end, the territorial integrity of Azerbaijan and Armenia was emphasized in Article 20 of the final declaration of the Lisbon Summit, and other matters expressed were included. However, although Armenia affirms the OSCE's basic principles, it vetoed Article 20 of the final statement and demanded that it be removed from the statement. On the other hand, the Azerbaijani side declared that it would use its veto power if the article emphasizing the principle of territorial integrity was removed from the text.

Faced with the possibility of not making the final declaration at the summit, a "middle ground" was secured, particularly through the mediation of Turkey and France. Accordingly, Article 20 was removed from the text and Azerbaijan agreed not to invoke its veto power. In response, OSCE Chairman-in-Office Cotti prepared a special statement containing the wishes of Azerbaijan and this statement

²³ *Nezavisimaya Gazeta*, November 1, 1996.

was approved and published by 53 member states. In the statement published by Cotti, three basic principles were emphasized in terms of solving the problem: The territorial integrity of Armenia and Azerbaijan, the establishment of an autonomous structure with the highest status within the framework of the former NKAO in Azerbaijan, and ensuring the security of the entire population of the autonomous structure in question.²⁴

After the Lisbon Summit, some changes were made in terms of co-chairmanship in the OSCE Minsk Group. First, a co-chairman representing France and then a co-chairman from the USA were appointed to the Minsk Group. With the start of the tripartite co-chairmanship system in the Minsk Group in 1997, the Minsk Conference was first removed from the agenda, and then the process was monopolized by the co-chairs by excluding other participating countries from the process.

SOLUTION RECOMMENDATIONS OF THE MINSK GROUP CO-CHAIRS

In the post-Lisbon Summit state, attempts to solve the Karabakh problem were carried out within different frameworks. The heads of state, foreign ministers, and representatives (co-chairs) of the co-presidential countries in the Minsk Group held meetings with each other as well as with the authorities of Azerbaijan and Armenia, and organized visits to the region. The aim of all these studies was to keep the problem under control rather than to find a radical solution to the conflict. Numerous suggestions were brought to the agenda by the co-chairs, some as plans and some as principles. Among these proposals, the three proposals which were published in the Azerbaijani press in 2001 included the most comprehensive plans for the solution of the problem.

²⁴ For the complete text of the document see: "Statement of the OSCE Chairman-in-Office", OSCE, Lisbon Document 1996, 3 December 1996, <https://www.osce.org/files/f/documents/1/0/39539.pdf>, (Accessed: November 28, 2020), p. 15.

These three drafts, which were kept secret for a long time, were named “Total Solution”, “Progressive Solution”, and “Joint State,” respectively. In all three of the drafts, economic factors were emphasized and it was stated that peace is essential to the development of the region, to the improvement of living standards, and for foreign investment to come to the region. It was emphasized that the agreement to be signed would contribute to prosperity by increasing positive expectations for the future of the region and the cooperation between the peoples of the region. The drafts envisaged the establishment of a “Permanent Joint Commission” for the solution of problems that may arise between “Azerbaijan and its Nagorno-Karabakh region,” and an “Azerbaijan-Armenia Bilateral (or Intergovernmental) Commission” for the development of relations between Azerbaijan and Armenia. In addition, all three drafts emphasized that the armed forces of Armenia should return to their own borders. However, it was also stated that the Azerbaijani security and security forces should not enter this region without the consent of the “Nagorno-Karabakh administration.”

In the introductory part of the “Total Solution” agreement (formally called “Multidimensional Agreement on Resolving the Nagorno-Karabakh Conflict”), which was the first draft put forward on July 18, 1997, it is stipulated that the parties should adhere to the UN Charter, the basic principles of the OSCE, the general rules of international law, and UNSC Resolution 822. It was emphasized that they should comply with Resolutions 853, 874, and 884. According to this draft, the parties should sign two agreements on the problem, one of which would determine the terms of peace and the other the status of Nagorno-Karabakh. In the first agreement to be signed, the parties would commit to full compliance with the unarmed solution process and the Armenian army would withdraw into its own country’s borders. This article meant the OSCE’s admission of the presence of the Armenian army in Azerbaijani territory.

The second part of the agreement stipulated that all the conflicting parties should accept the territorial integrity of Azerbaijan and Armenia, and that a political structure would be established in Nagorno-Karabakh within Azerbaijan. In this section, it was also stated that the constitution and laws of the new state structure to be established in the Nagorno-Karabakh geography would be valid and that this structure could have an army and police forces.²⁵ Although the Azerbaijani side made such concessions, Armenia did not agree and rejected the plan presented by the co-chairs. Following this, a series of new meetings were held. On October 10, 1997, in particular, the presidents of Azerbaijan and Armenia even made a joint statement in Strasbourg that they were close to a solution and that they generally accepted the proposals of the co-chairs.²⁶

The “Progressive Solution” (officially called “Convention on the Cessation of the Nagorno-Karabakh Armed Conflict”), which was officially presented to the parties on December 2, 1997, primarily emphasized the establishment of peace and the preparation of the conditions for the return of refugees; it envisaged later negotiations to agree to a compromise over the status of the autonomous structure to be established in the region, the districts of Lachin, Shusha, and former Shaumyan.²⁷ The draft foresaw the deployment of peacekeeping forces to the region following these first steps. While the Azerbaijani administration accepted the plan and Armenian President Ter-Petrosyan stated that he accepted the plan, the process was interrupted when he was forced to resign in February 1998 due to pressure and threats. After Robert Kocharyan came to power in March 1998, Armenia officially

²⁵ “Dağlıq Qarabağ Munaqişesinin Aradan Qaldırılmasına Dair Herterefli Saziş”, Azerbaijan, February 21, 2001; “Minsk Group Proposal (Package Deal)”, (June 1997), <https://www.legal-tools.org/doc/4b2ddb/pdf>, (Accessed: November 28, 2020), pp. 76-79.

²⁶ “Armenian, Azerbaijani Presidents Meet”, HRI, 13 October 1997, <http://www.hri.org/news/balkans/rferl/1997/97-10-13.rferl.html#02>, (Accessed: November 28, 2020).

²⁷ “Dağlıq Qarabağ Silahlı Munaqişesinin Dayandırılması Haqqında Saziş”, Azerbaijan, February 21, 2001; “Minsk Group Proposal (Step-by-Step Deal)”, (December 1997), <https://www.legal-tools.org/doc/8760bb/pdf>, (Accessed: November 28, 2020), pp. 79-81.

withdrew its positive response to the proposal during a visit of the co-presidents to the region.

The fact that the first two plans were not accepted by Armenia clearly demonstrated that it was the country primarily responsible for the deadlock. At the initiative of Russia, which was disturbed by this, a new plan was prepared that ran contrary to international law. The final draft, presented on November 7, 1998, was called the “Joint State” (officially “Convention on the Principles of a Multidimensional Resolution of the Nagorno-Karabakh Armed Conflict”), and envisaged the establishment of the “Nagorno-Karabakh Republic” and the creation of a joint state with it within the borders of Azerbaijan. The draft stated that a joint committee consisting of the heads of state, prime ministers, and parliamentary representatives of Azerbaijan and Nagorno-Karabakh should be established to govern the joint state. Additionally, the draft stipulated Armenian as the official language of Nagorno-Karabakh, and detailed that Nagorno-Karabakh could print its own money if it desired.²⁸ This third proposal was prepared especially at the initiative of the Russian co-chairman, and ignored the basic principles of international law and UNSC resolutions on the problem; it was not accepted by Azerbaijan.

The co-chairs attempted to initiate new peace processes by putting forward new initiatives in 1999, 2001, 2004, and 2007. Especially in 1999, upon the recommendation of the U.S. co-chairman, bilateral meeting traffic began between the parties. One of the most important meetings was held on October 11, 1999. This famous “Sadarak meeting,” the content of which remains secret, is thought to have been of critical importance in terms of solving the problem. Intensified negotiations and preparations during this period indicated that there was a high probability of signing a peace agreement with the media-

²⁸ “Dağlıq Qarabağ Silahlı Münaqişesinin Hərterefli Həllinin Prinsipləri Haqqında”, Azerbaijan, February 21, 2001; “Minsk Group Proposal (Common State Deal)”, (November 1998), <https://www.legal-tools.org/doc/f2c2f3/pdf>, (Accessed: November 29, 2020), pp. 81-83.

tion of the USA during the OSCE Istanbul Summit. However, just before the OSCE Istanbul Summit, a terrorist attack was carried out against the Armenian Parliament. Some armed Armenians, allegedly angry with the Kocharian administration, attacked the parliament in session on October 27, 1999 and shot “randomly,” killing Prime Minister Vazgen Sargsyan, Parliament Speaker Karen Demirchyan, and six deputies.²⁹ It was not possible to sign an agreement on the Karabakh conflict at the OSCE Istanbul Summit in the aftermath of this development.

Although high hopes were placed in negotiations held in Strasbourg and Paris in January 2001, in Paris in March 2001, and in Key West (USA) in April 2001 with the mediation of the OSCE Minsk Group co-chairs, a solution could not be reached. In 2004, in an initiative of the co-chairs, the Prague process began and in order to speed up the negotiations, the presidents of Azerbaijan and Armenia appointed a special representative for the solution of the Karabakh conflict, but this process did not yield any results.

On November 29, 2007, the foreign ministers of Azerbaijan and Armenia met with the co-chairs of the Minsk Group in Madrid. In this meeting, the Minsk Group co-chairs presented a new proposal to the parties, which would be referred to as the “Madrid Principles.” In the statement released by the Minsk Group co-chairs after the meeting, it was stated that “in the last three years of the talks on the peaceful settlement of the Nagorno-Karabakh conflict, the contradictions between the positions of the parties have decreased significantly and only a few issues remain.”

The Madrid Principles make specific recommendations to both the Armenian and Azerbaijani authorities party to the issue, as well as to the mediators and the international community. The recommendations presented to the Azerbaijani and Armenian authorities are as follows:

²⁹ “Armenia’s Prime Minister Killed in Parliament Shooting”, CNN, October 27, 1999.

- Agreement to compromise on a document comprising the following principles until the 2008 elections: a guarantee of security and the deployment of international peacekeeping forces; the withdrawal of Armenian and Nagorno-Karabakh armed forces – under special conditions for Kelbajar and Lachin – from all occupied regions surrounding Nagorno-Karabakh; the right of return for all refugees and migrants; the final determination of Nagorno-Karabakh's status to be by vote, and the assignment of a temporary status until that time; and the opening of all transportation and trade routes.
- In the event that agreement cannot be reached on a document including all issues, agreement upon those issues on which it is possible to agree, and a clear indication of the controversial issues.
- The preparation of a suitable environment for a positive approach to peace and the necessity of concessions during the 2008 election campaign period.

Recommendations to the governments of Armenia and Azerbaijan and the de facto administration in Nagorno-Karabakh include the following:

- Respecting the 1994 ceasefire agreement, refraining from the use of force, avoiding increases in military spending, mutual accusations, and irreconcilable and provocative rhetoric.
- Facilitating an atmosphere of reconciliation within the framework of public diplomacy and the stated principles, encouraging parliaments to open such discussions, and facilitating relations between Azerbaijanis and Armenians.

- The de facto administration of Nagorno-Karabakh putting an end to privatization, infrastructural development, and illegal construction in the occupied territories, including the resettlement of Armenians in these regions.
- Azerbaijan making efforts to provide Karabakh Azerbaijanis with the opportunity to elect the leader of their own community, to increase transparency, and reduce corruption so that all citizens, including refugees, can benefit from oil revenues.

Recommendations to the representatives of Minsk Group co-chairs France, Russia, and the USA, and the international public are as follows:

- Increasing joint efforts to reach a consensus on basic principles, continuing the negotiation process after the 2008 elections in Armenia and Azerbaijan, and clarifying the differences of opinion that arise in this process.
- Raising the level of representation of the co-chairing countries, and prioritizing the solution of the problem in bilateral and multilateral relations with Armenia and Azerbaijan.
- Avoiding the spread of more information regarding the content of the talks and avoiding raising expectations with overly optimistic statements.

Although Armenia initially agreed to these principles, it behaved differently when it came to implementation and so the process stalled. Thereupon, in 2009, the Minsk Group presented new proposals to the parties, expressed in six articles:

- Return of the Armenian-occupied territories surrounding Nagorno-Karabakh to Azerbaijani control.
- An interim status for Nagorno-Karabakh providing guarantees for security and self-governance.

- The right of all internally displaced persons and refugees to return to their former places of residence.
- Opening a corridor linking Armenia to Nagorno-Karabakh.
- Future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will.
- International security guarantees that would include a peacekeeping operation.

However, the renewed Madrid Principles suffered a similar fate due to Armenia's uncompromising stance. Following on the heels of Astrakhan, Kazan, and Astana in 2010, the Sochi talks in 2012 and Paris talks in 2014 did not yield any results.

After a provocation by Armenia in April 2016, the intensification of conflicts between the two countries mobilized the co-chairs, and efforts for a solution "supposedly" intensified and new recommendations, known as the "Lavrov plan," were put on the table. Although Armenia did not object to this plan, it did not take any steps in practice and continued its occupation of Azerbaijani lands. Especially since 2008, Azerbaijan has made calls for more serious efforts to comply with the basic rules of international law, and for international organizations, especially the UNSC, to enforce the relevant resolutions. In the 2010s, both Azerbaijan and Turkey (and occasionally Iran) accused the co-chairs of not working to get results and contributing to the continuation of the occupation.

Indeed, the co-presidents had begun working as if their primary responsibility was not the resolution of the conflict, but extending the deadlock. Armenia's steps violating the basic principles of international law, its failure to implement UNSC resolutions, its constant organization of provocative attacks on the front line, and the targeting of civilians in these attacks completely weakened the trust and belief in the system established with the Minsk Group co-chairs.

CONCLUSION

The problem, which appears as a typical post-Soviet territorial and sovereignty dispute in the literature, primarily comprises the occupation of a region within the recognized borders of Azerbaijan by its neighbor Armenia. This occupation was strengthened by the war between 1991 and 1994, in which Russia actively supported the armed elements of Armenia. In 1994, when a ceasefire protocol was signed in Bishkek, nearly 20 percent of Azerbaijan total territory was under occupation. This situation remained largely unchanged until 2020. Despite this, the ceasefire was violated many times and many people lost their lives.

In order to solve the problem, there have been initiatives aimed at a solution from both regional states and some international organizations. Although the initiative put forth by Yeltsin's Russia, in which Kazakhstan participated and which resulted in the Zheleznovodsk Declaration, was a notable step, the attempt was aborted after Armenia shot down a helicopter in the region carrying Azerbaijani, Russian, and Kazakh officials.

The CSCE initiative, on the other hand, was initiated in the early stages of the conflict and was seen as the most comprehensive peace-seeking attempt. The CSCE Minsk Group, which is frequently encountered in the literature in the context of the Karabakh issue, is the result of this initiative. The international conference planned to convene in the Belarusian capital Minsk for the solution of the problem, but never met. Nonetheless, the group formed with this name and its co-chairmanship institution was seen as the primary foundation for a solution. However, in the quarter century that has passed, this platform has not taken any solid steps apart from partial diplomatic efforts.

With the signing of the Bishkek Protocol in 1994, a ceasefire was achieved. The Armenian side's attempt to bring the Karabakh Armenians to the table as a third party did not go unnoticed amid this process, but the Baku administration did not consent to this. Although the 1994 ceasefire stopped the all-out front war of the parties, it began a

period during which frequent violations occurred along the front and led to significant loss of life. Additionally, the four important, consecutive UNSC resolutions following the occupation of Kelbajar were perhaps the most important point regarding the determination of the problem and indication of the path to a solution.

At the OSCE Lisbon Summit held at the end of 1996, disagreement arose over an article in the final declaration regarding the confirmation of the territorial integrity of the parties, due to an objection from Armenia, and ultimately the decision was made to establish an autonomous structure with the highest status within the framework of the former NKAO in addition to the territorial integrity of both states. With the changes made to the structure of the Minsk Group in 1997, the initiative regarding the problem was brought under the control of the co-chairmanship system. The “Total Solution”, “Progressive Solution”, and “Joint State” options, which gained visibility in the 2000s and were known to have been raised during the negotiations at the end of the 1990s, did not materialize due to the objections and reservations of the parties.

The most concrete results that were reflected to the public throughout the entire negotiation history emerged in the meetings held in Madrid in 2007. The results included a series of recommendations for the governments of Armenia and Azerbaijan, as well as the de facto administration in Nagorno-Karabakh, but the co-chairs of the Minsk Group (France, Russia, and the USA), the international community, and the European Union were unable to yield a concrete consensus. For although Armenia initially adopted these principles, it later refused to apply them.

While the expectations that the activities of the Minsk Group will yield results have weakened with each passing year since 2010, provocative attacks by Armenia along the front became more frequent. In 2016, Armenia paid the price for these attacks by losing some important positions. A similar loss occurred in Nakhichevan in the spring of 2018.

Although the OSCE Minsk Group has laid the foundation for various negotiations since its establishment and made attempts to bring the parties together, it has not been successful in prioritizing the integrity of a UN-recognized state and bringing the occupying side into alignment with legal boundaries. This attitude strengthened Armenia's belief that the actual situation shaped by its occupation could gain a legal basis, and the Yerevan administration sought ways to accrue new gains against Azerbaijan in the field. Thus, the problem continually bore the risk of active conflict or even all-out war.

Although it has achieved the status of permanent co-chair of the Minsk Group, Russia's desire to launch initiatives on its own has been revealed from time to time. On the other hand, Azerbaijan's and Turkey's criticisms of the OSCE and its Minsk Group based on their failure to take constructive and realistic steps toward the conflict's solution were ever increasing, and these criticisms found overwhelming support in the public opinion of the countries. After Azerbaijan's victory in the war that started on September 27, 2020, it can be said that the failure of the negotiation processes within the scope of the OSCE has been registered and a partial solution of the problem has been achieved through "force."



THREE

THE SECOND KARABAKH WAR



THE ROAD TO THE SECOND KARABAKH WAR

FERİD ŞEFİYEV*

VASIF HUSEYNOV**

INTRODUCTION

On the threshold of the dissolution of the Soviet Union at the end of the 1980s, a violent dispute broke out between Soviet Armenia and Azerbaijan, caused by a call from Armenian nationalists to carve out the Nagorno-Karabakh autonomous region of Azerbaijan and unify it with Soviet Armenia. After the breakup of the Soviet Union, Armenia launched a full-scale military operation against Azerbaijan in 1992–94, which resulted in the occupation of almost twenty percent of Azerbaijan's internationally recognized territory. The occupied territories included the Nagorno-Karabakh region and seven districts adjacent to Azerbaijan.

In 1993, the UN Security Council adopted four resolutions – 822, 853, 874, and 884 – demanding the withdrawal of Armenian troops from the occupied Azerbaijani territories. The resolutions reconfirmed the Nagorno-Karabakh region and the other occupied territories as part of the Republic of Azerbaijan. The military hostilities persisted, however, after the adoption of these resolutions and a ceasefire was only reached in May 1994, through the mediation of Russia, in Bishkek, Kyrgyzstan.

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The peace negotiations between the two parties to the conflict were entrusted to the mediation of the Conference for Security and Cooperation in Europe (CSCE) – which was later renamed the Organization for Security and Cooperation in Europe (OSCE) – in line with a regional arrangement under Chapter VII of the UN Charter. Since the mid-1990s, the Minsk Group of the OSCE, an international mission including eleven states and co-chaired by the United States, Russia, and France, has coordinated the conflict resolution process.

At the OSCE Lisbon Summit in 1996, three principles were established as legal bases for the peaceful settlement of the process: (1) The territorial integrity of the Republic of Armenia and the Republic of Azerbaijan; (2) The legal status of Nagorno-Karabakh defined in an agreement based on self-determination, which confers on Nagorno-Karabakh the highest degree of self-rule within Azerbaijan; (3) Guaranteed security for Nagorno-Karabakh and its population, including mutual obligations to ensure the compliance by other parties with the provisions of the settlement.

The adoption of these principles was an important achievement in terms of laying the groundwork for further negotiations. The Minsk Group, on the basis of these principles, offered a number of settlement formulations in the meantime. The so-called Basic Principles, also known as the “Madrid Principles,” presented by the co-chair states of the Minsk Group in November 2007 in Madrid, Spain, held the highest potential for an effective and peaceful resolution.³⁰ According to this document, the territories surrounding the Nagorno-Karabakh region were supposed to return to Azerbaijan’s control. Nagorno-Karabakh would be given an interim status and provided with guarantees for security and self-governance, while its final legal status would be determined later by a legally binding expression of will (i.e., a plebiscite).

³⁰ “Statement by the OSCE Minsk Group Co-Chair Countries”, OSCE, <https://www.osce.org/mg/51152>, (Access date: 23 November 2020).

The international efforts to reach a resolution, however, failed to deliver a breakthrough owing to the consistent deconstructive moves of the Armenian government. Being interested in the prolongation of the status quo and consolidation of control over the occupied territories of Azerbaijan, the Armenian leaders refused to implement the Basic Principles. This aggravated the situation on the front line, sporadically causing violent escalations (e.g., in April 2016), and minimized hopes for a peaceful settlement.

The change of government in mid-2018 in Armenia initially generated hope for an eventual breakthrough. This was caused not only by signals from the highest level of the Armenian government, but also by the relatively peaceful environment on the front line. Unfortunately, it was soon clear that Armenia's new government, headed by Prime Minister Nikol Pashinyan, was abusing this process to consolidate its domestic control, as it soon revitalized extremist approaches relating to Armenia's claim to the occupied territories of Azerbaijan. This policy approach, bolstered by the belligerent rhetoric of Armenia's military top brass, destroyed any possibility for a negotiated resolution and led the process toward the grievous escalation on September 27, 2020, which went down in history as the Second Karabakh War.

THE FALSE PROMISE OF ARMENIA'S 2018 REGIME CHANGE

In the aftermath of the so-called Velvet Revolution of 2018, which brought Nikol Pashinyan to power in Armenia, a degree of optimism arrived at the negotiating table. In contrast to his predecessors, Prime Minister Pashinyan is not of Karabakh origin and is not associated with the war of the early 1990s. This was part of the reason that he was expected to show more constructivism with regard to the peace negotiations.

There were, indeed, a number of positive developments at the beginning of Pashinyan's rule. In late 2018, the leaders of Azerbaijan and

Armenia agreed on the establishment of a telephone hotline between the military commanders for the first time and, in January 2019, they agreed to take concrete measures to “prepare populations for peace.” According to recently declassified information, during this time the leaders of the two countries were also in private communication through an initiative from the Armenian side.³¹ It has been leaked that Armenia’s prime minister, Nikol Pashinyan, had indirectly communicated his desire to resolve the conflict through negotiations that took place secretly in an unspecified European country.

This happened against the backdrop of a substantial decline in the number of casualty-causing incidents to just a handful in 2019. For example, while 39 military personnel were killed in 2017, the year before Armenia’s power change in 2018, casualties dropped to 8, including one civilian, in 2019.³² Moreover, agreements on the establishment of humanitarian projects and allowing support visits by relatives of detainees held in each other’s territories, as well as visits by journalists, helped reduce tensions. In November 2019, the two countries performed the first exchange of journalists since 2001. Three journalists from each side joined the initiative and met with the expert community and media representatives from the other side. Importantly, Azerbaijani journalists were also allowed to visit the Nagorno-Karabakh region, where they met the local Armenian community.

The new situation in the conflict, on the one hand, indicated the importance of political will for de-escalation and, on the other hand, generated hope and favorable conditions for further agreements and an eventual breakthrough. Those expectations, unfortunately, did not ma-

³¹ Eynulla Fatullayev, “Secret Talks between the Envoys of Nikol Pashinyan and Ilham Aliyev” (Тайные переговоры между эмиссарами Никола Пашиняна и Ильхама Алиева), Haqqin.az, <https://haqqin.az/news/190193> (Access date: 23 November 2020).

³² “The Nagorno-Karabakh Conflict: A Visual Explainer”, International Crisis Group, <https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer> (Access date: 23 November 2020).

terialize, as an abrupt volte-face by Prime Minister Pashinyan caused a dramatic deterioration in the peace process and paved the way for new escalations. It later became clear that Pashinyan may have aimed for a degree of stability on the front line while he was busy with domestic power struggles. He soon abandoned his peace-building initiatives and demonstrated a more radicalized, nationalistic position towards the conflict.

First, in March 2019, Pashinyan and his government cast doubt on the internationally mediated negotiation process and attempted to change its format by bringing in representatives of the local regime in the occupied Karabakh region.³³ This attempt was challenged not only by Azerbaijan, but also by the OSCE's Minsk Group. It is important to recall that the founding documents of the Minsk Conference, dated March 24, 1992, defined the two parties to the negotiation: Armenia and Azerbaijan. Elected and other representatives from the Nagorno-Karabakh region of Azerbaijan would join the negotiation process only after consultation with and consent from all parties. This formula implied that, given some progress in the talks, both communities of the Nagorno-Karabakh region – Armenian and Azerbaijani – would become involved, as clarified by the Minsk Group chairman in a statement issued on September 15, 1992.

Armenia's military leadership demonstrated an even more deconstructive and markedly belligerent position. Addressing a meeting of the Armenian diaspora in New York in March 2019, Armenia's defense minister, Davit Tonoyan, declared that Yerevan would use the formula "new war for new territories" instead of the formula "peace in exchange for territories" proposed by the mediators. According to him, this strategy "will rid Armenia of this trench condition, the constant defensive

³³ Vasif Huseynov, "New Hope for a Breakthrough in the Nagorno-Karabakh Deadlock?", *The Central Asia – Caucasus Analyst*, <https://www.cacianalyst.org/publications/analytical-articles/item/13611-new-hope-for-a-breakthrough-in-the-nagorno-karabakh-deadlock?.html> (Access date: 23 November 2020).

state, and will add the units which may shift the military actions to the territory of the enemy.”³⁴ Tonoyan made this statement immediately after the OSCE-mediated meeting of the Prime Minister of Armenia with the President of Azerbaijan in Vienna, which resulted in a joint statement on the need to create a favorable environment for peace and the adoption of results-oriented steps in the negotiation process to find a peaceful settlement to the conflict.

An extremist position was also taken by the Armenian prime minister who, in August 2019, in his address at the opening ceremony of the Pan-Armenian Games that were held illegally in Khankandi, part of the Armenian-occupied internationally recognized territories of Azerbaijan, called for unification between Armenia and Karabakh, declaring “Karabakh is Armenia, period.”³⁵ Breaking with the tradition of former Armenian governments that had previously denied Yerevan’s control over the occupying regime established in the Nagorno-Karabakh region of Azerbaijan, he put the essence of the entire peace effort into question. Even Foreign Minister Sergey Lavrov of Russia, Armenia’s ally within the Collective Security Treaty Organization (CSTO), reacted to Pashinyan’s speech and highlighted that such statements “do not help the settlement of the conflict.”³⁶

In spite of this, there was no major international pressure on the Armenian government to refrain from provocative and dangerous rhetoric and participate constructively in the negotiations. On the contrary, the absence of an international backlash emboldened Prime Minister Pashinyan to derail the negotiations completely. In April 2020, his government denied the existence of any documents on the negotiating

³⁴ “We Do the Opposite – New War for New Territories”, Iragir.am, <https://www.iragir.am/en/2019/03/30/71511> (Access date: 23 November 2020).

³⁵ Joshua Kucera, “Pashinyan Calls for Unification between Armenia and Karabakh”, Eurasianet, <https://eurasianet.org/pashinyan-calls-for-unification-between-armenia-and-karabakh>, (Access date: 23 November 2020).

³⁶ Abdul Kerimkhanov, “What Did 2019 Mean in Terms of Karabakh Conflict?”, Azernews, <https://www.azernews.az/karabakh/160259.html> (Access date: 23 November 2020).

table, thereby rejecting all the efforts of the OSCE's Minsk Group, including the Madrid Principles.³⁷

Armenia declared this in response to the remarks of Russian Foreign Minister Sergey Lavrov about the peace negotiations between Armenia and Azerbaijan. Addressing a videoconference organized by the Alexander Gorchakov Public Diplomacy Fund, Lavrov expressed support for the existing “firmly established format of negotiations” and described the draft documents on the agenda to be a “very important step in implementing the [United Nations] Security Council resolutions.”³⁸ This caused particular concern in Armenia as the resolutions of the UN Security Council, adopted in 1993, demand the immediate withdrawal of Armenian military forces from the occupied territories of Azerbaijan.

In May 2020, in yet another provocative move, the Armenian side held an inauguration ceremony, with Prime Minister Pashinyan present, for the new so-called president of the local regime in the city of Shusha in occupied Nagorno-Karabakh – a place of deep cultural significance for Azerbaijanis. Having caused dramatic frustration amongst Azerbaijanis, such provocations, coupled with the growing militarization on the Armenian side, extinguished all chances for the resolution of the conflict at the negotiation table.

Not only did Pashinyan's irredentist nationalist rhetoric formed around “Greater Armenia” dreams anger the Azerbaijanis but it also caused resentment in Armenia's western neighbor, Turkey. Pashinyan seemed to have lost touch with reality when his government officially marked the 100th anniversary of a defunct treaty called the Treaty of

³⁷ Rahim Rahimov, “Russian Foreign Minister Reignites Conflict Debate in Armenia, Azerbaijan”, *Eurasia Daily Monitor*, <https://jamestown.org/program/russian-foreign-minister-reignites-conflict-debate-in-armenia-azerbaijan/>, (Access date: 23 November 2020).

³⁸ “Foreign Minister Sergey Lavrov's Remarks and Answers to Questions at a Roundtable Discussion with the Participants of the Gorchakov Public Diplomacy Fund in the Videoconference Format, Moscow”, Ministry of Foreign Affairs of the Russian Federation https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/4103828 (Access date: 23 November 2020).

Sevres, which would have dismantled the Ottoman Empire at the end of the wars in the 1910s and divided Ottoman territories, including Turkey, into several pieces.³⁹ The treaty obviously never entered into force and was replaced by the Treaty of Lausanne of 1923. In August 2020, Pashinyan proclaimed the Treaty of Sevres as a historical fact and insisted that “we are bound by duty to remember it, realize its importance and follow its message.”⁴⁰

The celebration of a treaty that has no legal force but is only a relic of humanity’s colonial past was not only a matter of populism at its finest, but also a manifestation of the embedded expansionism in Armenia’s vision of the region – a vision which also poses threats to Armenia’s own national security. There were, in fact, some sober-minded Armenians who saw the disaster coming and raised their voices against it. For example, Jirair Libaridian, who served as senior adviser to the former president of Armenia, Levon Ter-Petrosyan, warned Pashinyan’s government against “being obsessed with dreams,” adding that “I don’t know if our leaders did so knowingly, but the statements by the president and prime minister of Armenia were equivalent to a declaration of at least diplomatic war against Turkey... This was possibly the last step that will, in the eyes of our opponents and the international community, define the Karabakh problem as a question of territorial expansion.”

Against this background, Azerbaijan began to express its dissatisfaction with the international mediation more loudly, thereby underscoring the potential ramifications of Armenia’s provocations for peace and security in the entire region. On July 6, in one of his last media appearances before the Tovuz clashes, Azerbaijani President Ilham Aliyev openly criticized the international mediators in the negotiations,

³⁹ “Pashinyan: Treaty of Sevres Continues to Be a Historical Fact,” Panorama, <https://www.panorama.am/en/news/2020/08/10/Pashinyan-Treaty-of-Sevres/2341518> (Access date: 23 November 2020).

⁴⁰ Gerard Libaridian, “Step, This Time a Big Step Back,” Aravot, <https://www.aravot-ru.am/2020/09/02/335325/> (Access date: 23 November 2020).

declaring that the peace process had become “meaningless.”⁴¹ These concerns did not receive much international attention, which encouraged Armenia to organize systemic attacks against Azerbaijan on both the state border and in the occupied Nagorno-Karabakh region.

TOVUZ CLASHES: A HARBINGER OF A BIGGER WAR

On July 12-15, the conflict between Armenia and Azerbaijan escalated into a major military confrontation along the state border straddling Azerbaijan’s Tovuz and Armenia’s Tavush regions. The clashes, involving heavy artillery and aerial drones, resulted in the deaths of several military personnel and civilians along with the destruction of infrastructure in the border region. The attack – directly along the state border between the two rival South Caucasus neighbors – was a deliberate move by the Armenian side to lay the ground for the involvement of the Moscow-led CSTO in the conflict.

Notably, any hostilities in the Karabakh region itself or the surrounding Armenian-occupied areas do not fall under the jurisdiction of the alliance owing to the status of this area as part of Azerbaijan’s internationally recognized territories. In an attempt to invoke Article 4 of the CSTO Charter, which designates an attack on a member state as an attack against all members, Armenia’s foreign minister, Zohrab Mnatsakanyan, held a phone conversation with CSTO Secretary General Stanislav Zas. A few hours after their talks, the secretary general announced an emergency meeting of the organization; however, that meeting was soon postponed indefinitely, for unknown reasons.

Observers also assumed a plan to sever the connection between Azerbaijan and Europe as part of the motivation that led to the July

⁴¹ “Ilham Aliyev Attended the Inauguration of Modular Hospital for Treatment of Coronavirus Patients Opened in Khatai District of Baku”, President of the Republic of Azerbaijan, <https://en.president.az/articles/39491> (Access date: 23 November 2020).

clashes.⁴² Importantly, Azerbaijan's Tovuz district, where the clashes took place, is a region that hosts major energy pipelines (the Baku–Tbilisi–Ceyhan oil pipeline and the Southern Gas Corridor) and transportation routes (the Baku–Tbilisi–Kars railway and the East–West Transport Corridor) connecting Azerbaijan with Europe through Georgia and Turkey. Any instability in this part of Azerbaijan would deal a serious blow to its connection with its Western partners, with overarching consequences for both sides. Therefore, another assumption that deserves serious attention is the potential role of certain third parties which oppose the rise of Western influence in the South Caucasus in the recent escalation on the border.

Although the clashes in Tovuz calmed down quickly, they fueled tensions in the two warring countries. The news about the deaths of Azerbaijani Major General Polad Hashimov and Colonel Ilgar Mirzayev as a result of artillery shelling by Armenian military units on July 14 shocked the Azerbaijani society. This provoked unprecedented and spontaneous mass protests in Baku, with approximately 30,000 people flooding Azadlig (Freedom) Square and the parliament building demanding that the authorities take revenge on Armenia and immediately begin military mobilization. This unsanctioned mass rally was the largest in many years and succeeded in pushing the government to take a number of measures, including starting a voluntary recruitment process.

The Tovuz clashes were followed by an increased militarization of Armenian society and new policies to boost the country's military capabilities. This was reflected in both the amplified inflow of arms to Armenia from third countries and the country's formation of a militia of 100,000 female and male volunteers of up to 70 years old.⁴³ There

⁴² Brenda Shaffer, "Armenia-Azerbaijan Conflict Poses Threat to European Energy Security", Foundation for Defense of Democracies, <https://www.fdd.org/analysis/2020/07/17/armenia-azerbaijan-conflict-energy-security/>, (Access date: 23 November 2020).

⁴³ Ani Mejlumyan, "Armenia to Create Nationwide Civilian Militia", Eurasianet, <https://eurasianet.org/armenia-to-create-nationwide-civilian-militia> (Access date: 23 November 2020).

were reports about the shipment of tons of weapons from Russia to Armenia in the wake of the Tovuz escalation. The Azerbaijani government was not convinced by Russia's explanation that there were merely "construction materials" inside the aircraft that took complex transportation routes, as the shortest route via Georgia was unavailable thanks to the principled position of the Georgian government. Condemning the cooperation between Armenia and its external supporters, President Aliyev, in mid-September, declared that the cargo flights carrying arms from Russia to Armenia persisted in early September, adding that this "poses an existential threat to Azerbaijan because using these weapons... [Armenians] kill our military servicemen, they kill civilians."⁴⁴

This was accompanied by the resumption of the illegal settlement in the occupied Azerbaijani territories of Armenians who are based in foreign countries. A day after the catastrophic explosion in Beirut, Lebanon, on August 4, Arayik Harutyunyan, the leader of the occupying forces in Karabakh, declared that they were ready to receive 100–150 Armenian families. Later, speaking at an August 25 meeting devoted to assistance programs to Lebanese-Armenians, Harutyunyan declared that his administration would "welcome and provide housing to all [...] compatriots who wish to move" to Karabakh.⁴⁵ Armenia's illegal settlements in the occupied territories, which violated the Geneva Convention of 1949, aim at the consolidation of control over the region and the creation of a *fait accompli* for future negotiations.

These were the major signals of an upcoming war between the two countries. On September 19, President Aliyev of Azerbaijan warned that Armenia was "preparing for a new war... concentrating their forces near the line of contact... We follow their actions. Of course, we will

⁴⁴ "Ilham Aliyev Received Credentials of Incoming Ambassador of Greece", President of the Republic of Azerbaijan, <https://en.president.az/articles/40686> (Access date: 23 November 2020).

⁴⁵ "Two Lebanese-Armenian Families Settle in Artsakh", Asbarez, August 25, 2020, <http://asbarez.com/196423/two-lebanese-armenian-families-settle-in-artsakh/> (Access date: 13 October 2020),

defend ourselves.”⁴⁶ A day after this statement, tensions rose markedly on the state border between Armenia and Azerbaijan. As a result of this escalation, according to the report shared by the Defense Ministry of Azerbaijan on the morning of September 21, an Azerbaijani soldier was killed by the Armed Forces of Armenia in the Tovuz direction on the Armenia-Azerbaijan state border. Armenia’s sudden attack in the early morning of September 27 along the line of contact demonstrated that President Aliyev was right in his precautions. Azerbaijan was again under shelling from the Armed Forces of Armenia.

CONCLUSION

The protraction of the peace negotiations between Armenia and Azerbaijan against the backdrop of the absence of international pressure on Yerevan to abide by international law and the resolutions of the United Nations Security Council apparently had assured the Armenian leaders that their control of the occupied territories would remain unchallenged in the years to come. Relying on the security assurances within the Collective Security Treaty Organization (CSTO), not only did the country start to mock the negotiations, but it also sought to consolidate the status quo and build new settlements in the occupied territories. There was a belief that any military move by Azerbaijan to liberate its occupied territories would entail a Russian backlash that Baku would not dare face.

Prime Minister Pashinyan, in a speech before the Armenian parliament on November 16, 2020, acknowledged that Armenia’s strategy was the indefinite prolongation of the negotiations. He declared, “Since 1998, there has been only one topic in the negotiation process, in the negotiation content. The territories must be handed over to Azerbaijan. The policy of the Armenian side was to prolong this

⁴⁶ “President Ilham Aliyev: If the Armenians Do Not Give up Their Ugly Plans, They Will Face Very Serious Consequences”, Azertag, September 19, 2020, https://azertag.az/en/xeber/President_Ilham_Aliyev_If_the_Armenians_do_not_give_up_their_ugly_plans_they_will_face_very_serious_consequences-1589715 (Access date: 13 October 2020).

process.”⁴⁷ This meant participating in negotiations for the sake of negotiations without any intention of reaching an agreement or making compromises.

The imitation of negotiations by the Armenian government was coupled with their constant provocations challenging the limits of the patience of the Azerbaijani people. By shouting “Karabakh is Armenia, period,” denying the existence of any document on the negotiating table and thus rejecting the Madrid Principles, holding a so-called inauguration ceremony for the leader of the occupying regime in Shusha, a historical Azerbaijani town, planning to move the “capital” of the occupying regime to Shusha, adopting a military doctrine announcing “new war for new territories,” and so on, the Armenian government derailed the negotiations and caused new escalations.

The Tovuz clashes in July 2020 served as a harbinger of a bigger war between the two sides. Attacking the position of Azerbaijani Armed Forces on the state border, the Armenian side demonstrated its desire to expand the geography of the conflict, to draw in the third parties, and to realize its expansionist objectives. The clashes entailed rapid armament and societal militarization in Armenia, which turned out to be a guided preparation for an all-out war.

The Second Karabakh War came hard on the heels of these developments. Emboldened by security guarantees of its defense pact with the CSTO and the military deliveries from Russia, on September 27, Armenia attacked the positions of the Azerbaijani Armed Forces with the apparent objective of implementing Defense Minister Davit Tonoyan’s “new war for new territories” strategy. To the disillusionment of the Armenian side, Yerevan’s military gamble failed miserably.

⁴⁷ Diana Ghazaryan, “Pashinyan Admits Military Gamble to Impact Karabakh Negotiations Failed”, <https://hetq.am/en/article/124367> (Access date: 23 November 2020).

AZERBAIJAN'S CHANGING PARADIGM

METİN MAMMADLI*

INTRODUCTION

Within the framework of the Karabakh issue, it is possible to consider the Armenia-Azerbaijan conflict as one of the world's most complex and difficult to resolve. The Second Karabakh War, which started on September 27, 2020, and lasted 44 days, confirmed once more how dangerous the problem was and its potential to spread, posing risks to regional security.

The causes and consequences of the Second Karabakh War are being examined with interest in many countries, including Turkey. There is a great interest in the study of this war, especially in academic circles. The nature of the war, its consequences, and the seriousness of its impact on ongoing processes in the region give us cause to consider this interest only natural. The main purpose of this study is to examine the changing stance of Azerbaijan on the eve of the Second Karabakh War. In fact, Azerbaijan, which has pursued a strategy of rescuing the occupied lands through peace and diplomacy for many years, did not suddenly decide to go to war without a reason. In this respect, this study mainly examines the factors that led to Azerbaijan's changing paradigm.

In this study, the factors that emerged on the eve of the Second Karabakh War are summarized and analyzed under the following

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headings: (i) The historical roots, causes, and negotiation process of the Armenian-Azerbaijani conflict; (ii) The facts born of the “Velvet Revolution” changes in Armenia; (iii) New trends in Russia-Turkey relations and the role of the South Caucasus in these; and (iv) Azerbaijan’s position in regional geopolitics and a review of Baku’s official foreign policy strategy. Generally speaking, the study examines the issue in a broad context and draws concrete conclusions. Accordingly, the Second Karabakh War, which resulted in major military and political success for Azerbaijan, took place under the influence of a series of political, geopolitical, and military factors. In order to gain a detailed knowledge of this conflict and to reach a definite conclusion on how to resolve it, it is first necessary to focus on the causes of the conflict, its historical roots, and the negotiation process.

BACKGROUND OF THE ARMENIA-AZERBAIJAN CONFLICT

The ethnic, moral, historical, and concrete realities of Nagorno-Karabakh demonstrate that Armenia’s territorial claims are completely unfounded. Historically, it is not correct to refer to Armenians as among the peoples of the Caucasus. Before the Treaty of Turkmenchay of 1828, there were very few Armenians in Azerbaijan and its indivisible part, Karabakh. This point is also confirmed by Russian researchers:

Before the war of 1826-1828 between the Qajar monarchy and the Russian Empire, the number of Armenians in Elizavetpol province and Yerevan was small and insignificant.¹

Thus, in order to strengthen its position in the region, to assimilate the Caucasian Albanian Turks living in Karabakh, and to put an end to their ethnic identity, the Russian Empire decided to settle Armenians in Azerbaijan en masse and immediately implemented this decision. Armenians from the Qajar monarchy began to be resettled in Nakh-

¹ Н. Н. Шавров, *Новая Угроза Русскому Делу В Закавказье: Предстоящая Распродажа Мугани Инородцам*, (Элм: Ваку, 1990), p. 156.

ichevan, Yerevan, and Karabakh in order to fill out the Christian population as much as possible.²

The resettlement of Armenians in the Caucasus, including Azerbaijan, was carried out in several stages. As early as the first months of the war with Russia in 1826, 18,000 Armenian families were resettled from Van to the mountainous region of Karabakh. With the Turkmenchay Treaty of February 10, 1828, the Russian Empire legitimized the occupation of Northern Azerbaijan. Iran was authorized to resettle Armenians and other Christians from its own lands in Northern Azerbaijan. Within a short time following the agreement, 8,249 Armenian families were settled in the provinces of Yerevan, Karabakh, and Shirvan.³ In total, about 40,000 Armenians were resettled in Azerbaijan. Later, within the framework of the Edirne Treaty signed between Russia and the Ottoman Empire in 1829, 84,600 Armenians were resettled in the South Caucasus, primarily in the region from Lake Gokcha to the Karabakh mountains. In the following years, the number of Armenians resettled in the region reached 200,000.⁴ During this period, the Russian Tsardom provided all kinds of assistance to the Armenians it settled in the region.

As can be seen, the settlement of Armenians as an ethnic group in Nagorno-Karabakh dates back to the 1828 Turkmenchay Treaty. From this point of view, the claim that Nagorno-Karabakh is an ancient Armenian land has no scientific basis. Even after these migrations, Armenians as a nation in the Caucasus do not have the moral and physical strength to compete with Azerbaijani Turks, Georgians, and other minorities. However, in the later periods of history, with the direct support of Tsarist Russia, Armenians strengthened their position in the region and established their state in this geography. Then,

² С. Н. Глинка, *Азербайжан Ермяниларинин Русийа Щцдоудларына Кючирцмлясинин Тясвири*, (Баку: Азербайжан, 1995), p. 126.

³ С. П. Зелинский, *Экономический Быт Государственных Крестьян Зангезурского Уезда Елизаветпольской Губерний*. / МИЭБКГКЗК. Т.4. е.2, Tbilisi: (1866).

⁴ V. Quliyev, *Ucalığa Gedən Yol*, (Gənclik, Baku: 1988), p. 83.

another step was taken and other regions such as Nagorno-Karabakh began to be seized.

The established historical facts show that the ethnic conflict in Nagorno-Karabakh is about two centuries old and that the conflict was caused by deliberate Russian policy. There are two main reasons for this ethnic conflict, which has in general afflicted both nations. First, the intolerance of Turks (from Anatolia or Azerbaijan) in the Armenian national consciousness and their habit of seizing foreign lands, and second, Russia's use of the Armenians to maintain its imperialist interests in the region. In other words, Armenians have played the role of Russia's outpost in the Caucasus for the last two centuries, and this policy has been implemented in the Tsarist and Soviet periods, and today. As a matter of fact, if we look at a few historical facts, it can be seen that Russia's imperialist policy has changed color many times in the past centuries, while its Caucasus policy has not changed.

Armenians stubbornly continued their separatist activities in Nagorno-Karabakh both in the Tsarist and Soviet periods. Finally, with Gorbachev's rise to power in the mid-1980s came about an atmosphere of "reconstruction" in the country and the special treatment by the new secretary-general of our notorious neighbors gave the Armenians the opportunity to implement their old plans for Nagorno-Karabakh. Taking advantage of these opportunities, Armenians began to make official demands for the annexation of Nagorno-Karabakh to Armenia in 1988 and also to organize mass rallies in Yerevan and Khankendi with the slogan of "Miatsum" (unifying with Armenia). Thus, due to the Armenians' unjust claims, the foundations were laid for the biggest territorial and ethnic conflict in the Caucasus, which continues to this day and poses major obstacles to the development of both Azerbaijan and Armenia.

At over 30 years old, the conflict can in general terms be divided into three historical phases in terms of its development prior to the Second Karabakh War: phase one encompasses the period between

1988 and 1991, and its main features are the conflict not yet being internationalized; the escalation of local armed clashes; the displacement of hundreds of thousands of Azerbaijanis and Armenians; and finally, the breakout of mass protests in both republics. Unfortunately, during this phase, the Soviet Union (USSR) leadership's lack of a just and determined stance on the problem played an important role in the deepening and spread of the new conflict. This position eventually became one of the factors that worked against the USSR. It is an undeniable fact that such ethnic conflicts had a major impact on the collapse of the Soviet Union. For example, the ethnic conflict in Nagorno-Karabakh and the events taking place in the background of this conflict played a special role in the establishment and strengthening of the National Liberation Movement in Azerbaijan and the loss of public trust in Moscow.

The second phase is the period between 1991 and 1994, when significant changes took place in the nature and form of conflict. In this period, with the collapse of the USSR, the conflict went beyond the borders of a country and became the subject of international negotiations. For now, the discussion was over the relations between two separate entities subject to international law. Local armed clashes were replaced by large-scale military operations. With military-political support from Russia, Armenia occupied about 20 percent of Azerbaijan's territory, including Nagorno-Karabakh. As a result of this occupation, hundreds of thousands of Azerbaijanis lost their homes and became internally displaced, the country's socioeconomic infrastructure was damaged by billions of *manats*, and most importantly, the national gene pool sustained serious damage. Thus, approximately 30,000 of our people were killed in military operations by 1994, and tens of thousands of our citizens were injured.

The third phase began with the signature of a ceasefire agreement in May 1994 and lasted until the Second Karabakh War. This stage can be characterized as the cessation of major military operations,

ineffective peace talks, and attempts to freeze the conflict that endangered Azerbaijan.

The OSCE, which serves to maintain peace in Europe and expand cooperation between countries, is the only international organization that has been mediating efforts toward the resolution of the Armenia-Azerbaijan conflict on the Nagorno-Karabakh issue since 1992. Yet, the OSCE has never achieved tangible results in terms of conflict resolution. In general, a full understanding of what stage the negotiation process is at can be obtained by looking at the activities of this organization over the past 26 years to resolve the conflict.

On March 24, 1992, the CSCE Ministerial Council decided to hold a peace conference under the auspices of the Senior Council to discuss the situation in the Nagorno-Karabakh region of Azerbaijan and to ensure a peaceful resolution of the conflict. Representatives of the United States (USA), Turkey, France, Germany, Italy, Czechoslovakia, Belarus, Sweden, Azerbaijan, and Armenia were expected to attend the conference. In May 1992, the CSCE Senior Council adopted a resolution defining the conference's organization, the terms of the meeting, and the powers of the chairman. The Minsk Group, established to hold the Minsk Conference, would take part in the conflict resolution process and as a result, a final document would be adopted in Belarus. At the same time, the Armenian side suggested that Nagorno-Karabakh Armenians attend the conference as a separate party, but the Azerbaijani side refused this, maintaining that Nagorno-Karabakh Armenians could attend the conference only as part of the Azerbaijan delegation. In general, the proposals of the CSCE Minsk Group and its chairman to resolve the conflict and achieve a ceasefire in 1992 did not materialize due to Armenia's unconstructive position.

From 1992 to 1997, the OSCE and the Minsk Group worked on many areas of conflict resolution. These activities included examples such as holding bilateral meetings between the parties to the conflict, resolutions adopted by the Minsk Group, resolutions adopted at

OSCE summits (Budapest in 1994 and Lisbon in 1996), etc. Along with Russia, France and the USA began to serve as co-chairs of the Minsk Group in 1996-1997. In June 1997, the co-chairs prepared its first package of proposals for the settlement of the conflict, entitled “Comprehensive Agreement on the Nagorno-Karabakh Conflict Resolution” and presented it to the parties. The offer consisted of two deals in one package.⁵ The first agreement called for an end to the armed conflict, and the second for the status of Nagorno-Karabakh. A two-phase withdrawal of armed forces was proposed.

In 1997, the Minsk Group co-chairs presented the second resolution model for the conflict, a package of step-by-step solutions. The co-chairs’ proposal was based on a two-stage solution. The first stage envisaged a withdrawal of Armenian military forces to the 1988 borders of the Nagorno-Karabakh Autonomous Region and the withdrawal of Azerbaijani forces to the lines agreed upon in accordance with the recommendations of the high-level planning group. In this stage, the liberation of six occupied rayons was planned. The fate of the Lachin region was to be decided at a later stage. In the second stage, the status of Nagorno-Karabakh was to be determined only in accordance with an agreement between the Nagorno-Karabakh administrative authorities and the Republic of Azerbaijan within the framework of the territorial integrity of Azerbaijan and the inviolability of its borders. This agreement would enter into force after being included in both the Azerbaijan and Nagorno-Karabakh Constitutions.

Despite some shortcomings, the Azerbaijani side accepted the offer. The issue was that although it was described as a so-called agreement project, the document did not specify exact mechanisms for resolving the conflict, but instead approximated aspects of the negotiation process, and therefore, the Azerbaijani side did not refuse accepting it as a foundation. Among the proposals presented to the parties in recent

⁵ “Dağlıq Qarabağ Silahlı Münaqişəsinin Hərtərəfli Həllinin Prinsipləri Haqqında”, *Respublika Qəzeti*, February 21, 2001.

years by the co-chairs, it should not be forgotten that the draft document is, above all, one of the most acceptable options in terms of both Azerbaijan's interests and justice. Meanwhile the proposal, which was also accepted by Armenian President Levon Ter-Petrosyan was not realized. Thus, Ter-Petrosyan was forced to step down due to certain internal and external factors.

The "Joint State" proposal put forward by the co-chairs in November 1998 did not satisfy Azerbaijan at all. It was stated therein that Nagorno-Karabakh would establish a joint state with Azerbaijan within the internationally recognized borders of Azerbaijan. Implementation of this proposal would mean Azerbaijan would lose its unitary state formation, assume the form of a confederation, and establish a common state with the Nagorno-Karabakh Armenians as a separate subject of international law. Such a proposal was, of course, unacceptable because it was incompatible with the principles of justice, the national interests of Azerbaijan, and the constitution.

Since 1999, a series of bilateral meetings have been held between the presidents of Azerbaijan and Armenia under the mediation of the presidents of the USA and France to resolve the conflict. Unfortunately, these talks did not yield results due to Armenia's unconstructive approach. Finally, another document (Madrid Principles) was prepared by the co-presidents during the negotiations which have been carried out by the presidents since 2004 and are better known as the "Prague process." This document was presented to the parties in November 2007 by the Minsk Group co-chairs. The first of the principles set out by this document is the staged liberation of the occupied territories surrounding Nagorno-Karabakh through a special approach to Kelbajar and Lachin. The second is the removal of soldiers from the occupied territories. The third principle is a referendum on the status of Nagorno-Karabakh (but the time and format of the referendum are not specified in the document). The fourth is the establishment of a commission for the implementation of the peace agreement. The

fifth stipulates international financial support of the peace process. The sixth principle envisages the return of refugees to their homes, the restoration of occupied territories, and the demining of the territories. The final principle is security guarantees.

The two main principles of the Madrid Principles which are dissatisfactory to Azerbaijan are the determination of the final status of Nagorno-Karabakh via referendum and the special approach to liberating Kelbajar and Lachin from occupation. Meanwhile, it should be noted that the Minsk Group co-chairs updated and resubmitted the Madrid Principles in 2009. The updated Madrid Principles are not significantly different from the previous principles, and it can be observed that the negotiation process is based on the Madrid Principles which have since been renewed.

On the other hand, in parallel, a direct negotiation process for the solution of the conflict was started as of 2008 between the presidents of Azerbaijan and Armenia with the mediation of Russia. The negotiation process continued at certain stages and resulted in the emergence of the “Kazan Document” in 2011, which defines the basic principles of the conflict. The Kazan Document was prepared almost entirely with the renewed Madrid Principles as a foundation and includes a step-by-step solution to the conflict. Although it raised some hopes for the future of the negotiation process, the Kazan Document did not bring a peaceful resolution to the conflict either.

One of the models presented to the parties to the conflict is the initiative called the “Lavrov plan,” named for the Russian foreign minister. Although Russia has not yet officially acknowledged the existence of the so-called Lavrov plan, which has been discussed since 2015, reliable sources and circles have confirmed that such a plan was presented to the parties to the conflict. According to the International Crisis Group, a Brussels-based think tank, the plan envisions the deployment of Russian forces around Nagorno-Karabakh, the gradual withdrawal of Armenian troops from the surrounding areas, and an

indefinite temporary status for the region. However, the plan did not specify the manner in which a referendum on the final status of Nagorno-Karabakh would be held or what its final legal status would be. Based on some media reports and serious sources, it is claimed that the Azerbaijani side agreed to negotiate the Lavrov plan, but the Armenian government refused.

Therefore, due to Armenia's uncompromising attitude, no results have been yielded from the negotiation processes. In this context, the main factors that brought about the Second Karabakh War and changed the paradigm of Azerbaijan in this regard are as follows:

- The “velvet” changes in Armenia in 2018.
- The new military doctrine officially adopted by Yerevan in recent years.
- New trends in Russian-Turkish relations and the position of the South Caucasus within the context of the Pashinyan government's conflicting relations with Moscow.
- Azerbaijan's position in the regional geopolitical equation and Baku's foreign policy priorities.

THE IMPACT OF GOVERNMENT CHANGE IN ARMENIA

The “Velvet Revolution” that took place in Armenia in the spring of 2018 and the subsequent change in power led to serious changes in both the approach of the Yerevan administration to the Armenian-Azerbaijani conflict and its military strategy. The Pashinyan government, which declared its commitment to the principle of peaceful resolution of the conflict in the first days of its rule and, unlike its predecessors, refrained from taking a harsh stance against Azerbaijan, later changed its political and diplomatic discourse toward the Nagorno-Karabakh problem, or rather hardened it. This

hardening manifested itself in the form of Pashinyan's inclusion of the so-called administrative regime in Nagorno-Karabakh as a party to the negotiation process and statements that constantly provoked Azerbaijan (Karabakh is Armenia, etc.). As a result, the new Armenian government's stance on the conflict led to the breakdown of the long-running negotiation process. It should also be noted that the reason for the hardening of the Pashinyan government's stance on the conflict is mainly related to internal political processes in Armenia. Thus, the Pashinyan government tried to take away the main weapon of its rival in the fight against the "Karabakh clan" supported by Moscow, which ruled Armenia for nearly 20 years (1998-2018) and had extensive financial and administrative resources under its control.

As previously mentioned, the new government that came to power in Armenia after the "velvet" changes made serious changes to the country's military doctrine. In Pashinyan's government, former defense minister David Tonoyan declared openly and in detail that the army was abandoning its long-outworn strategy of "trench defense" in favor of "active deterrence" by increasing its offensive capabilities. According to him, this strategy showed that in the event of a new attack on the scale of the "four-day war" with Azerbaijan in April 2016, the Armenian armed forces reserved the right to stage retaliatory attacks or preemptive measures against the enemy. During his visit to the United States in late March 2019, Tonoyan publicly rejected the "land for peace" formula for resolving the conflict, which envisaged the return of Azerbaijani territories occupied by Armenia outside Nagorno-Karabakh to Azerbaijan. Tonoyan instead urged Armenia to "prepare for a new war for new lands." According to Tonoyan and his supporters, this new approach demonstrated the seriousness of the intention to include the so-called Artsakh Republic in the negotiation process and to ensure the security of both Armenian state institutions, as opposed to Armenia's withdrawal from the negotiations. This showed that the "doctrine of active deterrence" or the new "Tonoyan Doctrine" sought to rely,

on a tactical level, on the non-traditional elements of classical warfare, especially pre-emptive strikes. In addition, the doctrine was based on the concept of conditional deterrence through punishment and “confrontation with the enemy in one’s own territory.”⁶ The punishment or deterrence strategy replaced Armenia’s first defense concept, which had been in place since 1994.

One of the most important events that necessitated changes to Armenia’s defense strategy was the “four-day war” in Karabakh in April 2016 in which 200 people lost their lives. Armenia was defeated for the first time amid the ceasefire regime that had continued since 1994, and lost some of its territory.⁷ Although the ceasefire was regularly violated in the Armenia-Azerbaijan conflict for 26 years, the biggest conflict between the two countries was the “four-day war.” From this perspective, it is impossible not to see traces of the Tonoyan Doctrine in Armenia’s provocative undertaking in Tovuz in July 2020. Attempts to seize Azerbaijani positions in the border region of Tovuz and the terrorist killing of a group of soldiers, including high-ranking Azerbaijani officers, should be seen as part of Tonoyan’s strategy of “punishing the enemy and confronting him in his own territory.”

In general, it can be assumed that there are a number of military and political objectives behind Armenia’s attempts to aggravate the situation in Tovuz. These military and political goals can be summarized as follows:

- Gaining additional political and psychological influence over Azerbaijan, including the negotiation process, by acquiring new positions on the line of contact.
- Confronting Russia and Azerbaijan by violating the ceasefire at the state border.

⁶ Mediamax.am, 8 April. (Accessed: November 29, 2020).

⁷ *Nagorno-Karabakh’s Gathering War Clouds*, (International Crisis Group, Europe Report No. 244, Brussels: 2017).

- Armenia's desire both to overcome the "four-day war" syndrome of April 2016 and demonstrate the top-tier combat capability of the Armenian army.
- To raise the prestige of Pashinyan's government in Armenia, which is in the grip of socioeconomic crisis due to the pandemic and other reasons, and to strengthen its position in the inter-clan struggle by achieving minor military successes.

But the fact that external factors also played a role in the Tovuz provocation should not be ignored. The fact that the provocation took place near the main energy and transportation lines of Azerbaijan is very thought-provoking. Even the most superficial analysis of recent events shows that Armenia is not alone in its attempts to escalate tensions. It should be noted that Prime Minister Pashinyan, who supports Tonoyan's new strategy, constantly talks about Armenia's developing strategic defense approach in his speeches.

On the other hand, one of the consequences of the change of power in Armenia in 2018 has been the increase in contradictions in Yerevan-Moscow relations in the last two years. Before moving on to these points, it will be useful to touch upon the Russian factor in the Yerevan administration's foreign policy briefly. The Armenian-Azerbaijani conflict and its military-political consequences are among the factors that play a role in determining the foreign policy strategy of the Yerevan administration. As a result of this conflict, Armenia has been at war with its neighbor Azerbaijan for 30 years, its borders with Turkey are closed, and bilateral relations have been "frozen." Instead, Armenia has become completely dependent on Russia militarily, politically, and economically. Armenia's geopolitical "jam" in the region and its feeling under threat has increased security concerns in both its foreign policy and defense strategy. In this respect, the realist view of "fear shaping the foreign policy and military approach of countries" can be applied to Armenia's foreign policy. So to speak, the security factor is forcing

Armenia to take refuge in a major power that has interests and influence in the region. In the example of Russia, Armenia, which accepts the protection of a major power, is ensuring its security and other military-political interests and claims in the region. Russia also uses its alliance with Armenia to secure its geopolitical, geostrategic, and military interests in the region, which it sees as its “backyard.”

The “close” relations between Armenia and Russia enable Yerevan to participate actively in multilateral organizations in which Moscow plays an important role, especially in the Collective Security Treaty Organization (CSTO) and the Eurasian Economic Union. Another important issue, although not directly related to Yerevan’s official foreign policy strategy, is related to Armenia’s economic security, especially in the energy sector. These factors are also of indirect importance in determining Armenia’s foreign and defense strategy. Russia’s important role in the Armenian economy, including its possession of large industrial complexes, and segments of the energy, transport, and telecommunication sectors, significantly increases the dependence of the Yerevan administration on Moscow. This situation allows Russia to follow a “carrot and stick” policy: Armenia gains Russian protection in exchange for its political loyalty and concessions. In general, the alliance between the two countries based on historical, geostrategic, and military factors plays an important role in shaping the current geopolitical structure of the region.

Therefore, Armenia’s security interests and geopolitical position force it to be a strategic ally of Russia in the region. Accordingly, it would be wrong to expect – at least in the short and medium term – that any change in power in Armenia (regardless of the identity and ideological views of those coming to power) will lead to a radical change in Yerevan’s foreign policy strategy. Pashinyan’s government, which came to power after the Velvet Revolution in 2018, also stated that there would be no serious change in the country’s foreign policy priorities. In making this statement, Pashinyan, who was elected prime

minister as the leader of a protest movement in Armenia, gave the impression that the revolutionary movement in this country did not have a geopolitical orientation, unlike the velvet revolutions in Georgia and Ukraine. Yet, Pashinyan and the political force he led were known for their anti-Russian stance when they were in the opposition.

On the other hand, in the first months of Pashinyan's rule, the Armenian administration began to have problems and disagreements with Russia over many issues. Representatives of Armenia's new ruling elite emphasized the need to establish equal relations with Moscow instead of "leader-satellite" relations. The unacceptability of Russia's dominant role in the political process, especially in the new government in Armenia, began to be clearly expressed in Pashinyan government's domestic policy. In the summer of 2018, the initiation of criminal proceedings against some important figures of the Russian "Karabakh clan" for their past activities caused serious dissatisfaction in Moscow, and the Russians informed the new government of this through official and non-official channels. However, former government officials, including former president Robert Kocharyan and CSTO Secretary General Yuri Khachaturov, were put on trial. In fact, despite personal requests from Russian President Vladimir Putin, former Armenian president Kocharyan has been arrested many times. In addition, Yerevan's recall of Yuri Khachaturov, the general secretary of the CSTO of Armenian descent, created additional tensions in Armenian-Russian relations at that time. Simultaneously, another step of the Pashinyan government that disturbed Moscow was an investigation into the activities of large Russian companies operating in Armenia, such as Gazprom, in the name of fighting corruption.

Another aspect of Armenian-Russian relations bothering Yerevan is the extensive cooperation of Russians with Azerbaijan in the military field, or more precisely, in arms sales. It should not be forgotten that one of the main countries from which Azerbaijan buys weapons is Russia, and this has always been a point of concern for Armenia. Armenian

media have criticized Russia's arms trade with Azerbaijan, stating that Azerbaijanis put most of the weapons purchased from the Russians on the line of contact in Karabakh. It should be emphasized that Armenia has repeatedly expressed its dissatisfaction with Russia's arms sales to Azerbaijan at the official level.

One of the Russian points of dissatisfaction with the Pashinyan government's foreign policy has been Yerevan's attempts to establish new relations with the West. In the last two-and-a-half years, Russian officials have repeatedly expressed their dissatisfaction with Armenia's efforts to deepen relations with both the USA and the European Union (EU). For example, on December 19, 2018, Russian Deputy Foreign Minister Grigory Karasin stated that "against the background of the radical changes going on in the country [in Armenia], Washington's interference in Yerevan's domestic and foreign policy has become more and more comfortable." According to Karasin, Russia expected "the current leadership of Armenia, which received the necessary authority from the people in the parliamentary elections, to find courage in the face of open blackmail and external pressure." Pashinyan replied to Karasin's statement by saying, "Armenia follows an independent policy and will continue to do so."

One of the priorities of Armenia's foreign policy is its relations with the EU. The EU is Armenia's largest trade partner and both sides have shown interest in further developing relations at all levels in recent years. It is true that even before the Pashinyan administration, Armenia had come a long way in its relations with the EU. Meanwhile, the latest document regulating the relations between Brussels and Yerevan (Comprehensive and Broad Partnership Agreement) was signed in November 2017 during Serzh Sargsyan's term. However, in the last two-and-a-half years, there has been a special revival in the relations between the two sides. The EU has cooperated extensively with Armenia in the political, economic, and social fields, and provided serious political and financial support to the steps taken by the Pashinyan government, which it

views as “reforms.” Although the issue of EU membership is not on the agenda of the Armenian government today for many reasons, the intensification of relations does not exclude such a perspective for Yerevan in the future. It should not be forgotten that the fact that the Armenian public is in favor of deepening relations with the EU can also be seen as a source of concern for Moscow. In general, the sympathy of the Armenian government toward the USA and the EU in its foreign policy aims to reduce the influence of Russia on the country. Therefore, the Pashinyan government’s policy of strengthening the multi-vector balancing line in Armenian foreign policy should be seen as one of the contradictory factors in Yerevan-Moscow relations.

NEW TRENDS IN TURKEY-RUSSIA RELATIONS AND SOUTH CAUCASUS

One of the influential factors affecting processes in the South Caucasus, including the course and outcome of the Second Karabakh War, is the new trends that have been seen in recent years in the relations between the two power centers (Russia and Turkey) with interests in the region. The relations between the two countries, which generally comprise imperial pasts, have a long history, and in very little of this history do Russia-Turkey relations appear to be moderate and close. It can be observed that in 2016, a new phase began in the relations between the two historically opposing regional powers. The relations, which grew tense after the downing of a Russian warplane in Syria in November 2015, changed dramatically and became much more moderate in a short time through the joint efforts of both countries. The beginning of a new era in Ankara-Moscow relations primarily stemmed from the important common interests of both countries and the new international conjuncture.

Russia’s desire to normalize its relations with Turkey is based on its geopolitical and geoeconomic interests in both global and regional contexts. Russia, which is experiencing a new cold war period in its

relations with the West, uses various tools in its foreign policy to weaken its main strategic rival (namely, the West and its military-political and economic alliances). One of these tools is to create disagreements among the allies in the Western bloc in order to take advantage of the contradictions between them and thus weaken its main rival from within. Ankara, which is one of the most powerful “circles” of NATO, the West’s main military-political bloc, and its southeast wing, has had problems in its relations with the USA and other European allies in recent years, and as Ankara’s possible withdrawal from the alliance is in Moscow’s global geopolitical interests, its desire to establish high-level relationships with Ankara has increased. From this point of view, it would not be correct to consider the recent strategic agreements signed with Turkey in many fields as coincidental. Examples of these agreements are the sale of the S-400 air defense system to Turkey, Russia’s construction of a nuclear power plant in Turkey’s Akkuyu region, the TurkStream natural gas pipeline project, and a significant increase in the trade turnover between the two countries. These agreements between the two countries, in addition to meeting Russia’s geopolitical and economic interests, have accelerated the rise of Moscow-Ankara relations to a new level.

At the same time, the normalization of relations with Russia serves Turkey’s geopolitical, economic, and commercial interests, especially in the regional context. As a regional power, Turkey aims to be active in its foreign policy in its spheres of influence (Middle East, Balkans, South Caucasus, and Black Sea Basin) and is determining its strategic and tactical steps. It should also be noted that some of Ankara’s Western allies, including the United States, do not welcome Turkey’s position acting independently as a regional powerhouse and setting the rules of the game, and this factor, among other reasons, has played a major role in the deterioration of relations. Although Russia’s interests are in serious conflict with Turkey’s in many regions, at least partially it accepts Ankara’s position and cooperates with it in resolving regional conflicts.

In doing so, firstly, Russia is trying to keep the West out of conflict resolution, and secondly, to increase the number of joint cooperation formats that it hopes will have an additional influence on Turkey. The Astana process, which was initiated in late 2016 to resolve the conflict in Syria, can be considered as one of these formats of cooperation between the Moscow and Ankara administrations. Although this process, which included Iran, did not resolve the conflict in Syria, it secured a ceasefire. A similar Russian-Turkish cooperation format was applied in the resolution of the conflict in Libya. In this respect, the solution of the Nagorno-Karabakh problem should be considered as a continuation of the cooperation format initiated in Syria and continuing in Libya, with the participation of both countries. One of the advantages Ankara's involvement in the Karabakh settlement process gives to Moscow is that it brings Russia an increased opportunity to keep Armenia under its influence.

AZERBAIJAN'S STATUS IN REGIONAL GEOPOLITICS

Azerbaijan can be considered the most important country in the South Caucasus due to its geopolitical position. The main factors characterizing Azerbaijan's geopolitical power are:

- its possession of a land area as part of Eurasia,
- its possession of a sea coast,
- its position in the Europe-Asia corridor,
- its possession of rich natural and energy resources,
- its possession of a population with a high intellectual level and a state tradition with centuries-old historical traditions and rich cultural values.

Therefore, the factor that makes Azerbaijan the center of processes in the South Caucasus is its geopolitical power and position. In general, the factors influencing the political and security environment of the

South Caucasus can be summarized as follows: ethno-political conflicts in the region, the region's extreme ethnic diversity, the foreign policy and mutual relations of the regional states, the conflicting interests of the major powers in the region, and the important and complex geographical location of the region, and its wealth in terms of natural and energy resources. The factors influencing the political and security environment of the South Caucasus also play a decisive role in the foreign policy strategy of the states in the region, including Azerbaijan.

Countries around the world – especially small states – pursue different foreign policy strategies in the international arena to ensure their security, existence, and national interests as a whole. Strategic hedging and impartiality can be considered examples of these foreign policy strategies. Azerbaijan's foreign policy strategy of choice is risk reduction. It should additionally be noted that a risk reduction strategy is defined as the reduction of potential losses through the implementation of a multi-vector policy. This strategy involves abandoning unilateral policies and reducing potential risks to regional powers without confronting them.⁸ Small states usually employ this policy when they do not want to defend any power center for their own security. In general, the main reasons why some small states choose risk mitigation strategies are to reduce security threats and prevent economic losses. There are many countries that implement this strategy in international relations. For example, many Southeast Asian countries prefer risk reduction strategies in the struggle for influence between the USA and China, minimizing security concerns. This strategy ensures that relations with both parties are maintained without being tied to a single power center.

Azerbaijan has been following a multidimensional foreign policy since 1993, after former president Heydar Aliyev came to power. The

⁸ Leah Sherwood, "Small States' Strategic Hedging for Security and Influence", Trends, September 14, 2016, <https://trendsresearch.org/insight/small-states-strategic-hedging-for-security-and-influence>, (Accessed: November 29, 2020).

Baku administration preferred to develop relations with both traditional actors (Russia, Turkey, Iran) with interests in the South Caucasus who had the opportunity to influence the region, as well as with relatively new actors (USA, EU, China, etc.), without joining any alliance. While it is true that one of these vectors has been more dominant in Azerbaijan's foreign policy from time to time in the last 27 years, as a whole, these exceptions have not changed the essence of the Baku administration's foreign policy line. Azerbaijan's close cooperation with the West in the field of energy and security, the implementation of large transnational projects, and the formation of special interests of the West in the region have played an important role in reducing the dominant influence of Russia and Iran. Despite this, Azerbaijan has stated that it does not intend to join the main military-political structures of the Euro-Atlantic area (NATO, EU) and prefers a distant policy in its relations with the West. It should be emphasized that this factor prevented an aggressive approach from Moscow and Tehran toward Baku and provided a certain balance in relations.

Despite the many negative aspects of the nature of Russia's and Iran's relations with Azerbaijan and the destructive role that the Russians played in the Armenia-Azerbaijan conflict, Baku follows a rather cautious and pragmatic policy in its relations with both Moscow and Tehran. One of the factors that deterred Russia from openly intervening in favor of Armenia in the Second Karabakh War was its desire to maintain its relationship with Azerbaijan and the Baku administration. Among the influential power centers in the region, Azerbaijan's only strategic ally is Turkey. The two sister countries are brought together by the unity of their geopolitical positions, and the unity of their historical roots, language, and culture. Azerbaijan has an important place in Turkey's geopolitics. First of all, Turkey has the opportunity to follow a policy of strengthening itself in the South Caucasus and Central Asia through Azerbaijan. Azerbaijan plays an important role in ensuring Turkey's energy security. At the same time, Azerbaijan sees Turkey as a

key ally that plays an important role in strengthening its independence and ensuring its security. The Agreement on Strategic Partnership and Mutual Assistance signed in 2010 between the Baku and Ankara governments can be considered one of the most important documents confirming the strategic alliance between the two countries.

CONCLUSION

The factors leading to the Second Karabakh War, changes in the regional geopolitical structure, Russia's desire to increase its influence in the region, the increasing tension between Moscow and the Pashinyan government following the "velvet government" change in Armenia, Yerevan's new offensive (military-political) strategy, the "freezing" of the negotiation process aiming to resolve the conflict, the new trends in Russia-Turkey relations and the effect of the latter on the processes in the South Caucasus, and Azerbaijan's geopolitical position and foreign policy priorities have all played important roles in changing the Baku administration's conflict paradigm in the latest period. At the same time, the significant increase in Azerbaijan's military power in recent years and the modernization of its weapons inventories; Ankara's true political-diplomatic, moral, and military-technological support to Baku; and Azerbaijan's adequate response to Armenian provocations on the line of contact all led to the outbreak of the Second Karabakh War.

One of the main reasons for Azerbaijan's long-term refusal to use military force to liberate its lands from occupation and choosing instead to engage in diplomacy and negotiations instead, was, in addition to avoiding excess losses and deaths, that it did not find a suitable environment in the context of the conflict in which to do so. Finally, suitable conditions developed and all the above-mentioned factors gave Azerbaijan the opportunity to start a war that was historically and morally, politically and internationally just.

THE END OF AZERBAIJAN'S STRATEGIC PATIENCE AND THE NEW EQUATION IN KARABAKH

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MEHMET ÇAĞATAY GÜLER**

INTRODUCTION

The Second Karabakh War symbolizes the shelving of the Bishkek Protocol signed on May 5, 1994, and the change of the status quo this protocol created in the region. While the diplomatic negotiations that have been carried out for 26 years in the region have continued a deadlock that brings “neither war nor peace,” a new equation has emerged with this war. It is the first time since the First Karabakh War that the Azerbaijani army has achieved such large field gains, and the occupied Nagorno-Karabakh and its surrounding seven rayons have been largely liberated. Between September 27 and November 9, 2020, the Azerbaijani army liberated more than 290 settlements in the 44-day period from the start of the Second Karabakh War to just before the ceasefire's signature.

The first questions to come to mind concerning the Second Karabakh War and its consequences are “Why now?” and “How did it happen?” After all, the lands of Azerbaijan had been under the occupation of Armenia for about 30 years. Even though diplomatic negotiations

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have been carried out since the beginning of the occupation process, Armenia's uncompromising attitude did not change the reality on the ground. There was no large-scale warfare after the armistice agreement between Azerbaijan and Armenia in 1994. But in reality, the fire never ceased. Armenia periodically carried out provocative attacks against Azerbaijan on the front line and in other regions, and Azerbaijan also responded to these attacks. However, these conflicts were not as long and intense as in the Second Karabakh War.

This study primarily focuses on answering the questions "Why now?" and "How did it happen?" In other words, it aims to discuss the causes and consequences of the Second Karabakh War, which symbolizes the overturning of the status quo which had been attempted to be imposed on Azerbaijan for years. Instead of addressing the process from a chronological and technical perspective while answering these questions, the dynamics that led to the outbreak of the Second Karabakh War will be discussed and an analysis will be conducted on how balances will be shaped in the new period with Karabakh at their center.

In this study, which argues that the Second Karabakh War emerged as the result of an accumulation, it is argued that the process called "the end of Azerbaijan's strategic patience" was shaped within the framework of four basic dynamics. The first of these dynamics has been defined as the "status quo" that started in 1994 and became increasingly unsustainable. The second is the military capacity increase that Azerbaijan has achieved over the years compared to Armenia. Third is the harmony of the diplomacy implemented by Azerbaijan with the global and regional conjuncture. The fourth is Turkey's effective involvement in the process in favor of Azerbaijan.

In this study, the Tovuz attacks are acknowledged as the beginning of the process -"last straw"- leading to the outbreak of the Second Karabakh War. Then, in a short field analysis, the content of the Tripartite Statement that ended the war is discussed. The equation that

emerged after the Second Karabakh War, on the other hand, is analyzed in four dimensions: the strengthening of Russia's regional influence, Turkey's increasing regional influence, Iran's decreasing influence, and the global repercussions of the war.

THE UNSUSTAINABLE NATURE OF THE PROBLEM

One of the most decisive dynamics in the process leading up to the Second Karabakh War was the unsustainability of the deadlock process. Armenia's continuous violation of the ceasefire since 1994, the attacks and provocations against the civilian settlements of Azerbaijan, and the expulsion of the Azerbaijani Turks who were forced to migrate from the region indicated that the occupation in question would be opposed at some point. On this point, the conflicts in the Aghdere and Tartar regions in 2008 and 2010, and the loss of life they caused have been important indicators of the ceasefire violations of Armenia and the fragile structure in the region. The clashes that took place in the summer of 2012 emerged when Armenia similarly launched provocative attacks on the settlements of Azerbaijan from behind the border.

As a result of these attacks, both sides suffered losses and the Baku administration was able to take back some small settlements. In 2014, the intensity of the conflicts along the border and the number of people who lost their lives increased. These conflicts, which occurred frequently with the provocations of the Yerevan administration, and the loss of life of many people, including civilians, reveal the unstable and unsettled situation in the region. In other words, the diplomatic negotiations since 1994 did not produce a solution to the Karabakh problem, and the conflicts on the ceasefire line amid this process became a clear indication that the status quo imposed on Azerbaijan grew increasingly unsustainable.

In 2016, the most intense conflicts since the Bishkek Protocol took place. In the four-day clashes, both sides suffered significant losses and

came to the brink of an all-out war.¹ The Azerbaijani army responded to Armenia's provocative attack over the front line between Karabakh and Azerbaijan by launching counterattacks from regions such as Tartar, Agdam, and Aghdere. Not long after, a ceasefire decision emerged from talks held in Vienna and the clashes stopped. Unlike previous provocations and clashes on the Azerbaijan-Armenia front line, in 2018, this time the Armenian army targeted Nakhchivan. The Azerbaijani army responded reciprocally to the artillery fire by the Yerevan administration from behind the border and took back some of the occupied areas. Finally, when it comes to 2020, first the Tovuz conflict on July 12 and then the Second Karabakh War on September 27 took place. The Tovuz attack hereby represents the end of the Baku administration's patience.

When considering the 2010-2020 period in the Karabakh conflict, there seems to be a continuity in Armenia's course of action. The Yerevan administration was committing provocations every two years, causing unrest in the region and pushing the limits of the already unsustainable status quo. Although these attacks were not big enough to exacerbate the Karabakh conflict, which can be defined as a frozen conflict,² they enabled Armenia to achieve its goal. As a matter of fact, through its aggressive policy and provocations, Armenia was changing the agenda by inflaming the conflict in times of domestic political difficulty, and at the same time, it consolidated its support by keeping the perception of threat and enmity fresh among the public. In other words, the provocations in Karabakh of the Armenian governments had become an important tool utilized in domestic politics. In addition, Armenian governments were conducting diplomacy to isolate Azerbaijan by manipulating the inter-

¹ Nailia Bagirova and Hasmik Mkrtchyan, "Fighting Erupts in Nagorno-Karabakh, Dozens of Casualties Reported", Reuters, April 2, 2016; Ömer Göksel İşyar, *Dağlık Karabağ Sorunu: Birinci ve İkinci Savaşın Dinamikleri*, (Dora Publications, Bursa: 2020), pp. 280-281.

² See: Thomas D. Grant, "Frozen Conflicts and International Law", *Cornell International Law Journal*, Volume: 50, Issue: 3, (2017), pp. 361-413.

national public opinion and regional and global actors with whom they had good bilateral relations after each clash. Whether calling for recognition of the so-called Nagorno-Karabakh Administration or accusing the Baku administration of starting clashes, Armenia worked to cover up the truth that it had occupied the territories of another country.

The Baku administration has responded to the policies that Yerevan has maintained consistently for years across different fronts with moves that prioritize peace, stability, and international law. This situation violating Azerbaijan's territorial integrity has been confirmed by both international law and United Nations resolutions.³ Since 2010, the response to each provocative attempt based on reciprocity followed by the deployment of a peaceful policy have blocked the Yerevan administration's attempts to form a coalition against Baku and policies to isolate Azerbaijan. Although Baku is in the right legally, it did not respond with hard power and drew the image of a peaceful country in the eyes of the international public. However, Armenia's attempt to turn Azerbaijan's peaceful stance into an opportunity every time, the captivity of the occupied territories, the deadlock, and Yerevan's ongoing aggressive attempts have brought about diversification in the strategy followed by the Baku administration.

Indeed, the vertical and horizontal growth in military and defense capacity in addition to its patient attitude in diplomatic negotiations are important indicators that Azerbaijan is diversifying its tools. By adding hard power and defense investments to its strategy of liberating its lands, it has actually started to signal in a way that its patience over the deadlock is running thin. This situation eventually created a new balance of hard power between the two countries, which achieved an

³ "1993 UN Security Council Resolutions on Nagorno-Karabakh: Resolution 822 (1993) Adopted by the Security Council at its 3205th Meeting, on 30 April 1993", United States Department of State, <https://2001-2009.state.gov/p/eur/rls/or/13508.htm>, (Accessed: December 5, 2020); Also see: "Nagorno-Karabakh Belongs to Azerbaijan", *The Guardian*, October 1, 2020.

asymmetrical dimension and the gap between them gradually widened in Azerbaijan's favor.

Therefore, since the ceasefire process in 1994, Azerbaijan has made efforts to resolve the problem primarily through diplomatic means. However, Armenia's uncompromising stance, the implicit or explicit "support" of the actors in the status of "mediator" toward the Yerevan administration, and the failure to implement the rules of international law caused Azerbaijan's strategic patience, which prioritized diplomacy, to gradually wear out. In this context, the lack of a resolution to the problem and the attacks carried out by Armenia to support its occupation policy started to grow more and more costly for Azerbaijan. For this reason, the Baku administration, especially in the last 10 years, has started to diversify its alternatives to find solutions to the problem, while maintaining its stance that prioritizes diplomacy.

THE TRANSFORMATION OF AZERBAIJAN'S MILITARY CAPACITY

One of the dynamics affecting the process leading up to the Second Karabakh War was Azerbaijan's military capacity, which it developed, diversified, and strengthened over the years. Azerbaijan's increased military expenditure and capacity over the years have caused the gap between Azerbaijan and Armenia to expand in terms of quantity and quality. This difference between the two states could be clearly observed in the field as one of the determining factors in the Second Karabakh War.

Firstly, when the military expenditures of the Baku and Yerevan administrations in 2010-2019 and the ratio of these expenditures to the gross domestic product (GDP) are taken into account, Azerbaijan's superiority grows apparent. (Table 1) Indeed, each year it is seen that Azerbaijan is incomparably superior to Armenia in terms of military expenditures, while when the 10-year period is considered, it can be observed that the average of Armenia's military expenditure is less than 20 percent of Azerbaijan's.

TABLE 1: AZERBAIJAN AND ARMENIA MILITARY EXPENDITURES (2010-2019, IN MILLIONS OF DOLLARS)				
	AZERBAIJAN		ARMENIA	
Year	MILITARY SPENDING	GDP RATIO (Percentage)	MILITARY SPENDING	GDP RATION (Percentage)
2010	1.476,6	2,8	395,0	4,3
2011	3.080,1	4,7	390,9	3,9
2012	3.246,1	4,7	380,6	3,8
2013	3.367,6	4,5	444,6	4,0
2014	3.427,2	4,6	457,8	3,9
2015	2.900,6	5,5	447,4	4,2
2016	1.397,0	3,7	431,4	4,1
2017	1.528,9	3,8	443,6	3,8
2018	1.672,2	3,6	608,9	4,9
2019	1.854,2	4,0	673,3	4,9
10-Year Average	2.395,05	4,19	467,35	4,09

Source: SIPRI, Military Expenditure Database

In terms of the ratios of the said expenditures to the GDP in the same period, it can be observed that Armenia allocates a budget similar to that of Azerbaijan for military expenditures, and even spends more than Azerbaijan compared to its national income in some years. However, when looking at the 10-year average, Azerbaijan has the upper hand here as well. Moreover, due to the size of Azerbaijan's economic capacity and Armenia's relatively small economic capacity, the Yerevan administration did not come even close to the Baku administration in terms of current military expenditures. On the other hand, the ratios of military expenditures to GDP show that Armenia's perception of threat is ongoing and that it spends on the military at a rate above the world average in order to maintain its occupation policy.

Secondly, when considering Azerbaijan's arms supply policy, its resource diversification policy, which has become more and more evident over the years, is striking. Since both countries are former Soviet

republics, during the First Karabakh War there was inevitable Soviet influence on the entire weapons inventory and army structure. This was also the case in the years after the First Karabakh War. However, it is also noteworthy that Azerbaijan has followed a different path from Armenia in its arms procurement policy. As a matter of fact, in both the 1990s and the 2000s, Armenia's weapons purchases were almost entirely Soviet-era arms and only made in Russia or the former Eastern Bloc. It bought more than 90 percent of its weapons from Russia. Montenegro and Ukraine are the other two supplier countries from which Armenia has purchased weapons in the last decade.⁴ While Russian-made weapons maintained their prominence among Azerbaijan's weapons purchases, the sources from which these weapons were purchased diversified, and most importantly, weapon systems that did not originate from Russia or the former Eastern Bloc were added to the army inventory. This resource diversification, which Azerbaijan has conducted especially in the last 10 years, has relatively reduced Azerbaijan's weapon dependence on Russia, while providing product diversity with alternative and substitute resources.⁵

Azerbaijan's armament policy yields important clues when considering the quality of the weapons supplied as well as the diversification of resources. As a matter of fact, when looking at the weapon systems procured by Azerbaijan and Armenia through SIPRI data, it can be seen that Yerevan focuses on conventional attack systems such as missiles, tanks, and howitzers, but Baku's weapon purchases include different systems, including unmanned aerial technologies alongside aerial defense systems. In addition, the Ministry of Defense Industry of Azerbaijan, established in 2005, has been an important initiative for the domestic production of weapons and ammunition needed by

⁴ Armenia purchased secondhand howitzers and training aircraft from these two countries. See: "Transfers of Major Weapons: Armenia Deals with Deliveries or Orders Made for 2010 to 2019", SIPRI Arms Transfers Database.

⁵ "Transfers of Major Weapons: Azerbaijan, Deals with Deliveries or Orders Made for 2010 to 2019", SIPRI.

the Azerbaijan Armed Forces. With the prominence of UAV/UCAV systems during the Second Karabakh War, Azerbaijani President İlham Aliyev's announcement of the start of mass production of domestic drone systems called "İti Kovan" is meaningful beyond the symbolic level in terms of demonstrating Azerbaijan's domestic production initiative in the supply of weapons.⁶

Thirdly, when the army structure of the two countries and the number and quality of soldiers are taken into account, Azerbaijan's superiority is clear.⁷ There has not been a major change in the number of soldiers of the two countries in the last 10 years, but it was clearly seen in the Second Karabakh War that the level of military preparedness of the Azerbaijani Armed Forces was higher. Azerbaijan's development of its army in terms of training, planning, and equipment while still prioritizing diplomatic negotiations was one of the decisive factors in the process leading up to the Second Karabakh War and especially during the war.

AZERBAIJAN'S POLICY AND CONJUNCTURAL DYNAMICS

The policies followed by Azerbaijan, one of the dynamics affecting the Second Karabakh War, influenced the process in three dimensions. First of all, after the First Karabakh War, Azerbaijan followed a "patient" policy in the diplomatic negotiation process for a solution to the problem, which started with the Bishkek Protocol in 1994 and continued until 2020. In this context, it has made efforts to resolve the problem without conflict in numerous diplomatic initiatives, especially within the framework of the Minsk Group. Armenia, on the other hand, wanted to maintain its occupation policy throughout all the

⁶ "Müdafiə Sənayesi Nazirliyi 'İti Qovan' Pilotsuz Uçuş Aparatlarının Seriyalı İstehsalını Davam Etdirir", Azertac, October 22, 2020, https://azertag.az/xeber/Mudafie_Senayesi_Nazirliyi_Iti_qovan_pilotsuz_uchus_aparatlarinin_seriya_li_istehsalini_davam_etdirir-1620797, (Accessed: December 10, 2020).

⁷ IISS, Military Balance 2010; IISS, Military Balance 2020.

processes in response to Azerbaijan's constructive attitude, and did not make even a small "compromise" on the occupation during the negotiations, maintaining an inflexible attitude. Therefore, in the pre-Second Karabakh War period, it was understood by almost all parties, even states that tacitly or explicitly supported the Yerevan administration, that the Armenian approach was aggressive and invasion-minded; and that Azerbaijan, despite its lands being under occupation, had adopted a peaceful and diplomatic stance.

The second dimension of Baku policies regards the development of balanced relations with other states. In this context, the Baku administration, which avoided damage to its bilateral relations even with states that were influential in Armenia's occupation of Azerbaijani lands and the maintenance of this occupation, was able to develop a balanced relationship with these actors. In this balanced relationship, Azerbaijan did not insist on a specific stance over the Karabakh conflict as a precondition for the other side, and the relationship established was not viewed as a substitute for any relationship established with other states.

The third dimension of Baku's policies is its unwavering relations with Ankara. The unique nature of the relations between Turkey and Azerbaijan, the likes of which are rarely seen in the world, has been accepted even if not understood by other actors. In this context, military relations, including political, economic, and joint military exercises between the two countries, have not been paid much attention by other actors; they were not considered to yield practical results. However, the "Agreement on Strategic Partnership and Mutual Assistance" signed in 2010, which as of today is to remain in force until at least 2030, is an official indicator of the extent of Turkey-Azerbaijan relations.⁸

The regional and global conjuncture was also one of the influential dynamics leading up to the Second Karabakh War. When the

⁸ "Türkiye Cumhuriyeti ile Azerbaycan Cumhuriyeti arasında Stratejik Ortaklık ve Karşılıklı Yardım Anlaşması", *Resmî Gazete*, May 28, 2011, <https://www.resmigazete.gov.tr/eskiler/2011/05/20110528M1-30.htm>, (Accessed: December 11, 2020).

conjunctural dynamics were combined with Azerbaijan's politics and military capacity, practical results were attained in the field in the Second Karabakh War. Within this context, firstly the coronavirus (Covid-19) pandemic became the main agenda for many states, with efforts to combat the outbreak assuming the top priority. To focus on the impact of the conjuncture on Russia, Moscow's relationship with the Yerevan administration, other regional and global engagements, and its relationship with Ankara affected the process. The anti-Russian approach of Nikol Pashinyan, who overthrew Sarkisyan's administration in 2018 through a popular movement in Armenia, has caused a rift with Moscow, a habitual supporter of Yerevan. On the other hand, Russia's invasion and annexation of Crimea in 2014, its military engagement in the Syrian crisis in 2015, and its indirect engagement in the crisis in Libya in 2019 were in question. In particular the latter two engagements brought about the development of a different relationship model between Turkey and Russia, and this, combined with the balanced policy followed by Azerbaijan, impacted the Russian policies just before and during the Second Karabakh War.

In addition, Iran, one of the influential actors in the Karabakh conflict, was experiencing political and economic difficulties due to the "maximum pressure" policy applied by the United States (USA), while the increase in the sensitivity of the Iranian Turks over the process caused the Tehran administration to engage less in the process compared to the previous period. When considered from the perspective of the USA, the impact of the pandemic, the presidential election in November, and the concentration of the candidates on their own campaigns from the summer onward led to Washington's ineffectiveness in the Karabakh conflict. In terms of France, another country where the Armenian diaspora is influential, the Paris administration's unsuccessful attempts to establish a projection of power in Syria, Libya, and the Eastern Mediterranean led it to assume a cautious profile regarding the

Karabakh conflict, and so France's stance was not a defining factor in the course of the process.

Therefore, the conciliatory attitude displayed in diplomatic negotiations - although it did not yield any results - the bilateral relations developed owing in particular to the foreign policy implemented in the 2000s, and the regional and global conjuncture strengthened Azerbaijan's hand on the Karabakh issue, while Armenia's space for maneuver was considerably narrowed.

THE LAST STRAW: THE TOVUZ ATTACK AND THE SECOND KARABAKH WAR

The clashes started by Armenia's attacks on the Tovuz region on July 12, 2020 were, so to say, the last straw for Azerbaijan. The Tovuz region, which has nothing to do with the territories occupied by Armenia, is of critical geopolitical importance. Important energy lines of Azerbaijan pass through this region. The Baku-Tbilisi-Ceyhan and Baku-Tbilisi-Erzurum pipelines to Turkey pass through the region.⁹ At the same time, the Baku-Supsa oil pipeline also extends to the Georgian coast through this area. The Trans-Anatolian Natural Gas Pipeline (TANAP) passes through this region, opening to Europe as a part of the Southern Gas Corridor. In addition to the energy lines, critical transportation and logistics lines such as the Baku-Tbilisi-Kars railway also pass through this region.

Income from these lines is critical to the economic stability and sustainable development of Azerbaijan. Therefore, if these lines or the logistics in this region were disrupted, an alternative route to Turkey and Europe would need to be found for Azerbaijan, and Turkey's energy security would be impacted in different ways. Similarly, another line would need to be created from the north of the country to Georgia, which would involve a new expenditure. If the connection through

⁹ Twenty percent of Turkey's 2019 natural gas demand was met through imports from Azerbaijan. See: "Türkiye'nin Doğal Gaz İthalatı Azaldı", TRT Haber, June 6, 2020.

the Tovuz region is cut off, then Azerbaijan will be bound to Armenia, Russia, or Iran. In short, the region is of great geopolitical importance. The possibility of such a scenario led Azerbaijan and Turkey to pursue more strategic policies regarding the stability of the region and the future of the occupied territories, and again brought to mind the importance of the Zangezur corridor and the consequences of the buffer zone designed in the Turkish geography.

The most important step taken by Azerbaijan and Turkey in this context was the joint military exercise held in five cities of Azerbaijan from July 29 to August 10, 2020 with the participation of air, land, and special forces.¹⁰ The transfer of experience and combat capabilities, or, in other words, staff intelligence that took place as a result of the aforementioned exercises and the military aid that followed the exercises, especially the Turkish defense industry-produced Bayraktar TB2 UCAVs, munitions, missiles, and electronic warfare systems,¹¹ all were factors that led to field gains in the wars.

Armenia, which had occupied Karabakh and its seven surrounding regions, was in a diplomatically advantageous and psychologically superior position to Azerbaijan before the Second Karabakh War. In addition, there was an equation at play in which Russia was the sole and unrivaled major power in terms of influence in the region, Iran had significant influence over and legal/illegal commercial ties to Armenia and the so-called Karabakh administration, and Turkey had no concrete influence in the region beyond rhetoric. After the Tovuz attack, this equation started to change, and the “status quo” that was imposed was turned upside down by the Second Karabakh War. Indeed, the Second Karabakh War was a wholesale response to Armenia’s provocations and the gains made in the first week heralded the liberation of

¹⁰ “Türkiye ve Azerbaycan’ın Geniş Kapsamlı Ortak Askeri Tatbikatı Sürüyor”, Anadolu Agency, August 1, 2020.

¹¹ “‘Savunma Sanayimiz Bütün Tecrübe, Teknoloji ve Kabiliyetleriyle Her Zaman Azerbaycan’ın Emrindedir’”, Anadolu Agency, July 17, 2020.

Karabakh. Clashes on the Karabakh front line continued for 44 days and in the process, the Azerbaijani army established absolute superiority over Armenia and liberated more than 290 villages and settlements.

In the first stage, clashes broke out on the northern and eastern fronts, strategic gains such as Mount Murov were won, and then great progress was made on the southern front. In the process, strategic rayons such as Qubadli, Zangilan, Jabrayil, and Fuzuli and numerous settlements connected to these areas were freed. In addition, regions connected to Lachin, Tartar, Khojavend, and Khojaly were also liberated. Finally, with the liberation of the city of Shusha from occupation, the conflict on the front line ended. The reestablishment of control of this region, which is located at the most strategic point between Armenia and Karabakh through which the main logistics lines pass and is the last stop in transit to Khankendi, forced Armenia to accept defeat and triggered Russian involvement. The strategic planning conducted with the capture of Shusha revealed that the entire remaining region would be liberated from the Armenian occupation in about a week.

In this regard, before November 10 and in the immediate aftermath of the retaking of Shusha, Russia made its relevant plans and prepared its peacekeeping force to be transferred to the region on the evening of November 9, and quickly deployed it to the region following the signature of the ceasefire at midnight. The new equation that emerged in the region with the ceasefire would have taken a very different shape; had it not been for Russia's intervention, all occupied territories would have been liberated and Moscow's influence in the region would have been greatly reduced. However, Russia's official position, not only during the conflict but also before it, is close to the equation that emerged with the ceasefire signed on the night of November 9.¹²

¹² “Заявление Президента Азербайджанской Республики, Премьер-Министра Республики Армения и Президента Российской Федерации”, Официальные Сетевые Ресурсы Президента России, 10 November 2020, <http://kremlin.ru/events/president/news/64384>, (Accessed: November 15, 2020)

The Tripartite Statement signed between Azerbaijan and Armenia under the mediation of Russia caused significant changes and fissures in the region's geopolitical equation. When considering the gains achieved by the parties as a result of the ceasefire, as well as the fundamental losses and ambiguous issues, Azerbaijan has won a major victory, Russia has strengthened its influence in the region, Turkey has effectively joined in the Caucasus geopolitics scene, Iran has lost its influence in the region to a large extent, and Armenia has suffered a major defeat that turned into a political crisis.

An examination of Azerbaijan's gains following the Second Karabakh War¹³ first yields that, above all, the Baku administration was able to defend its field gains at the negotiations table; that is to say, it got confirmation of its liberation from occupation and strategic gain of Qubadli, Zangilan, Jabrayil, Fuzuli, and Shusha, and many surrounding areas. It also regained control of the Kelbajar, Lachin, and Aghdam regions without any fighting within the scope of the agreement. As compared to the situation pre-September 27, about 80 percent of the occupied lands were liberated, and the majority of the displaced people had the opportunity to return. Armenian soldiers had to withdraw from all Karabakh lands, Nagorno-Karabakh, and all seven districts. Finally, the opening of a corridor through Nakhchivan (Zangezur Corridor), which had never been on the agenda, is seen as an important gain for Azerbaijan and even the broader Turkic world. In summary, the Bishkek Protocol has lost its validity, Karabakh has been largely liberated, and Armenia has suffered a clear defeat.

In addition to the gains, there are also ambiguities brought about by the agreement for Azerbaijan, and issues that need to be explained in detail in order to prevent conflicts later on.¹⁴ First of all, it is an important point to note that Russian soldiers are stationed in regions such

¹³ Mehmet Çağatay Güler, "Karabağ'ın Özgürleştirilmesi ve Sahadaki Yeni Denklem", *SETA Perspektif*, Issue: 301, (November 2020).

¹⁴ Güler, "Karabağ'ın Özgürleştirilmesi ve Sahadaki Yeni Denklem".

as Khankendi, where Armenians are densely populated, and that they may remain permanently within the scope of the agreement.¹⁵ A second issue is that the Nakhchivan corridor will be opened under the supervision of Russian intelligence (KGB). Therefore, it is important that details such as the scope and control of the activities here are clearly determined and governed by additional protocols and agreements in the future.

The third issue is related to the ambiguity in the agreement on the future of the Khojaly, Khankendi, Aghdere, and Khojavend regions, although Azerbaijan's stance on this issue is very clear. There is no provision in the Tripartite Statement regarding these regions, and there is no statement that foresees the future of the dense population of Armenian civilians living in the region. The reason for the civilian emphasis here is that the text of the statement specifies a withdrawal of Armenian soldiers from the entire front line. In this context, although the regions are not stated explicitly, it is interpreted as meaning the troop withdrawal will also occur in the Khojaly, Khankendi, Aghdere, and Khojavend regions. However, claims that emerged as a result of different readings in the later stages of the ceasefire and the small-scale incidents that took place in the field actually reveal the ambiguity regarding these regions. In addition, there are ambiguities about how and when the region will be subject to Azerbaijan administration, as well as how the security of the region will be ensured, apart from the Russian peacekeeping force. On the other hand, while these ambiguities are reflected in the Russian press as indications that Armenian control in the region will continue, they are perceived by Yerevan as the prevention of total loss.

Another issue is that of the Lachin corridor, where all kinds of transportation will be secured between Armenia and the four ambiguous rayons in question (expressed as "Nagorno-Karabakh" in the agree-

¹⁵ At the same time, Article 4 of the statement states that the Russian peacekeeping force's term (upon request) may be limited to the end of the five-year period.

ment), remaining under Russian control. Leaving this corridor under the control of Russian peacekeepers supports the argument that the vague issues mentioned in the previous article should be interpreted in favor of Armenia. When all these issues are considered together, the impression emerges that Azerbaijan has achieved significant gains in the field by establishing military superiority, however, it has been prevented from completely liberating Karabakh. But in any case, in the new period, Azerbaijan has achieved psychological and military superiority. Thanks to the lands it liberated, the Baku administration achieved an important consolidation in domestic policy and realized one of its most basic goals in foreign policy.

When evaluating the ceasefire outcomes for Yerevan,¹⁶ it must be emphasized that Armenia suffered a serious defeat by Azerbaijan. While Armenia was on the cusp of losing all the Karabakh territories, a “best of the worst” situation was secured through Russian guarantorship as certain ambiguities have, at least for now, prevented Azerbaijan from gaining the Kazak, Khojaly, Khankendi, Aghdere, and Khojavend regions. In terms of losses, beyond the definitive defeat in the field, the seven rayons surrounding the Armenian-occupied Nagorno-Karabakh including certain settlement regions in it were entirely “lost,” it was forced to withdraw militarily from all lands it had occupied, and was dragged into domestic political instability. The instability in question has reached the dimension of rebellion. In addition, Armenia is forced to create a corridor between Azerbaijan and Nakhchivan through Zangezur. Put simply, Yerevan suffered a clear defeat, and is forced to accept a scenario that it refused to come close to accepting for 26 years. Armenia not only lost the lands it had occupied for years, but also lost its reputation in the eyes of the public. The military defeat has also greatly damaged the image of the Yerevan administration in domestic and foreign policy. It should be

¹⁶ Güler, “Karabağ’ın Özgürleştirilmesi ve Sahadaki Yeni Denklemler”.

noted that had the Moscow administration not intervened, the military losses would have increased and it would have been much more difficult to manage the political and economic turbulence in which the Yerevan administration finds itself.

THE CHANGING EQUATION AFTER THE SECOND KARABAKH WAR

The Second Karabakh War caused an important fissure in the South Caucasus region and created a new power equation. This section will discuss Russia's consolidation of its regional power, Turkey's balances and its entry into the equation as a game-changing actor, Iran's diminishing influence, and the global repercussions of the changing balances in the South Caucasus.

CONSOLIDATION OF RUSSIA'S REGIONAL INFLUENCE

The geopolitical equation that emerged in the region after the Second Karabakh War also affected the position of many other countries beyond Armenia and Azerbaijan. The first actor to be mentioned in the geopolitics of the region is Russia. Russia's policy towards the region in general is that the current status quo is unsustainable, and a new equation must be agreed upon in which both sides make concessions.¹⁷ In this case, the return of the five districts to Azerbaijan and the deployment of Russian peacekeepers to the region have long been supported by Russian Foreign Minister Sergey Lavrov.¹⁸ Since the conflict began on September 27, the Russian media has reported that peacekeeping forces will be deployed in the region and that this

¹⁷ "Соглашение По Карабаху: Что Получают И Теряют Стороны", РБК, November 10, 2020, <https://www.rbc.ru/politics/10/11/2020/5faa0bfb9a79472d1159c5e8>, (Accessed: January 9, 2021).

¹⁸ David Stepanyan, "Lavrov in Baku Discussed Details of His Plan on Karabakh", Arminfo, December 3, 2019, https://arminfo.info/full_news.php?id=47574&lang=3, (Accessed: January 10, 2021).

was the only path to a solution.¹⁹ Likewise, Russian politicians and regional experts expressed the same views. As a result of the agreement reached, it is seen that an equation close to Russia's position has been formed and in particular, the planned peacekeeping force has been deployed to the region. In short, Russia consolidated its influence in the region as it had planned. However, it should be noted that Azerbaijan liberated more rayons than foreseen by the aforementioned plans and proposals.

In the post-war equation, Russia not only increased its influence, but also secured various additional gains. Chief among these is the punishment of Prime Minister Nikol Pashinyan and the Yerevan administration, which followed pro-Western policies. The 2018 "Velvet Revolution" that took place in Armenia and the ensuing stance supportive of the United States, and Prime Minister Pashinyan's distancing from Russia and adoption of a Western-aligned policy had led to tensions in Moscow-Yerevan relations.²⁰ This tension in Russia-Armenia relations both provided a space for the Azerbaijani administration to take steps against the occupation and was seen as an opportunity for Moscow to punish the Yerevan administration. By not opposing Azerbaijan's rightful demands on the ground and not hindering its gains, Russia has shown Armenia how weak it is without the Kremlin's support.

The Yerevan administration, which was unable to find the support it sought from Western countries, was deeply affected by Moscow's punitive policies. Russia got involved in the conflict at the point in time it saved Armenia from absolute defeat, but did not prevent Azerbaijan from scoring a major victory. In this way, it not only increased

¹⁹ "Press Review: Armenian-Azeri Conflict Heats up and Trump's Supreme Court Pick Woes", TASS, September 28, 2020.

²⁰ "Предприниматель Пригожин Прокомментировал Столкновения В Нагорном Карабахе", REGNUM, September 30, 2020, <https://regnum.ru/news/polit/3078264.html>, (Accessed: January 10, 2021); Also see: Baunov Alexander, "Why Russia Is Biding Its Time on Nagorno-Karabakh", Carnegie Moscow Center, October 9, 2020, <https://carnegie.ru/commentary/82933>, (Accessed: January 10, 2021).

Yerevan's dependence on itself, but also kept its relations with Baku at a high level.

Another gain is that the landline between Iran and Karabakh has been cut off, and in this way, Tehran's (especially commercial-oriented) activity in the region has begun to decline. Iran's loss of influence in this equation is read as a gain for Russia. In addition, the control obtained by the Russian intelligence in the Nakhchivan corridor is also interpreted as an opportunity to control the Armenian-Iranian trade carried out through the Zangezur corridor. Thus, the possibility of controlling Iran's activities in the region arises. Finally, the further deepening of Baku-Moscow relations, which are going well at this point, and the military influence Russia gained in Azerbaijan, brought Moscow to a much more important point in the region's geopolitics. In general, Russia has provided the equation that it has been building for years with many additional gains and strengthened its influence in the region with its military presence.

TURKEY'S INCREASING REGIONAL INFLUENCE

When the outcomes of the war are evaluated in terms of Turkey, which is seen as a rising actor in the region, it can be observed that Ankara has assumed a position from whence it has a say in the geopolitics of the Caucasus. In addition to the UAV/UCAV, munitions, and electronic warfare systems that Turkey provided to Azerbaijan after the Tovuz conflict, the staff intelligence that it conveyed during the war played a game-changing role in the Second Karabakh War. The technical/equipment support provided to Baku was effective in the absolute superiority established over Armenia on the front, especially in the destruction of land elements and the minimization of losses. The Azerbaijani side maintained both military and especially aerial dominance and psychological superiority throughout the conflict. In addition, the Ankara administration sided with Baku not only with its military but also with diplomacy and all other means. In this context, it followed

a preventive policy against Armenia's efforts to isolate Azerbaijan in the region and has also eliminated Yerevan's efforts to defame Baku's rightful struggle in the international public opinion. Turkey's concrete support in different aspects compared to previous years was highly appreciated by Azerbaijan and created a feeling of gratitude.

Ankara-Baku relations have been conducted under the motto of "one nation, two states" since Azerbaijan gained its independence.²¹ The most concrete example in which this understanding yielded effective results was the Second Karabakh War. From this point of view, it can be seen that Turkey-Azerbaijan relations will continue stronger than before with new momentum in the post-Second Karabakh War period. In the new period, bilateral relations are expected to deepen and develop in all fields, especially in the political, military, economic, communication, and media fields. As it stands, Turkey will be observing in the field alongside Russia. The fact that Turkey will be on the ground via the observation mission is a deterrent for possible provocations by Armenia in the new period. In other words, Turkey's presence in the field is an important message that a reversion of the process to the pre-September 27 period will not be allowed. In connection with this, Turkey and Azerbaijan will play an effective role in recording the provocations that are expected to occur due to Armenia's inability to digest the current situation, and in announcing them to the international community. Of course, Turkey's influence and support will be strongly felt in any Azerbaijani military response to possible provocations.

Moreover, Turkey will play an important role in the reconstruction of Karabakh. Armenia destroyed the infrastructure of the region during its occupation and withdrawal, damaging the historical and cultural fabric and causing serious damage to the environment. The rapid rebuilding of the liberated areas is important in ensuring the return of the more than one million Azerbaijanis who have been displaced over the years. In this

²¹ Ferhat Pirinççi, "Karabağ Zaferi Sonrası Kafkasya'da Yeni Dönem", *Kriter*, Issue: 53, (2020).

phase, it is important for Turkey to stand by Azerbaijan in the rebuilding of the occupied regions with its knowledge and experience. In this regard, the agreement with Turkish companies for the reconstruction and development of Karabakh is significant.²²

Finally, the loss of legitimacy of the old actors who played a role in the diplomatic process over the Karabakh conflict is directly related to Turkey's role in the new equation. It is envisaged that Ankara will sit at the table as an effective actor in the future resolution over the regions where the abovementioned ambiguity continues and has not been fully resolved.

On the other hand, the "Platform of Six" proposal²³ communicated by President Erdoğan of Turkey and President Aliyev of Azerbaijan and which covers all the countries in the region is a move that reveals the regional perspective of the Turkey-Azerbaijan duo for the new period. The aforementioned structure, which has been proposed to ensure permanent stability in the region, shows that the two countries do not have any revisionist claims in the region, but only aim to establish sustainable peace and stability. In order for this mechanism to take shape and produce an effective result, Armenia must first give up its aggressive, occupying, and maximalist policies. Russia and Iran's abandonment of their policy of increasing their regional influence by using conflicts and tensions in the region is a prerequisite for the Platform of Six proposal to produce effective results.

IRAN'S DWINDLING INFLUENCE

Iran has lost a great deal of its influence and commercial privileges over Armenia and especially Karabakh from the pre-September 27 equation. The cutting off of its land route to Karabakh and the estab-

²² "Azerbaycan Cumhurbaşkanı Aliyev: Türkiye Bize Güç Verdi", TRT News, December 10, 2020.

²³ Araz Aslanlı, "Altılı Platform Kalıcı Barışın Teminatı Olabilir", Anadolu Agency, December 18, 2020.

lishment of Russian intelligence in the Zangezur corridor were developments that limited Iran's influence. At the same time, the formation of a direct line between Turkey and Azerbaijan will put Iran in trouble both in terms of transit and exports. In the newly formed equation, it is possible to foresee that the Tehran administration will follow more cautious policies in the region.

In addition, the solution of Azerbaijan's territorial integrity problems indicates the possibility of Iran developing new strategies toward Southern Azerbaijan. It is being debated whether this situation will directly impact Iran's stability. It is this concern that underlies Iran's extreme reaction to a poem recited by Turkish President Recep Tayyip Erdoğan during a victory ceremony celebrating the liberation of Karabakh.²⁴ In summary, in the new period, it can be observed that the Tehran administration's elbowroom to implement its old policies has been narrowed considerably.

GLOBAL REPERCUSSIONS OF THE CHANGING REGIONAL EQUATION

It is possible to summarize the global repercussion of the Second Karabakh War and the ensuing new period in three points.²⁵ The first of these is directly related to the Karabakh problem. For diplomatic initiatives have been carried out since 1994 with the aim of "solving" the Karabakh problem. It has been seen that the negotiations, carried out under the responsibility of the USA, Russia, and France trio, the co-chairmen of the Minsk Group within the OSCE, have not yielded any results for 26 years. The Second Karabakh War has led to an unparalleled major transformation of the problem, which was unresolved for 26 years, in 44 days. Most importantly, neither the United Nations nor Minsk Group co-chairs the USA and France

²⁴ Ayyıldız Huri Kaptan, "İran Erdoğan'ı Hedef Aldı, Cevap Tebriz'den Geldi: Azerbaycan Var Olsun!", QHA, December 12, 2020.

²⁵ Pirinççi, "Karabağ Zaferi Sonrası Kafkasya'da Yeni Dönem".

played any constructive or effective role in this transformation. In other words, the Washington and Paris administrations were left out of the equation during the Second Karabakh War, and as such these actors are not expected to be influential in the permanent solution of the problem in the new period.

Secondly, the war strategy that Azerbaijan deployed during the war, and which clearly benefitted from the contributions of Turkey, has global consequences. As a matter of fact, theUCAV concept that Turkey had started to implement in counterterrorism operations, but came to the fore especially in Operation Olive Branch in 2018 and Operation Peace Spring in 2019, has also been used successfully by the Government of National Accord in Libya. TurkishUCAVs, which have become a great success story of the Turkish defense industry, were also used effectively by Azerbaijan on the battlefield and played a decisive role in the outcome of the 44-day war. In this context, the role ofUCAVs in conventional wars, which can be considered a turning point in the history of military warfare, and Turkey's contribution therewithin have become an important parameter to be considered in all conflict zones. This situation will bring increased interest in Turkish defense industry products.

The third issue is related to the psychological and geopolitical effects of the Turkey-Azerbaijan cooperation at the global level. From a psychological point of view, the superiority gained at the end of the war was welcomed in the Turkish world and the Islamic world, as well as in Azerbaijan and Turkey. The fact that the unlawful occupation by Armenia, which was heavily supported by Russia and many Western states, was largely ended by Azerbaijan with the support of Turkey has demonstrated how a vicious circle can be ended in terms of countries and societies experiencing similar grievances. From a geopolitical point of view, it is important that Turkey has been successful on one more front in its recently intensifying struggle. In this way, Turkey's deterrence has increased, and its determination has been strengthened.

CONCLUSION

The Second Karabakh War is the end of the “strategic patience” Azerbaijan has demonstrated through 26 years of negotiations. It can be observed that a series of interrelated factors have been influential in the end of this patience, the occurrence of the war, and especially the repercussions of the post-war period. The inability to resolve the conflict through diplomatic means, the dysfunction of the “mediator” actors and the mechanisms established to solve the problem, and the aggressive and uncompromising attitude of Armenia throughout the process made the problem increasingly unsustainable and increased the cost for Azerbaijan. On this point, the policy that Azerbaijan has developed in its bilateral and regional relations, as well as its increased military capacity in terms of quantity and quality, demonstrate that the Baku administration is well prepared for a possible alternative solution. In addition, the fact that the regional and global conjuncture is in Azerbaijan’s favor has expanded the Baku administration’s elbowroom.

Although these factors were clear and apparent, Armenia was unable to read the situation correctly and thought it would be able to continue its occupation in Azerbaijani lands, continuing its provocations. This led the Baku administration to turn to an alternative solution to the problem, and the Second Karabakh War occurred. Unlike the previous low-intensity conflicts, from the very beginning of the war, Azerbaijan advanced rapidly on the ground, liberating its occupied lands one by one, and the war came to an end – for now – with the Statement signed under the mediation of Russia. At this time, a final solution to the Karabakh problem has not been found, but the “status quo” imposed in the Caucasus is undergoing an irreversible transformation because of the Second Karabakh War. During the Second Karabakh War, Azerbaijan gained psychological, military, and political superiority, and strengthened its already existing legal superiority.

The Second Karabakh War demonstrated that, among other factors, Ankara-Baku cooperation could invert balances. This cooperation

will be an important parameter in finding a final solution to the problem. Hence it has become difficult for all actors, especially Armenia, to carry out a policy while ignoring the Turkey-Azerbaijan cooperation and its consequences in the Karabakh conflict. In addition, the effects of the new era centered on the Karabakh conflict will not be limited to Karabakh, but the regional and global repercussions of the process will bear an impact on existing and emerging geopolitical struggles.

THE POSTWAR SITUATION IN THE SOUTH CAUCASUS

VASIF HUSEYNOV*

INTRODUCTION

“It is a historic day for our country today. An end is being put to the Armenian-Azerbaijani Nagorno-Karabakh conflict today,” said President Ilham Aliyev of Azerbaijan addressing his nation in the early hours of November 10, 2020 immediately after having signed a tri-lateral statement in a televised videoconference with President Vladimir Putin of Russia.¹ The statement declared “a complete ceasefire and cessation of all hostilities” after 44 days of intense fighting that had started on September 27. The two warring parties agreed to “stop at their current positions.”

Until the establishment of a ceasefire, Azerbaijan’s armed forces had already liberated four districts (Fuzuli, Jabrayil, Zangilan, and Gubadli) around the former Nagorno-Karabakh autonomous region, as well as parts of the territory of the latter including Madagiz (re-named Sugovushan) in the northeast, Hadrut in the southeast, and the cultural center of historical Karabakh – the hilltop town of Shusha. To the disillusionment of Armenians, Yerevan had also agreed to pull out of the remaining three districts around Nagorno-Karabakh in less

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¹ “Ilham Aliyev Addressed the Nation”, President of Republic of Azerbaijan, <https://en.president.az/articles/45924> (Access date: 12 December 2020).

than a month: the Kalbajar region by November 15 (later extended to November 25), the Aghdam region by November 20, and the Lachin region by December 1. The statement stipulated an agreement on the return of internally displaced persons and refugees to the territory of Nagorno-Karabakh and the surrounding districts.

The joint statement did not touch upon the status of the Nagorno-Karabakh region. In his address, President Aliyev assured that “as long as I am president, there will be no status.” Armenia and Russia appeared to have a different understanding of the status problem, as Russian Foreign Minister Sergei Lavrov commenting on the trilateral peace deal on November 12, stated, “Now the issue of the status of Nagorno-Karabakh is the main topic of the political process, since the process of restoring Azerbaijan’s control over five and then two more regions is already underway. It is creating temporary administrations and will restore peaceful life.”² Lavrov noted that “the status will be determined depending on what actions we must take to restore interethnic harmony in Nagorno-Karabakh,” adding that “we do not set any artificial deadlines” for determining the status of Nagorno-Karabakh.

The two sides also agreed on the deployment of Russia’s peacekeeping forces to the Nagorno-Karabakh region to monitor ceasefire on the line of contact and along the Lachin corridor. “A peacekeeping contingent of the Russian Federation shall be deployed in the amount of 1,960 military personnel with small arms, 90 armored personnel carriers, [and] 380 units of automobile and special equipment,” the tripartite agreement stated, adding that these forces are deployed for a period of five years with automatic extension for further five-year periods if none of the parties expresses its desire to terminate the peacekeeping provision six months before the expiration.

² “Foreign Minister Sergey Lavrov’s Interview with Russian and Foreign Media on Current International Issues, Moscow, November 12, 2020”, The Ministry of Foreign Affairs of the Russian Federation, https://www.mid.ru/en/foreign_policy/international_safety/regprla/-/asset_publisher/YCxLFJnKuD1W/content/id/4429844 (Access date: 12 December 2020).

According to the last article of the statement, “All economic and transport links in the region shall be restored.” An agreement was likewise reached between the parties about the provision of two communication corridors, the five-kilometer-wide Lachin corridor between Armenia and Nagorno-Karabakh and a corridor between Azerbaijan proper and the Nakhchivan Autonomous Republic. The agreement also included clauses about the construction of transportation links between Azerbaijan proper and Nakhchivan, as well as a new route between Armenia and Nagorno-Karabakh bypassing Shusha as the existing route passes through the latter which is now controlled by Azerbaijan. The safety of the two corridors that will be open to travel for citizens, vehicles, and goods in both directions is guaranteed by the respective parties. The security of the Lachin corridor will be provided by Russia’s peacekeeping forces, while the control of transport between Azerbaijan’s western regions and Nakhchivan will be handled by the Border Service of the Federal Security Service (FSB) of Russia.

Although the trilateral agreement does not mention Turkey, Azerbaijan’s chief ally, in his abovementioned address to the nation, President Aliyev found it necessary to clarify that the agreement envisages the foundation of a joint center for monitoring the ceasefire with the participation of Russian and Turkish military personnel. However, as almost most other issues, many details of the peacekeeping mission were not set out in the agreement and left to be decided afterwards, *inter alia*, by the negotiations between Russia and Turkey. Thus, questions such as “Will Turkish peacekeepers be deployed to Karabakh?”, “Where will the ceasefire monitoring center be based?”, “What authorities will the monitoring center have?” and “Will Turkish and Russian peacekeepers have the same authorities?” were left to be answered in the future.

The November 10 agreement ended the Second Karabakh War and with it the occupation of Azerbaijan’s territories. The peace deal excluded the OSCE’s Minsk Group from the peace process and as such

minimized the influence of France and the United States, the group's Western co-chairing states, in the Karabakh peace process. At the same time, it preserved and cemented Russia's strategic dominance in the South Caucasus and created new opportunities for Turkey's geopolitical rise in the region.

TRILATERAL STATEMENT: AN END TO THE ARMENIA-AZERBAIJAN CONFLICT?

"I hope that we will no longer say the 'Nagorno-Karabakh conflict' and hope that we will soon move to discussing other issues," President Putin said during a meeting on resolving humanitarian issues in Karabakh on November 13.³ A week later, discussing the Russian peacekeeping mission with Russian officials via videoconference, Putin warned against any attempts to violate the peace deal, stating that "war in Nagorno-Karabakh is the only alternative to the trilateral agreement."⁴

A similar statement was made by the Azerbaijani leader on several occasions since the end of the war. President Aliyev, in his address to the nation after the liberation of the Lachin region on December 1, declared the Armenia-Azerbaijan conflict to be over. He declared, "The Nagorno-Karabakh conflict is gone. If someone thinks that this conflict still exists, they are wrong."⁵ "We have entered the process of the restoration of peaceful coexistence stage in the resolution of the conflict," announced Azerbaijan's Foreign Minister Ceyhun Bayrov in his speech at a meeting of the Council of Ministers of Foreign

³ "Putin Hopes the Word Conflict Won't Be Used for Nagorno-Karabakh Anymore", TASS, <https://tass.com/politics/1223535> (Access date: 4 December 2020).

⁴ "Russia: 'The Only Alternative Is War' - Putin on Nagorno-Karabakh Deal", RT, <https://www.ruptly.tv/en/videos/20201120-063-Russia---The-only-alternative-is-war---Putin-on-Nagorno-Karabakh-deal> (Access date: 4 December 2020).

⁵ "Ilham Aliyev Addressed the Nation", President of the Republic of Azerbaijan, <https://en.president.az/articles/48205>, (Access date: 4 December 2020).

Affairs of the Organization of the Black Sea Economic Cooperation in late November.⁶

The peace deal was a military capitulation act for Armenia. “It is the worst tragedy for the Armenian people in the last 100 years” wrote Armenian social media users. There were calls both in the country and in the diaspora to withdraw from the agreement or rewrite it. However, soon most such voices came to terms with the peace deal as it was gradually clear that the alternative would have been much more disastrous for Armenia. “The implementation of the trilateral statement is very painful. However, the decision was made in a situation where the alternative could be more painful,” declared Pashinyan in a meeting with the participation of local governors on November 27.⁷

Russia’s peacekeepers started to move into Karabakh immediately after the establishment of the ceasefire with a speed that would not have been possible if there had not been advanced preparation on their side. “This document [the peace deal] is more about the deployment of peacekeeping forces, and we are grateful to Russia for providing that support,” declared Armenia’s minister of defense Davit Tonoyan on November 10.⁸

The Russian mission, however, is not limited to peacekeeping, but also includes the provision of humanitarian assistance, among others. On November 13, President Putin signed a decree on the creation of an interdepartmental humanitarian response center for Nagorno-Karabakh. The inter-agency center included representatives of Russia’s Ministry for Civil Defense, Emergencies and Elimination of Consequences

⁶ “Ceyhun Bayramov: ‘Münaqişənin həllində dinc birgəyaşayışın bərpası mərhələsinə qədəm qoymuşuq’”, REPORT, <https://report.az/qarabag/ceyhun-bayramov-munaqisenin-hellinde-dinc-birgelyasayisin-berpasi-merhelesine-qedem-qoymusuq/> (Access date: 4 December 2020).

⁷ “Pashinyan Calls Implementation of Nagorno-Karabakh Peace Deal ‘Painful’”, Defence.az, <http://defence.az/az/news/149200/pashinyan-calls-implementation-of-nagorno-karabakh-peace-deal-painful> (Access date: 4 December 2020).

⁸ “Armenian Defense Minister Welcomes Russian Peacekeepers; Says Armenia Faced Arms Blockade”, Hetq.am, <https://hetq.am/en/article/124175> (Access date: 4 December 2020).

of Natural Disasters, the Foreign Ministry, the Federal Security Service, and representatives of other interested federal bodies of the executive power. According to Putin, the center would deal with the issue of providing assistance to the population that has suffered as a result of hostilities during the war. This assistance will prioritize returning to a normal peaceful life, restoring civilian infrastructure in Karabakh, helping residents of the region solve pressing problems, and the return of refugees. In late November, it was reported that Russia's Ministry of Defense has established an airmobile hospital, which had been previously announced by the ministry, to provide medical assistance to the local population, if necessary.

Not everyone in Azerbaijan was happy about the deployment of Russian peacekeepers to Karabakh. Some opposition parties objected and characterized it as a threat to Azerbaijan's independence. However, the fact that Turkey would also have a role in the peacekeeping mission assuaged the concerns of a section of those concerned. On November 18, the Turkish parliament approved the deployment of military forces to Nagorno-Karabakh who would join the Russian forces at the ceasefire monitoring center. The mandate allowed Turkish troops to be stationed at the center for one year as part of an accord between Ankara and Moscow to monitor the implementation of the ceasefire.

However, in the days following the ceasefire agreement, it became known that Russia and Turkey were at odds over certain issues concerning the peacekeeping mission. Most importantly, it was reported by Reuters that Ankara wanted to set up an independent military observation post on the Azerbaijani territory which was not accepted by Moscow. Citing an anonymous Turkish official, on November 23, Reuters reported, "Russia thinks it is unnecessary for Turkey to establish an observation post in the region independent of the joint center. However, this is necessary for Turkey."⁹ On December 1, it was report-

⁹ "Turkey, Russia at Odds over Turkish Military Post in Azerbaijan – Source", Reuters, <https://ca.reuters.com/article/topNews/idCAKBN2831GR> (Access date: 4 December 2020).

ed that Turkey and Russia had reached an agreement on the technical details concerning the basics operation principles of the joint Turkish-Russian center.

It is widely accepted both in Armenia and Azerbaijan that a sustainable ceasefire would not be possible without monitoring by third parties. Although the Azerbaijani leaders declared the conflict to be over and called for the building of a peaceful co-existence in the region, the Armenian side was reluctant to give such positive messages. It seems that the two nations may need a considerable period of time to heal the wounds of war and rebuild peaceful co-existence in Karabakh. This process is further complicated by the still strong revanchist ideology in Armenia. Although the government has not said so explicitly, there are prominent figures in Armenian society who have declared that the war is not over yet and that Armenia will not give up the territories it lost in the 44-day war. Naturally, this mentality poses an important hindrance to the efforts to reestablish peace and security in the region through the two nations' reconciliation and the opening of communication channels.

INTERNATIONAL REACTION

The November 10 agreement on the cessation of hostilities was welcomed by most states and international organizations; however, few states appeared to be perturbed by the developments. Iran, the country that directly neighbors the conflict zone, expressed support for the agreement between Armenia and Azerbaijan. The statement of Iran's Ministry of Foreign Affairs, reiterating its position during the 44-day war, underlined "the necessity for respecting the territorial integrity and sovereignty of other countries, a lack of change in internationally recognized official borders, liberation of occupied territories, the return of refugees, [and] respect for minorities' security and rights."¹⁰

¹⁰ "Iran's Statement on Agreement between Azerbaijan, Armenia, Russia", Ministry of Foreign Affairs of Iran, <https://en.mfa.ir/portal/newsview/616551/iran%E2%80%99s-statement-on-agreement-between-azerbaijan-armenia-russia> (Access date: 7 December 2020).

Iran's emphasis on territorial integrity, rather than on Armenia's claim of self-determination as an attempt for independence, is largely interpreted as a support to Azerbaijan, while this principle is also important for Iran itself due to the country's sensitive multiethnic structure. Importantly, a similar position was demonstrated by President Vladimir Putin, who in an interview with a local television channel, declared that "according to international law, Nagorno-Karabakh and the surrounding areas are an integral part of the Republic of Azerbaijan."¹¹

The fact that the reconfiguration of the region's geopolitics and the resolution of the conflict took place outside of the framework of the Minsk Group displeased some Western powers. The deployment of Russian peacekeepers and the growth of the Turkish influence in the South Caucasus were largely interpreted as a failure of the EU foreign policy in its eastern neighborhood. In their statements following the signing of the trilateral statement, both the EU and the United States emphasized the re-engagement of the Minsk Group as a necessity to reach a lasting solution to the conflict.

The declaration by the high representative on behalf of the European Union stated, "The EU considers that efforts must be renewed for a negotiated, comprehensive and sustainable settlement of the conflict, including on the status of Nagorno-Karabakh. The EU therefore reiterates its full support to the international format of the OSCE Minsk Group led by its Co-Chairs and to the Personal Representative of the OSCE Chairperson-in-Office to pursue this objective."¹²

A similar point was made by the United States: "We urge the sides to re-engage as soon as possible with the Organization for Security and Cooperation in Europe (OSCE) Minsk Group Co-Chairs to pursue

¹¹ "Putin: Nagorno-Karabakh Is an Integral Part of Azerbaijan", APA, https://apa.az/en/nagorno_karabakh/Putin-Nagorno-Karabakh-is-an-integral-part-of-Azerbaijan-336051 (Access date: 7 December 2020).

¹² "Nagorno-Karabakh: Declaration by the High Representative on Behalf of the European Union", European Council of the European Union, <https://www.consilium.europa.eu/en/press/press-releases/2020/11/19/nagorno-karabakh-declaration-by-the-high-representative-on-behalf-of-the-european-union/> (Access date: 7 December 2020).

a lasting and sustainable political solution to the Nagorno-Karabakh conflict based on the Helsinki Final Act principles of the non-use or threat of force, territorial integrity, and the self-determination and equal rights of peoples. As a Co-Chair of the OSCE Minsk Group, the United States remains fully engaged in this effort.”¹³

France’s reaction to the trilateral agreement was particularly controversial. In contrast to its obligations under the Minsk Group co-chairmanship which obliges France to maintain neutrality, the country took a strongly anti-Azerbaijani position during and after the war, blaming Azerbaijan for aggression against Armenians and for using mercenaries in the fighting. Hikmet Hajiyev, the assistant to the president of the Republic of Azerbaijan, stated that “France didn’t have any role in the adoption of the joint statement... Probably, France is jealous of Russia’s role in this issue.”¹⁴

This jealousy reached another high on November 25 and December 3, when the French Senate and National Assembly, respectively, in an almost unanimous vote, recognized the independence of the so-called Republic of Nagorno-Karabakh and called for the restoration of the borders defined by the 1994 ceasefire agreement. Although the Ministry of Foreign Affairs of France made a statement and underscored that the French Parliament’s resolution did not change the official position of France and France does not recognize the “Nagorno-Karabakh Republic,” it is believed that the French government would have prevented the adoption of the resolution, if it really wanted to do so.

The French reaction to the trilateral statement and the adoption of the controversial resolutions in the French Parliament delegitimized

¹³ “The United States Welcomes Cessation of Hostilities between Armenia and Azerbaijan and Announces New Assistance to Respond to the Nagorno-Karabakh Humanitarian Emergency”, European Council, <https://www.consilium.europa.eu/en/press/press-releases/2020/11/19/nagorno-karabakh-declaration-by-the-high-representative-on-behalf-of-the-european-union/> (Access date: 7 December 2020).

¹⁴ “Hikmet Hajiyev: France Obviously Pursues a Pro-Armenian Policy, While It Should Act as a Neutral Party in Accordance with Its Mandate”, Azertag, https://azertag.az/en/xeber/Hikmet_Hajiyev_France_obviously_pursues_a_pro_Armenian_policy_while_it_should_act_as_a_neutral_party_in_accordance_with_its_mandate-1639607 (Access date: 4 December 2020).

France's role as a neutral mediator within the OSCE's Minsk Group. This was the reason why the Azerbaijani parliament appealed to the government to remove France from the Minsk Group on November 26, a day after the French Senate's decision.

However, it is not clear what role, if any, the Minsk Group will play in the postwar stage of the conflict. President Aliyev has declared that the Nagorno-Karabakh conflict has been resolved and those who claim differently are mistaken. Furthermore, he has not declared any interest in discussing the status of Nagorno-Karabakh as he vowed that there would not be a status at least as long as he is Azerbaijan's president.

The diminution of the role of the Minsk Group in the Armenia-Azerbaijan conflict is likely also to affect U.S. policy regarding the South Caucasus. The United States could not or refused to play an impactful role in the most heated period of the conflict, namely the Second Karabakh War. Amidst the fighting between Armenia and Azerbaijan, the U.S. mediated a meeting of the foreign ministers of Armenia and Azerbaijan on October 23 in order to reach a humanitarian ceasefire. But less than an hour after the humanitarian truce was due to begin, the two countries accused each other of violations.

Newly-elected U.S. president Joe Biden issued a statement on October 13 before the presidential elections, criticizing the Trump administration of being "largely passive, and disengaged, throughout this recent period of escalation" and warned against "delegating the diplomacy to Moscow." He called the Trump administration to "tell" Azerbaijan to refrain from policies that "impose a military solution" and to "make clear" to Armenia that "regions surrounding Nagorno-Karabakh cannot be occupied indefinitely and that credible negotiations on a lasting resolution of the conflict must commence immediately once a ceasefire is concluded."¹⁵

¹⁵ "Nagorno-Karabakh – Statement by Vice President Joe Biden", Joe Biden's official campaign website, <https://joebiden.com/2020/10/13/nagorno-karabakh-statement-by-vice-president-joe-biden/> (Access date: 7 December 2020).

Despite the fact that Biden urged Trump to engage more actively in the Armenia-Azerbaijan conflict, no serious changes in U.S. policy regarding the conflict and the wider South Caucasus are expected under Biden's presidency. The cessation of hostilities through Russian mediation and the deployment of its peacekeepers as guarantors of the ceasefire leave little room for other major powers to take a leading role in this process. Therefore, Biden's focus will likely be directed towards maintaining and developing U.S.-Georgia relations in an attempt to retain the U.S. influence in the wider South Caucasus.

IMPLICATIONS FOR THE CONFLICTING SIDES AND THE FUTURE OF THE SOUTH CAUCASUS

The conflict over the occupied territories of Azerbaijan has, almost invariably, topped the agenda of domestic and foreign politics of Armenia and Azerbaijan since the early days of their post-Soviet independence. The nation-building process in the two countries after the breakup of the Soviet Union was largely shaped by this conflict and the OSCE-mediated negotiations over it. This was not seen by the two nations as a mere territorial conflict but as a matter of historical justice and national dignity. Both sides had their own interpretation of historical, legal, moral, and other aspects of the conflict, but its national significance was more or less the same for both. The resolution of the conflict holds, therefore, overarching implications for the internal and external policies of both Armenia and Azerbaijan.

The military defeat in the First Karabakh War and the painful loss of Karabakh inflicted a heavy blow to Azerbaijani society. The displacement of up to a million people from the occupied territories and the plight they experienced further dramatized the consequences of the war for Azerbaijan. The policies to resolve housing and other problems of the internally displaced people (IDP) and to build a strong and modern army to liberate the occupied territories, if peace negotiations failed, consistently remained a priority of the Azerbaijani government

and attracted considerable part of the state budget. Since the war of the 1990s, the Karabakh issue consistently appeared as the most pressing problem for most Azerbaijanis in public opinion surveys. A significant part of the Azerbaijani society invested trust in the determination and potential of the government of President Aliyev to liberate the occupied lands, while the opposition increasingly used the lack of success in the resolution process against the government.

The victory in the Second Karabakh War is, hence, more than a military success for Azerbaijan. Not only did this victory restore the country's territorial integrity but it served as a unifying factor for the nation. It cemented the government's popularity amongst the people and created a favorable ground for future economic and political reforms. In the years ahead, Azerbaijan will direct its focus on the restoration of the once occupied territories by investing extensive resources given that almost all the settlements were razed to the ground during the three decades of occupation. President Aliyev has vowed that the damage Armenia inflicted in these territories will be calculated with the participation of international organizations and experts, and that Armenia will be held accountable. Warning against Azerbaijan's demands for compensation and calling for Pashinyan's resignation and the invalidation of the document he signed, Armenia's former prosecutor general and former representative at the European Court of Human Rights Gevork Kostanyan addressed Armenians by saying that "the shameful document [trilateral statement] signed by Nikol Pashinyan will also lead to serious financial problems for us, which even our descendants cannot pay."¹⁶

The trilateral agreement had a shattering effect on Armenian society. Armenians woke up to a different world on the morning of November 10. Having been consistently deceived by their leaders during

¹⁶ "Геворк Костанян: По этому документу на Армению наложено обязательство в размере более чем на 50 млрд. Долларов", News.am, <https://news.am/rus/news/612951.html> (Access date: 4 December 2020).

the war about the real situation on the front, they believed that their army was in control of the situation. Pashinyan's government had even denied the loss of the city of Shusha on November 8, when President Aliyev announced the city's liberation and the Ministry of Defense of Azerbaijan shared video footage from the city. Therefore, the capitulation was a great shock for the Armenian people who took to the streets protesting against the government and calling for Pashinyan's resignation. In the following days, some top members of the government, including Foreign Minister Zohrab Mnatsakanyan and Defense Minister Davit Tonoyan, resigned. In a televised address to the nation on November 16, President Armen Sarkisyan, who had previously declared that he had not been consulted in advance on the peace deal, called for snap parliamentary elections, saying that this is needed to resolve a political crisis sparked by the war.¹⁷

Besides the political turbulence, a serious economic crisis looms over Armenia. The country's economy was already damaged by the pandemic-related restrictions before the war. The country's public debt was approaching 70% of its GDP - a frightening figure for the fragile economy. The currency is rapidly depreciating, foreign exchange reserves (\$2.449.2 billion in November 2020) are melting, and prices in the domestic market are rising. Against this background, the country has no real prospects to overcome this crisis anytime soon nor does it have the possibility to draw foreign loans and investments. The military defeat in the war and the subsequent loss of the occupied territories, which were a source of revenue for the Armenian budget, put further pressure on the economy. The Karabakh region was a source of gold reserves, pastures, grain, etc. for Armenia. For example, the Soyudlyu (Zod) gold mine in Kalbajar, more than half of which is now under Azerbaijani control, constituted the major revenues for one of Armenia's largest taxpayers, the GeoProMining company. Armenian

¹⁷ "Armenian President Says He Wasn't Consulted on Deal to End Artsakh War", Hetq.am, <https://hetq.am/en/article/124145> (Access date: 4 December 2020).

experts warn that the loss of the mine will cause many social and economic problems.

The war has also triggered a public debate about Armenia's post-war foreign policy strategies. The questions rise particularly because Armenia failed to receive effective military support from its strategic allies during the war. Although Moscow had regularly emphasized that Russia's security commitment to Armenia within the CSTO did not include Armenia's interests in the Karabakh region, Armenians still expected Russia's intervention to stop Azerbaijan in the early days of the war. Eventually, having received no tangible support from its allies, Armenia found itself in a strategic vacuum with no real alternatives. Some Armenians, therefore, have called on the government to reconsider the state's foreign policy priorities and its external orientation. For example, Ara Papyan, Armenia's former ambassador to Canada (2000-2006), questions his country's Russia-oriented foreign policy course, by asserting,

Armenia can NEVER (sic) be as important for Russia as Turkey and Azerbaijan. Even as Azerbaijan. Now Azerbaijan is becoming more and more important for Russia, it is becoming a direct railway-road connection with Turkey and Iran. It is time to cut the umbilical cord from Russia, otherwise we will be completely destroyed. A new security environment must be created, new allies must be found. The war showed that Russian security is false and illusory.¹⁸

Having lost a significant part of its army during the war and struggling with overwhelming economic challenges, Armenia's options in foreign policy are rather limited. Quite contrary to what is suggested by Papyan, postwar Armenia is even more dependent on Russia and has few, if any, chances to relieve itself from this dependency. The Armenian leadership has confessed to the fact that the country was edging towards a total defeat in the war with catastrophic consequences if

¹⁸ “Ռուսաստանից պարտալարը կտրելու ժամանակն է, եսկառակ դեպքում մենք ամբողջովին կկործանվենք. Արա Պապյան”, Armdaily.com, <https://www.armdaily.am/?p=118104&l=am> (Access date: 4 December 2020).

Russia had not intervened and mediated the peace deal. The war created a situation whereby Russia further increased its military presence in the region and emerged as the guarantor of the safety of Armenians in Karabakh and their free communication with Armenia. The country, being a hostage of the Karabakh issue, is likely to transform gradually and increasingly into Russia's "southern Kaliningrad" - in other words, Russia's westernmost exclave.

Despite the opposite outcomes for Armenia and Azerbaijan, the war, which put an end to the conflict, can still provide a common ground for the two countries to benefit from the new reality in the region. The trilateral agreement can serve as an important step towards reaching peace between the two nations. The two sides have already started discussing the establishment of communications, opening borders and markets, the foundation of new railways connecting Azerbaijan and Turkey on the one side, and Iran and Armenia, on the other, building a more friendly atmosphere between the armed forces of two countries, etc. "Of course, open borders are very good for the economy, because as a result of competition, better products are created, that is, our economy can reach the world level in quality," Armenia's newly appointed minister of economy stated with regard to the long-term possibilities for regional cooperation.¹⁹ "For example, our exporters will be able to deliver their products to Russia and other countries in more convenient ways than now. Turkish ports will be opened, many more opportunities will appear. Perhaps, the Azerbaijani market for our goods and our market for Azerbaijan will open," he added. If implemented, such developments would truly transform the South Caucasus from a region of consistent hostilities and bloodshed into a prosperous area of cooperation.

¹⁹ "Statement on Artsakh War Can Open Turkey's Ports and Azerbaijan's Market for Armenia", Armbanks.am, <https://www.armbanks.am/en/2020/11/30/131203/> (Access date: 4 December 2020).

CONCLUSION

The Second Karabakh War, which took place between September 27 and November 10, 2020, put an end to the occupation of the Azerbaijani territories and paved a way for the establishment of peace and security in the South Caucasus. The trilateral agreement that ended the war included clauses on the settlement of the territorial disputes and at the same time drew a picture of the region's future. It was, therefore, more than a ceasefire agreement, and created the potential for Armenia and Azerbaijan to sign a peace treaty in the future. The restoration of all communication and of peaceful co-existence provides a unique opportunity that should not be taken for granted by either country. The fact that the agreement was mediated and signed by Russian President Vladimir Putin and supported by the Turkish leadership demonstrated its potential to be fully implemented and, as such, not to remain a piece of paper like the many previous settlement proposals by the OSCE's Minsk Group.

AZERBAIJAN'S MILITARY OPERATION IN THE SECOND KARABAKH WAR: A TECHNICAL ANALYSIS OF THE VICTORY

MURAT ASLAN*

INTRODUCTION

After Armenia's rocket attack on Tovuz on July 12, 2020 and the short-term border clashes that ensued, signs of possible military tension began to be felt. It was stated in the media that the Armenians were trying to prove their ability to impact energy pipelines with the attack on the city of Tovuz, through which the energy corridor stretching from Baku to the West passes.¹ After the Tovuz attack, Armenian politics, which had no obvious logic, repeated itself and a wide-ranging attack was conducted on the front line around 06:00 on September 27, 2020. Armenian military elements opened fire on the positions of the Azerbaijani army on the contact line as well as civilian settlements with large-scale weapons.² The logic behind the unprovoked attack, which gave the other side the right to self-defense, is an important topic of discussion, but it is not easily understood. With such an action, Armenia became the aggressor, while Azerbaijan was able to use its right of self-defense within the scope of the United Nations Charter.

The 26-year occupation of Karabakh and its seven rayons, an indivisible part of Azerbaijan within the context of international law,

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¹ "Azerbaycan Sınırındaki Tovuz Şehrine Neden Saldırıyor?", *Habertürk*, July 14, 2020.

² "Ermenistan Azerbaycan'a Saldırdı", TRT Haber, September 27, 2020.

and the “Minsk” unwillingness to take steps toward a political solution should be addressed first. The efforts of the Minsk co-chairs to delay and dictate the deadlock as a final solution is a fact that needs to be learned in international politics. The first lesson is that crises not ended with a clear peace treaty and frozen with cosmetic measures under the name of a ceasefire will definitely recur one day. The second lesson is that when a crisis is frozen, the party that feels privileged by the freezing of the crisis can sharpen its reckless, aggressive attitude and when their political figures like Pashinyan are faced by domestic political strife they may abuse the crisis as a show of power.

The third lesson has to do with change to the international conjuncture. The change of Russia’s “protective” policy towards Armenia due to the Armenian government using pro-Western rhetoric and the inability of other pro-Yerevan states to intervene in the region due to the difficulty of accessing the war zone affected the course of the Second Karabakh War. In such a case, the ability of statesmen to read the big picture in their strategy preferences and to design their foresight-based mode of action together with alternatives will secure important gains.

It can be seen that Armenian statesmen were unable to read the big picture in the July 12 and September 27 attacks, that they failed to take the actions that the state mentality requires, and that they made their moves without weighing the consequences. The ultimate goal Armenia was trying to achieve with such an attack and the scope of its strategy have not been clearly demonstrated. In addition, the Armenian statesmen who had felt the unconditional support of the Western world behind them and were aware of the effectiveness of the diaspora, ultimately experienced the frustration of overconfidence.

The last lesson learned from the Second Karabakh War concerns military issues. This section prioritizes lessons learned in the military field and focuses on military developments and their consequences in the field through process analysis. This section’s hypothesis is that military structures that have strengthened their technical and technological

inventory and which have made war preparations as part of a long process, within the context of political legitimacy, can attain military and political victory based on a strategy rooted in legal and legitimate reciprocity following a beneficial transformation in factors like the political atmosphere, military readiness level, decisiveness over choosing the military option, and geographical conditions and climate. In this context, the question that is the subject of this study is, “Was Azerbaijan’s victory in the Second Karabakh War accidental?” In the analysis of the problem, first the factors affecting the operation are examined, the execution of the operation is evaluated, and the lessons learned from the operation are reviewed. As a result, the level of consciousness of the Second Karabakh War is revealed through a technical analysis.

FACTORS AFFECTING THE OPERATION

POLITICAL CLIMATE AND LEGITIMACY

Although the impact of the political environment on state decisions is a topic in itself, its impact on military action is a definitive topic in the determination of military strategy. Ultimately, military action is implemented by drawing power from a political directive. When political turmoil is at play, the art of war is under heavy pressure from uncertainty, potential operational disruption, and the sacrifice of tactical and operational success at the expense of casualties. On the other hand, stopping a military operation once it has started due to a lack of political determination can give the enemy time to regroup as long as the military initiative is kept in hand, and the loss of momentum may later lead to the operation’s interruption. For this reason, the military-political coordination required by the art of war and the political environment should be undertaken with a synergetic method. However, it should be noted that this is not an easy task.

In the context of the political environment, no problems have arisen in the internal political climate of Azerbaijan. However, it can be

claimed that the Russian factor worries Azerbaijan in its thinking about the foreign political environment and its determination of preventive measures. The possibility of Russian involvement in the war in favor of Armenia, a member of the Collective Security Treaty Organization, is an important parameter for Azerbaijan. As a matter of fact, it is seen that the legal conditions that could have paved the way for Russian intervention, which would be an important decision point in the Second Karabakh War, were handled sensitively by the Azerbaijani political leadership and their military maneuvers were carefully planned. Therefore, the political environment and the coordination of the art of war became a prominent topic in the war's administration. For this reason, the area known in military literature as the "war zone" for the strategic level and the "operation field" for the operative level has been clearly limited by Azerbaijan within the scope of military mobility. Thus, the sphere of influence of the troops was limited to the legitimate borders of Azerbaijan, including the occupied territories. In other words, the limitations known as "control measures" in military doctrine were applied strictly.

On the other hand, the military policy followed by Iran in 1992 in favor of Armenia is a topic that is constantly followed by Azerbaijan. Iran adopts a political stance in favor of Armenia and facilitates the supply and transfer of military aid materials³ in order to control the Turks living in South Azerbaijan, which is within Iranian territory, and to prevent provocations in the direction of independence. Within this framework, images of military equipment transported from Iran to Armenia at the start of the war appeared in the press.⁴ Despite Iran's denial of these reports, South Azerbaijani Iranian citizens demonstrat-

³ Fatma Aşlı Kelkitli, "Soğuk Savaş Sonrası Ermenistan-İran İlişkileri: Gelişen ve Derinleşen Bağlar", *Ermeni Araştırmaları*, Issue: 46, (2013), pp. 129-142.

⁴ Orhan Celilov, "Protestors in Northern Iran Demand Closure of Border with Armenia over Arms Transfer to Yerevan", *Caspian News*, October 3, 2020, <https://caspiannews.com/news-detail/protestors-in-northern-iran-demand-closure-of-border-with-armenia-over-arms-transfer-to-yerevan-2020-10-3-0>, (Accessed: December 6, 2020).

ed on the roads leading to the border gate and closed the roads to transportation.⁵ The Second Karabakh War, which Iran dealt with in the context of internal security, was a definitive issue in the Armenian military strategy in terms of increasing Armenia's military capacity. As a matter of fact, its military leadership is demanding when it comes to political prevention of attempts of countries that can support the enemy, and a similar concern for Azerbaijan comes to the fore.

In addition to Azerbaijan's concerns regarding Russia and Iran, the general political environment required the Azerbaijani political leadership to take measures against the United States of America (USA) and Europe, which traditionally take a stance in favor of Armenia. However, these initiatives can be handled within the scope of diplomacy and information warfare rather than involving military action. In the context of diplomacy, an example can be given of Azerbaijan's Minister of Foreign Affairs, Ceyhun Bayramov, who went to the United States to negotiate a ceasefire despite Armenia's violation of the ceasefire declared under pressure from Russia. In addition to diplomacy, it is well known that information warfare is an area in which civil state functions are engaged as much as the military. In other words, Azerbaijan's strategic communication and public diplomacy activities against aggressive political initiatives originating from the USA and Europe have come to the fore. The daily press conferences held by the spokespersons of the Ministries of Foreign Affairs and Defense of Azerbaijan and the transparent verbalization of political and military developments in the press briefings brought the Baku administration one step forward.

On the other hand, Armenian public diplomacy appeared blurred. However, when the personal messages to the public on social media are examined, it is seen that the pro-Armenia diaspora Armenians are able to direct world public opinion more strongly. Broadcasts and messag-

⁵ "Protests Erupt in Iran Backing Azerbaijan in Nagorno-Karabakh Conflict", RFE/RL (Radio Free Europe/Radio Liberty), 2 October 2020, <https://www.rferl.org/a/protests-erupt-in-iran-backing-azerbaijan-in-nagorno-karabakh-conflict/30870217.html>, (Accessed: November 9, 2020).

es in different languages by the Armenian diaspora developed spontaneously in a way that could set a precedent for black propaganda. It has been observed that the Armenians published more consciously on social media and their messages voiced specific discourses around a common theme, whereas Azerbaijanis, at first, were not active in using languages other than their own.

The ceasefire efforts, which have become another means of controlling the political environment, have caused hesitations in the context of military strategy. Ceasefires, which may mean a decrease in the tempo of military operations and the loss of gains, also give the opposing forces the chance to increase their level of preparation, refuel, and close possible breaches with maneuvers in the rear. The ceasefire negotiations and agreements were misused because the Armenian military elements had a higher sensitivity level due to their weakness against the aerial attacks of the Azerbaijani Armed Forces. On the other hand, it was understood that Armenia, which did not take advantage of the benefits afforded by the ceasefire in a short period after it was declared, used the ceasefire as an element of deception. Armenia violated the ceasefire by shooting at civilian settlements with long-range weapon systems and committing war crimes. It can be conceived that this preference was implemented in order to push Azerbaijan into error due to its concerns about Russia, leading it to attack Armenian territory. In the context of military strategy, the short-term ceasefires, full of traps, eased the psychological pressure on Azerbaijan's military leadership. Ultimately, returning to the conflict environment without the implementation of the ceasefire led to the continuation of the military tempo.

As a result, it can be said that the political environment and military strategy for Azerbaijan are managed in balance and synchronized in an executable way. While the Armenian political leadership disregarded the rules of war, the negative effects of the ceasefires were prevented by the Azerbaijani leadership's proper management of foreign policy and

military requirements, Russia was kept out of the war, and advantage was taken of the ineffectiveness of the USA and Europe. The indifference to foreign policy in the atmosphere created by the election period in the USA has also been an important gain for Azerbaijan.

THREAT ASSESSMENT AND DOCTRINAL PREFERENCES

The composition (units and deployments), distribution (positions), defensive or offensive doctrine and tactic, and capacity and capability of the enemy considered to be a threat must be evaluated in the planning of military operations. In this framework, Armenia, which had occupied Karabakh and seven districts since 1994 due to the non-solution of political efforts, developed a defense-oriented military strategy, while Azerbaijan developed an offense-oriented military strategy in order to take back its own lands, and conducted a threat analysis of the opposing side with this logic. In the context of the threat assessment, it is seen that Armenia has developed a defensive strategy in line with the Russian doctrine that is based on an Azerbaijani offensive intention, and that takes into account the axis and directions in this regard. As a matter of fact, Armenia has established “support points” and complementary strong lines of position at the nodal points of the axis upon which Azerbaijan must advance. In other words, in order to use the land in the most appropriate way in its defense operation, it decorated it with obstacles, building positions, and aiming to block and stop the advance of the Azerbaijani army. However, the capabilities and tactics of the Azerbaijani Armed Forces collapsed the stagnant defense understanding of the Armenians.

In the context of this threat perception, Azerbaijan encountered the adversarial composition and arrangement that it expected. Therefore, it applied the tactic of surrounding, cutting off the supply lines deep behind the enemy line, leading them to hesitate over whether to withdraw or be destroyed in their positions, and in cases where they chose

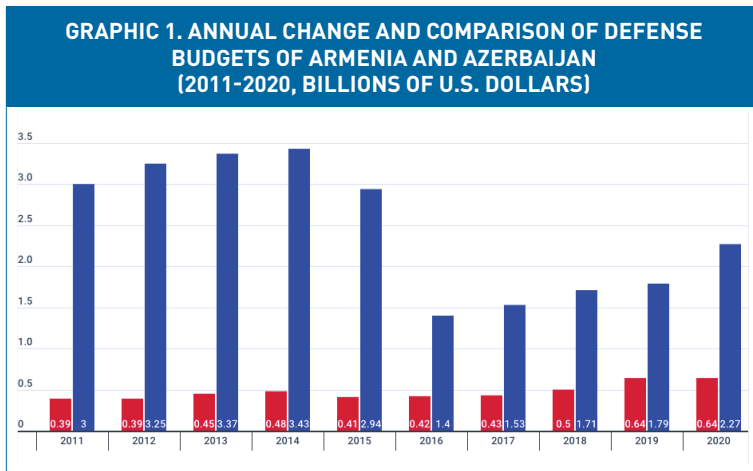
not to withdraw, using precision munitions to neutralize the areas where the enemy forces are located. In addition, strategic maneuvers were directed at the northern and southern fronts for siege purposes, instead of the central front where Armenian forces were strong. In the regions where the operation slowed down due to the geographical environment and climate, there was no insistence on advancement and the focus was on seizing the land by establishing a heavyweight center in the direction of the operation.

It will be useful also to consider the steps taken by both armed forces toward their ultimate political goals. After the meaningless war of aggression by Armenia, the comprehensive operation initiated by Azerbaijan within the scope of self-defense and the military campaign that the country declared are the definitive parameters for the political goals they serve. The Armenian political leadership wanted to spark Azerbaijan's attack, establish permanent dominance in the occupied territories, and prevent Azerbaijan from conducting a military operation for many years, by garnering Russian support. For this purpose, it followed the strategy of forcing Azerbaijan to make political mistakes by attacking civilian settlements. Azerbaijan ran its strategy based on coordination between the political and military options, thus neutralizing Armenia's strategy. After the threat analysis, it turned to high-value targets deep behind the front lines. In other words, it inclined toward destroying the capabilities of the Armed Forces of Armenia, and subsequently took over the defense positions. On the other hand, in the strategic context, Azerbaijan prioritized gaining territory over destruction of the threat.

PREPARATION FOR WAR

Although different parameters can be considered to evaluate the level of combat readiness, this study focuses on four issues: budget, personnel situation, logistics system, and education and morale level. According to Armenian sources, it is understood that Azerbaijan spent

significantly more on defense than Armenia during the last 10 years.⁶ (Graphic 1) Azerbaijan's defense expenditures, which reached \$3 billion between 2011 and 2015, decreased to \$1.4 billion in 2016, and gradually increased to \$2.27 billion by 2020. While Armenia's defense expenditure remained below \$500 million, it increased to \$640 million in 2019 and 2020. Therefore, it is seen that Azerbaijan's open economy and energy income are reflected in the defense sector.



Source: Hetq

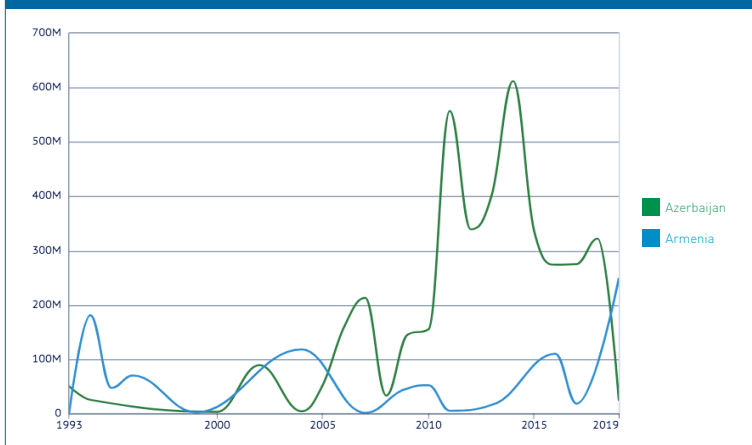
Azerbaijan's defense budget has prioritized the modernization of the armed forces alongside personnel benefits. In this context, the modernization status indicators of the arms-importing parties will be presented. According to World Bank data, the arms import trends of Armenia and Azerbaijan differ.⁷ (Graph 2) Azerbaijan's arms imports decreased from \$325 million in 2018 to \$25 million in 2019. The possible factor in the decrease in Azerbaijan's imports in 2019 is thought to be the coronavirus (Covid-19) epidemic. While Armenia's arms im-

⁶ Vahe Sarukhanyan, "Armenia vs. Azerbaijan: Military Expenditures", hetq, <https://hetq.am/en/article/123482>, (Accessed: December 6, 2020).

⁷ "World Development Indicators (WDI)", Knoema Database, 14 October 2020, <https://knoema.com/WBWDI2019Jan/world-development-indicators-wdi>, (Accessed: December 6, 2020).

ports remained flat until 2018, they suddenly reached \$248 million in 2019. Such an expenditure means that the new government in Armenia is turning to a revisionist policy instead of maintaining its current position. As a matter of fact, while Azerbaijan's budget was indexed to energy prices due to the export of energy resources, Armenia, whose financial situation was not at the desired level, increased its armament expenditure in the year preceding the war. It can be stated that Armenian Prime Minister Pashinyan's emphasis on external threat, attributed to Azerbaijan due to internal strife, was reflected in armament.

GRAPHIC 2. MONETARY COMPARISON OF ARMENIAN AND AZERBAIJANI WEAPONS IMPORTS (1993-2019, U.S. DOLLARS)



Source: Knoema Database

The parties' opposite armament trend can be read as a planned pre-war preparation program. In this framework, the long-term Azerbaijani armament process is reflected in its war readiness level, while Armenia did not conduct a similar program. On the other hand, no concrete data could be found on the arms aid Armenia received under the name of grants from Russia or other countries.

The logistics system has pushed Azerbaijan to establish a sustainable, sophisticated, and technology-based structure in line with NATO standards. The Azerbaijani Armed Forces has established a structure

with air-to-ground and forward-back depth wherein different weapon systems complement each other, and which supports the battlefield architecture with precision guidance and target shooting capability. A logistics structure has been established that will provide uninterrupted support to combat units to the extent permitted by the geographical environment and climatic conditions. It is also remarkable that the logistics system continued to supply foreign-dependent systems during the war.

In terms of personnel situation, it is known that before the war, Armenia had 45,000 on duty and 210,000 reserve soldiers, and Azerbaijan had 66,900 on duty and 300,000 reserve soldiers. It is thus seen that Azerbaijan holds the cumulative superiority.⁸ However, personnel quality, dedication, education, and morale are just as important as numerical size. With the Agreement of Strategic Partnership and Mutual Support signed by Azerbaijan and Turkey in 2010, relations were raised to the level of bilateral military alliance⁹ and training was provided to the Azerbaijani Armed Forces. The Turkish “country aid” program has increased the training, discipline, and quality of Azerbaijani soldiers. However, it is known that the Armenian side does not consider the requirements of the modern age in terms of discipline, training, and morale of military personnel. The claim has been made that because Armenian soldiers are drafted into military service at the age of 18, the child-aged Armenians conduct their duties without the professionalism that soldiership requires and with inadequate training.¹⁰ For this reason, the age and lack of experience of the Armenian soldiers led to low morale and it was even witnessed that soldiers were tied to their

⁸ “Military Power of Azerbaijan & Armenia”, ArmedForces.eu, https://armedforces.eu/compare/country_Azerbaijan_vs_Armenia, (Accessed: December 6, 2020).

⁹ Can Kasapoğlu, “Türkiye-Azerbaycan: Savunma İş Birliğinden Askeri İttifaka”, Anadolu Agency, October 31, 2017.

¹⁰ “From Classrooms to the Forefront”, Generation Yerevan, <https://generation-yerevan.cafebabel.com/you-re-in-the-army-now/8>, (Accessed: December 7, 2020).

positions with chains as the desertions from the front increased.¹¹ In addition, the Armenian tendency to recruit all available men and, if necessary, women, points to deficiencies in its military campaign system. The Azerbaijani Armed Forces, on the other hand, achieved the formation of its current staff after the completion of a training process by citizens who applied on a voluntary basis.

TECHNIQUE AND TECHNOLOGY

Azerbaijan has prioritized defense industry products featuring modern and top-of-the-line technology in its weapons supply during its long-term war preparation process. Procurement from different countries through resource diversity was realized within the scope of deep operations and sensitively engaged systems. In this context, from Israel it purchased LORA ballistic missiles, Spear-MK2 mortars, Spike-ER anti-tank missiles, Hermes 900 surveillance drones, SkyStriker autonomous kamikaze UAVs, and Sky-Capture radars (EL/M-2106-ATAR); from Belarus, the Polonez tactical rocket system, 2A36 Giatsint-B mortars, and the Groza-S electronic warfare system; from Turkey, the İHTAR Anti-Drone System [SİHA, UAV, TRG-300 Tiger multi-barrel rocket launchers, smart ammunition] and SOM-B1 cruise missiles; from South Africa, NTW-20 sniper rifles; and from Russia, BTR-82A wheeled armored personnel carriers.¹² In addition, the infrastructure for use of the aforementioned systems was created, and measures have been taken for integrated use. In addition to arms, vehicles, and equipment, it has been observed that the weapons, equipment, and clothing of the infantry soldiers are ergonomic and enable mobility in the field. During the current of the war, the accuracy of Azerbaijan's target shots on the battlefield and the level of casualties caused by Armenia both

¹¹ Ayşe Mine Alioğlu, "Kaçmasın Diye Zincire Vuruluyor", *Yeni Şafak*, October 4, 2020.

¹² İlgar Gurbanov, "Military Procurements on Armenia's and Azerbaijan's Defense Agendas", Central Asia-Caucasus Institute, March 27, 2019, <https://cacianalyst.org/publications/analytical-articles/item/13564-military-procurements-on-armenias-and-azerbaijans-defense-agendas>.html, (Accessed: December 7, 2020).

illustrated Azerbaijan's superiority in quality and created psychological pressure on Armenian politicians, soldiers, and public opinion.

Armenia prioritized long-range missiles and rockets in its armament trend and relied on grant aid under the Collective Security Treaty. It has been observed in particular that with the use of Iskander missiles, which were procured from Russia, on civilian settlements,¹³ emphasis was placed on asymmetric deterrence and strategic effect rather than traditional warfare; the inventory for operative and tactical purposes was far from meeting its needs; and more emphasis was placed on deployment reinforced with interception systems.

Apart from the equipment it bought with a \$1.5 million loan from China, Armenia, which is dependent on Russia, attempted to buy warplanes from Sweden and Russia, but was unable to do so due to financial problems.¹⁴ Compared to the weapons and equipment inventory of Azerbaijan, it is seen that Armenia is not efficient in terms of technology and does not implement an armament strategy that reflects a clear doctrine. It is understood that the reliance on the support of Russia and the international community prevents the development of a military strategy and that no specific program has been implemented in armament except grants. On the other hand, the weakness of Armenia's economic situation emerges as the reason for the aforementioned turmoil.

GEOGRAPHICAL ENVIRONMENT AND CLIMATE

Geography and climate largely shape the tactics preferred in the planning and execution of military operations, in terms of space and time. The development of military strategy and the realization of political purposes are related to management of the effects of geographical con-

¹³ Can Kasapoğlu, "Military Alert: The Armenian Military Could Escalate the Conflict by Using Iskander Ballistic Missiles", EDAM, 29 September 2020, <https://edam.org.tr/en/military-alert-the-armenian-military-could-escalate-the-conflict-by-using-iskander-ballistic-missiles>, (Accessed: December 7, 2020).

¹⁴ Gurbanov, "Military Procurements on Armenia's and Azerbaijan's Defense Agendas".

ditions and climate. In other words, in the classification of military as science and art, the scientific analysis of concrete data related to geography and climate and its exploitation in a manner reminiscent of art come to the fore. In the Second Karabakh War, the military leadership's ability to read the geography at the operative level and to see the constraints and possibilities regarding the climate determined the general course of the war.

In terms of geography, the general characteristic of Karabakh and the occupied rayons is that they are mountainous and their central areas are forested. Although Murovdag is a significant triangulation in the north, the streambeds south of the mountain prevent "regular and fast-paced" operations from north to south. Karabakh and the eastern part of the occupied rayons are arranged in a structure that rises to the west, leading the military operation to be carried out from lowland to upland. Such a terrain causes those attacking toward the west to suffer casualties, and provides the opportunity for defensive operations to be organized on the slopes, which are described as military peaks and provide suitable defense and shooting opportunities.

The southern sector of Karabakh, close to the Iranian border, stands out with a sweet slope extending towards the dominant ridgeline between Jabrayil and Dolanlar. This section is also the gateway to the Shusha and Lachin corridors. The fact that the Fuzuli and Jabrayil rayons are relatively suitable for military operations, as well as their juxtaposition with the Iranian border, necessitates taking precautions against threats that may appear on the Iranian border while the forward operation is being carried out. As a matter of fact, Iranian Islamic Revolutionary Guard Corps (IRGC) Ground Force Commander Mohammad Pakpour announced on Iranian state television on October 24, 2020 that they were amassing in the border area.¹⁵

¹⁵ ""Sabrımızın Sınırı Var" Demişti! İran Harekete Geçti... Asker Yığıldılar!", *Milliyet*, October 25, 2020.

In terms of climate conditions, while September and October exhibited the typical characteristics of autumn, providing suitable conditions for military movements, cloudiness and occasional regional precipitation were experienced as of the third week of October. Air support was therefore disrupted in the third week of October. While temperatures had been around a seasonal 30°C, they dropped to around 20°C at the end of October due to the seasonal transition. The sparse state of the precipitation did not hinder the progress of the maneuvering elements. However, after the third ceasefire, Armenia's acceptance of the conditions of Azerbaijan and Russia toward a permanent solution was not affected by the adverse conditions arising from the season. As a result, it can be stated that the military operation was carried out amid relatively favorable conditions for the attacker from the climate perspective.

ABIDING BY THE LAW AND LEGITIMACY

Legitimacy is a condition that shapes the political environment and makes military action acceptable. The creation and sustainability of the conditions required by the concept of a “just war” necessitate strategies based on legitimacy, both at the beginning of the war and during its execution. In addition, the visual representation to the public of events on the field in the press and social media makes this legitimacy dependent on tactical events, and variables. In other words, alongside the conditions required by national and international law and the legitimate steps taken within the scope of *jus ad bellum*, engagements during the execution of military operations must be expressed within the framework of *jus in bello*. That is to say, it is desirable that the domestic and foreign rules of law regarding how the war was started and how it was carried out should be constantly observed to avoid becoming a wrongdoer when one had been in the right.

The displacement of a substantial part of the population for over 26 years and the declaration of a state of mobilization by the Azerbai-

jani parliament lent legitimacy to the war in the context of domestic law. Despite the fact that the first attacker in the context of international law was Armenia and that they destroyed civilian settlements with long-range weapons systems while a ceasefire was in effect, Azerbaijan began and continued in the war within the context of self-defense. In addition, the fact that the region where the war took place is legitimately Azerbaijani territory emerges as an important detail. Because it thus became possible to make arguments for the treatment of the Armenians captured in these regions, which are Azerbaijani territory, as rebels, not as prisoners, and for a fight against separatist terrorism. On the other hand, ultimately, Azerbaijan treated the Armenians captured under its declaration of a military campaign as prisoners. Therefore, the importance of the scope of the legal arrangements made at the beginning of the war can be easily understood in addition to its internal legitimacy.

The exposure of international law to political readings in the Nagorno-Karabakh conflict has led to initiatives that are far from essential and procedural. It is also noteworthy that at the beginning of the war, Armenia applied to the European courts and had two injunctions taken to prevent Turkey from intervening in Armenia.¹⁶ This action resulted in the intervention of legal institutions in political decisions. In addition, the court's exceeding its authority in terms of form and substance is in question. On the other hand, it is remarkable that the purely political actions of the European and U.S. political media were presented as if they were a legal consequence, and Azerbaijan's fundamental rights stemming from law, such as territorial integrity, were not taken into account and were treated as if they did not exist.

The best example of the confusion of international law and politics can be seen in the recommendation of the French Parliament to

¹⁶ "European Court Grants Interim Measures in Nagorno-Karabakh Conflict", International Justice Resource Center, October 14, 2020, <https://ijrcenter.org/2020/10/14/european-court-grants-interim-measures-in-nagorno-karabakh-conflict>, (Accessed: December 7, 2020).

the French government. In its resolution,¹⁷ political recommendations such as sending international forces to 17 regions, conducting an international investigation against Azerbaijan regarding war crimes committed in Nagorno-Karabakh, and issuing the most appropriate response (to Azerbaijan and Turkey) with European partners were made. In addition, without considering the territorial integrity of Azerbaijan and the status of the lands occupied by Armenia, whose validity is undisputed in the context of international law, the French Parliament recommended a permanent solution to be negotiated within the Minsk Group, re-establishing the borders determined in 1994. In other words, a decision was made to create a status that would grant to Armenia territories that it had – illegally – seized from Azerbaijan in 1994. In addition, an assertion of recognition of the independence of Nagorno-Karabakh pushed international law and international politics to one side. As a matter of fact, French Foreign Minister Jean-Yves Le Drian expressed his approach to the decision by stating that even Armenia was not in favor of that call.¹⁸

It can be seen that Azerbaijan did not deviate from the ultimate aim of the war or go beyond the observation of international politics and voicing legal arguments in the context of its military strategy. Azerbaijani President Ilham Aliyev described the liberation from occupation of Karabakh and the seven rayons as the ultimate goal, and left the door open to political and diplomatic initiatives, blocking Armenia and its supporter states from producing counterarguments. However, the development of the military operation and foreign policy issues have led Azerbaijan to turn to a final solution that shifts from the ideal to the realistic, but which may have advantages in the long run.

¹⁷ Yusuf Özcan, “French National Assembly Approves Decision on Karabakh”, Anadolu Agency, December 4, 2020.

¹⁸ “The French Parliament Passes a Resolution Urging for Karabakh’s Recognition”, CivilNet, December 4, 2020, <https://www.civilnet.am/news/2020/12/04/The-French-Parliament-Passes-a-Resolution-Urging-for-Karabakh-s-Recognition/411658>, (Accessed: December 6, 2020).

EXECUTION AND DEVELOPMENT OF THE OPERATION

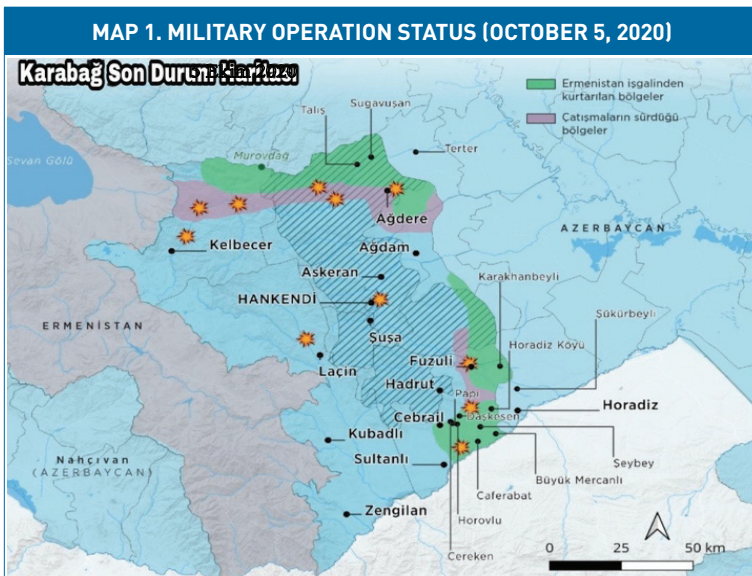
The attack carried out by Armenia on the eastern contact line of the occupied area at 06:00 on September 27, 2020, with a wide front and targeting civilian settlements, was what sparked the war and (as stated earlier) resulted in its being described as an aggressor under international law. However, while the Azerbaijani and Turkish media broadcast reports about the attacks with images, the Western media, which is pro-Armenia, highlighted messages in their headlines that held both sides equally responsible. To give an example, the BBC used the headline “Armenia and Azerbaijan Fight over Disputed Nagorno-Karabakh” and deemphasized Armenia’s aggression.¹⁹ As for CNN, it stated under a similar headline that a conflict had broken out between the parties over the disputed region and that they blamed each other.²⁰ In the context of shaping public perception, it is seen that Western media outlets act carefully in Armenia’s favor because of the political consequences of specifying the aggressor side with the start of the conflicts.

After the clashes broke out, Armenia began to implement its military strategy by declaring mobilization, and mixing together political and military strategies. In this framework, from the beginning of the conflict, there were allegations that Turkey was involved in the conflict and provocations meant to encourage Azerbaijan to attack Armenian territory. To cite an example, Armenian Prime Minister Pashinyan claimed on October 2 that Turkey was a direct party to the conflict that was sending drones and military experts, and French President Emmanuel Macron, who supported Armenia, also emphasized that Turkey’s statements on the subject were “dangerous and inappropriate.” In other words, the Armenian administration, which was trying to get help from Russia, found support from France, but the support remained at the discursive rather than the military level.

¹⁹ “Armenia and Azerbaijan Fight over Disputed Nagorno-Karabakh”, BBC, September 27, 2020.

²⁰ Rory Sullivan and Jennifer Hauser, “Clashes Break out between Armenia and Azerbaijan over Disputed Region”, CNN, September 28, 2020.

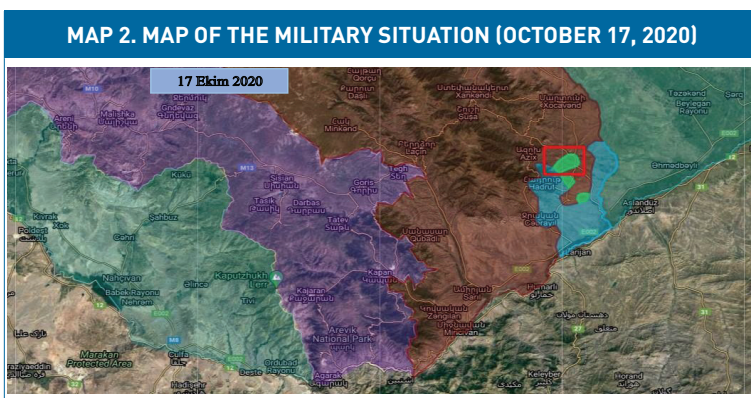
Political discourses and actions did not affect the developments on the battlefield, except for the ceasefire attempts. Within the first five days of the conflict, the Azerbaijani troops had developed forward operations along three main axes. These axes are the Murovdag mountain range north of the occupied areas, the Madagis-Aghdere line in their northeast, and to their south, the southern part of the Fuzuli region. The operation progressed along the southeast axis and the villages that lay toward Fuzuli-Cebrayil were captured. The capture of Jabrayil on October 4 triggered a panic in Armenia and on the same day, civilian settlements in Ganja were hit with short/medium range rockets. The rockets that Armenia launched from Armenian territory along with Karabakh and the rayons it had occupied aimed to provoke a reaction from Azerbaijan. Faced with the attacks intended to spur Russian involvement in the conflict, Azerbaijan reflected the political constraint of its military strategy and did not attack anywhere other than the region predetermined as its operation's target. On the other hand, with the assumption of complete control of Murovdag on October 5, the first phase of the advancement was complete, and priority was then placed in the southeastern Fuzuli-Jabrail. (Map 1)



Source: Anadolu Agency

Following the failure of Armenia's resistance across the front to stop the advancement of the Azerbaijani army, the foreign ministers of the two countries met in Moscow with the mediation of Russian Foreign Minister Lavrov, and a ceasefire was declared beginning on October 10 at 12:00. The goal of the ceasefire was to allow the exchange of prisoners and bodies under mediation of the International Committee of the Red Cross, but immediately following the ceasefire declaration Armenia launched a missile attack on Ganja. With the resumption of clashes, the Azerbaijani army continued its advancement, and on October 13, Armenian units launched a counterattack near Hadrut, but were pushed back by Azerbaijani troops.

Parallel to the rapid development of clashes in the southern sector, the operation's center of gravity shifted to Shusha and Khankendi, with the aim of seizing control of the network of roads leading to the Lachin corridor. After Armenia's indiscriminate missile attack on a civilian settlement in Ganja on October 17, there was an acceleration of the operation in the southern sector, and the Fuzuli city center was liberated from Armenian occupation. Thus, two of the occupied rayons were freed and the integrity of the southeastern sector was ensured. (Map 2) There was a sudden increase in the operation's tempo on October 18 and the number of liberated settlements rose to two cities and 43 villages.



Source: Conflict Agenda – Conflict Research Platform

On October 20, the Azerbaijani Armed Forces had advanced a depth of 18 kilometers from Jabrayil, had taken the city of Zangilan, close to the intersection of the Armenian-Iranian border, and as of October 22, had captured the entire Iranian border of Karabakh and the occupied rayons. (Map 3) Thus, the Azerbaijani troops had drawn as close as 11 kilometers from Lachin.



Source: Conflict Agenda – Conflict Research Platform

After the capture of the southern sector, the Armenian soldiers were at risk of being surrounded. Indeed, the Azerbaijani offensive, which had progressed in the southern sector toward Khojavend, Shusha, and Khankendi, reached the city of Qubadli south of the Lachin corridor on October 25. With the intervention of the USA, Azerbaijan and Armenia reached an agreement on a humanitarian ceasefire at 08:00 on October 26. However, the ceasefire was not respected by the Armenian elements and was violated. The Azerbaijani army liberated 13 settlements from occupation on the same day, drawing as close as 5 kilometers from Shusha and 14 kilometers from Khankendi on October 29. (Map 4)



Source: Conflict Agenda – Conflict Research Platform

Despite a slowing in the tempo of the operation toward the city of Shusha, the Azerbaijani army liberated this city from occupation on November 8. The Armenian soldiers along the contact line between Hocalı, Aghdam, and Khojavend were prevented from using their transit lines to withdraw, paving the way for their neutralization by surrounding their position. (Map 5)



Source: Conflict Agenda – Conflict Research Platform

of “rescue Karabakh and the occupied seven districts,” which was the final military goal declared at the beginning of the operation. However, obtaining the privilege of direct access to Nakhchivan under the treaty was an achievement beyond the war’s military objective. In addition, if the Armenians fail to comply with the treaty they signed, Azerbaijan can influence the closure of Khankendi and Lachin when necessary. The map published by the Russians on November 11 indicates both the deployment of the Russian military presence and the area the Armenians were to inhabit. (Map 7)



Source: “İşte Karabağ’da Rus Barış Güçlerinin Konuşlandığı Yerler!”, Haber Rus, November 11, 2020, <https://haberrus.ru/politics/2020/11/11/iste-karabagda-rus-baris-guclerinin-konuslandigi-yerler.html>, (Accessed: November 20, 2020).

CONCLUSION

Azerbaijan, with its armed forces that were modernized through a clear personnel training, armament, and organization program, launched a broad-based operation in line with the final target it had determined, for the purpose of self-defense in the face of the Armenian attack of September 27, 2020. The operation to encircle the Armenian soldiers on the contact line was successfully carried out in the southern sector, which is where the Armenian positions had been fortified for years and had prepared as a resistance point. The

operation's aim was not to neutralize the Armenian troops, but rather to seize the territory. Thus, after the seizure of critical parts of the land, the Armenians hesitated between the options of retreat or extermination. The Armenian political leadership was unable to decide in time and instead of focusing on the requirements of the art of war, focused on the support of foreign public opinion, the addition of the Russians to the war, and the priority of keeping Turkey out of the war. It can be said that the Armenian political leadership's pushing the requirements of military action into the background is due to inadequate preparation and an undisciplined approach.

After the treaty, Azerbaijan's military victory was embodied by the establishment of delicate geographical and political balances. A reason for concern from the Azerbaijani perspective is the Russian military presence that succeeded in entering the region. However, considering the treaty-imposed time limitation and the clear statements it recorded, as well as the military presence sent to Azerbaijan by Turkey, it can be seen that the aforementioned concerns have been rendered sustainable and tolerable.

On the other hand, it is conceivable that Armenia, which has turned ceasefires declared during conflicts into a means for deception and abuse, will abide by the agreement it signed until it is ready for war again. It is possible that it will violate the current status after increasing its own level of preparation, which may take many years. For this reason, in addition to the protection and monitoring of the established status, it is also necessary to keep a close watch on any Armenian armament or war preparation with the support of Russia, another state, or the diaspora.

ARMENIA'S MILITARY ACTIVITIES IN THE SECOND KARABAKH WAR AND INTERNATIONAL HUMANITARIAN LAW

YÜCEL ACER*

INTRODUCTION

It is well known that Armenian Administrations¹ have supported the allegations of the so-called “the Armenian genocide” and contributed to the spread of these allegations across the world.² This attitude presents Armenia as a “sensitive” country about such violations as being a “victim of grave humanitarian violations”. Ironically, however, the Armenian administrations are for some time accused to be a country systematically attacking especially the civilians in and around Karabakh for the last 30 years.

In February 1992, more than 200 civilians were reported to be killed by the Armenian forces supported by the Russian army in the attacks on the town of Khojaly only. Although the figures vary, it is stated that 500-1,000 civilians eventually lost their lives just in these attacks in and around of the town.³ Around 25,000 people are reported to be killed between

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¹ With the collapse of the Soviet Union, Armenia declared independence on September 21, 1991. See: Hatem Cabbarlı, “Ermenistan Cumhuriyeti’nin Siyasal Dönüşüm Süreci”, *Uluslararası Kriz ve Siyasal Araştırmalar Dergisi*, Volume: 4, Issue: 1, (2020), p. 120.

² For further information on Armenia’s stance following the protocols it signed on October 10, 2009 with Turkey in regard to the investigation of the former’s claims of an “Armenian genocide,” see: İbrahim Kaya, “Uluslararası Hukuk Açısından Türkiye-Ermenistan Protokolleri”, *Ermeni Araştırmaları*, Issue: 37-38, (2010-2011), p. 101.

³ *Azerbaijan, Seven Years of Conflict in Nagorno-Karabakh*, The Human Rights Watch, 1994, p. 6; Also see: Havva Memmedova, “Ermenistan Saldırganlığı Karşısında Birleşmiş Milletlerin Tutumu”, *Akademik Bakış*, Volume: 2, Issue: 4, (2009), pp. 25-26.

1993 and 1994 in the conflict over Karabakh by the forces of Armenia and Karabakh Armenian groups, while over one million people were forced to leave their homes and towns. The number of Azerbaijanis forcibly expelled from Karabakh and surrounding Azerbaijani settlements is between 450,000 and 500,000 people.⁴ Many Azerbaijani civilians are also said to be held as hostages during the attacks between 1993 and 1994. Extensive looting and destruction of civilian property are also reported.⁵

The resulting Armenian occupation of Karabakh and some surrounding settlements continued to cause occasional clashes between the two sides.⁶ The most intensive of them have taken place between September 27 and October 10, 2020, known as the second Karabkh war.⁷ As a result of this recent conflict, Armenia agreed to withdraw from Karabakh.

However, following the second Karabkh conflict, there are still some significant matters which have to be addressed. Armenian-led activities are reported to have caused significant civilian losses and many destruction to the settlement places, historical places and environment through violations of the rules of international humanitarian law.

Following the end of the conflicts, it is now an appropriate time to examine the nature and results of the Armenian military activities in order to understand what crimes, if any, have been committed and how the responsible to be investigated and prosecuted.

ARMENIA'S MILITARY ACTIVITIES AND THEIR CHARACTERISTICS

The first debate over the second Karabkh conflict was about who started the conflict. Despite the fact that the determination of which coun-

⁴ *Azerbaijan, Seven Years of Conflict in Nagorno-Karabakh*, p. ix, 100.

⁵ *Azerbaijan, Seven Years of Conflict in Nagorno-Karabakh*, p. 35.

⁶ Continued occasional clashes sometimes led to violence. There were also deaths and injuries in clashes that began in April 1916 and continued for some time. See: Alev Kılıç, "Olaylar ve Yorumlar", *Armenian Studies*, Issue: 65, (2020), p. 23.

⁷ For details on the November 9, 2020 treaty signed between Azerbaijan, Armenia, and Russia, see: <https://tr.euronews.com>, (Accessed: November 15, 2020).

try initiated an armed conflict or carried out the first illegal attack has significant legal implications, this matters does not seem to have the same importance for the recent conflict. As Armenia had been occupying Azerbaijani territories since 1992,⁸ any attempts from the Azerbaijani side to retake its own territory must be regarded as an act of self-defense, rather than an illegal act. Therefore, even if we assume that Azerbaijan started the second Karabakh conflicts, this act could well be regarded as an act of self-defense.

Rather, the main issue is that the clashes seem to have taken place not only between Armenian-Azerbaijani military forces, but also effected seriously the civilians and civilian settlements. In addition to the information provided by the media about these incidents, there are also periodic official statements and reports from Azerbaijani authorities that civilians, towns and villages, cultural or historical places and monuments and environments had been systematically targeted. Accordingly, Armenia's attacks targeted not only the front lines where the conflict took place, but also cities far from the conflict zone such as Ganja, Mingachevir, Khizi, Shamkir, and Absheron.⁹

In the later stages of the conflict, some attacks seemed to have caused serious civilian casualties. The attacks on the cities of Ganja and Barda stand out among these. Many more cities and towns such as Mingachevir, Naftalan, Tartar, Aghdam, Fuzuli, Goranboy, Khojaly, Dashkesen, Aghajabadi, Hızı, Absheron, Jabrayil, Siyezen, Kurdamir, and Kebele, were also targeted.¹⁰

⁸ See, UNSC Resolutions 822 (April 30, 1993); 853 (July 29, 1993); 874 (October 14, 1993), and 884, (Accessed: November 12, 1993).

⁹ No: 336/20, Information of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Telephone Conversation between the Minister of Foreign Affairs Jeyhun Bayramov and Ivan Korčok, the Minister of Foreign and European Affairs of the Slovak Republic (En/Ru), <https://www.mfa.gov.az>, (Accessed: November 17, 2020).

¹⁰ As seen in the certification of the Republic of Azerbaijan Chief Prosecutor's Office Investigation Department as part of the preliminary investigation into the battles that Armenia led against the Republic of Azerbaijan as of September 27, 2020.

From the very beginning of the clashes on September 27, there were intensive attacks on the city of Ganja. Azerbaijani Foreign Minister Ceyhun Bayramov stated that even after the humanitarian ceasefire was approved, the Armenian Armed Forces launched an attack a few hours later on Hadrut and Jabrayil and deliberately targeted Azerbaijani civilians and civilian elements.¹¹ It was announced that nine civilians were killed and 35 people were injured including children in a rocket attack on Ganja, Azerbaijan's second-largest city located far from the front line.¹² In the following days, it was reported that the densely populated cities of Shamkir, Beylagan, Aghdam, Fuzuli, Jabrayil, Goranboy, Tartar, Barda, Aghajabadi, and Ganja were subjected to heavy missile attack, including the medium-range missiles.¹³

By October 12, two weeks after the conflict, the number of Azerbaijani civilians killed by Armenians had increased to 41. According to the statements of Azerbaijani authorities, more than 70 unexploded munitions were meanwhile found in civilian settlements.¹⁴ In a statement issued by the Azerbaijani Ministry of Defense, Armenia had de-

¹¹ "Information of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Meeting of Foreign Minister Jeyhun Bayramov with the Newly Appointed Ambassador of the Kingdom of the Netherlands", No: 338/20, Republic of Azerbaijan Ministry of Foreign Affairs, October 13, 2020, <https://mfa.gov.az/en/news/6950/view>, (Accessed: October 13, 2020).

¹² "Information of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Telephone Conversation between the Minister of Foreign Affairs of the Republic of Azerbaijan Jeyhun Bayramov and the Minister of Foreign Affairs of the Kingdom of Saudi Arabia Faisal bin Ferhan Al Saud (En/Ru)", No: 334/20, Republic of Azerbaijan Ministry of Foreign Affairs, October 11, 2020, <https://abudhabi.mfa.gov.az/en/news/3302/republic-of-azerbaijan-on-the-telephone-conversation-between-the-minister-of-foreign-affairs-of-the-republic-of-azerbaijan-jeyhun-bayramov-and-the-minister-of-foreign-affairs-of-the-kingdom-of-saudi-arabia-faisal-bin-ferhan-al-saud-enru>, (Accessed: November 15, 2020).

¹³ The "Interim Report on Violations of International Human Rights Law and International Humanitarian Law by Armenia in the Process of New Armed Attack on Azerbaijan," an official report published by the Republic of Azerbaijan Commissioner of Human Rights (Ombudsman) at the end of the first week of the conflict, states that the data obtained is based on information gathered by the staff of the Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, information received from the General Prosecutor's Office of Azerbaijan, and information received from verified media publications.

¹⁴ Uğur Yıldırım, "Armenia Committing War Crimes in Missile Attacks Targeting Azerbaijani Civilians De-mining, Expert Says", *Daily Sabah*, October 13, 2020.

ployed a ballistic missile system in the Kelbajar region of Azerbaijan and that this missile system targeted Azerbaijan's civilian population.¹⁵

As of October 13, 42 civilians including children and the elderly lost their lives and 206 civilians were seriously injured. As a result of Armenia's armed attacks, 1,479 houses, 66 apartment buildings, and 241 civilian infrastructures were damaged and rendered unusable.¹⁶ The subsequent missile attack on Ganja on October 17 resulted in the death of 12 civilians, including two children, and the injury of more than 40 civilians.¹⁷ 60 civilians had lost their lives in attacks directly targeting civilian settlements as a result of all these attacks in this period. 27 civilians, including children, lost their lives and 105 were injured in the attack on Barda, as a historical city far from the conflict zones, between October 27 and 28.¹⁸

Due to such intense attacks on civilians, official statements from the Azerbaijani side stated that Armenia was trying to subject Azerbaijani civilians living in Karabakh to a kind of "ethnic cleansing."¹⁹

Children were also among the victims of the conflict. The Commissioner for Human Rights (Ombudsman) of Azerbaijan Sabina Aliyeva sent a letter to the United Nations (UN) High Commissioner

¹⁵ Seyfettin Ersöz, "Ermenistan'da Büyük Şok! Toplu Fırar", *Milliyet*, October 14, 2020.

¹⁶ "Fact Sheet: Civilian Casualties and Damage Inflicted upon Civilian Infrastructure as a Result of Armenia's Act of Aggression against Azerbaijan", Republic of Azerbaijan Ministry of Foreign Affairs, <https://riga.mfa.gov.az/en/news/3286/updated-fact-sheet-on-civilian-casualties-and-damage-inflicted-upon-civilian-infrastructure-as-a-result-of-armenias-act-of-aggression-against-azerbaijan>, (Accessed: November 15, 2020).

¹⁷ "Statement of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Attack of Ganja City of Azerbaijan by Armenia with Ballistic Missiles on the Night of 17 October, 2020", No: 355/20, Republic of Azerbaijan Ministry of Foreign Affairs, October 17, 2020, <https://mfa.gov.az/en/news/6971/view>, (Accessed: November 15, 2020).

¹⁸ "Concerning the Factual Evidences of Extensive Civilian Casualties and Damage to Civilian Objects in Barda City Caused by the Ballistic Missiles Launched by Armenian Armed Forces", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, https://ombudsman.az/upload/editor/files/Report%20of%20the%20Ombudsman%20on%20Barda%20_27-28%20October_2020.pdf, (Accessed: November 15, 2020), p. 5.

¹⁹ "Information of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Meeting of Foreign Minister Jeyhun Bayramov with the Newly Appointed Ambassador of the Kingdom of the Netherlands".

for Human Rights, UNICEF, the UN Committee on the Rights of the Child, the special representative of the UN Secretary General for Children and Armed Conflict, and the International Committee of the Red Cross stating that Armenia had been attacking both its schools and nurseries and killing and injuring children.²⁰

One of Armenia's prominent methods during the conflict was its attacks on civilian infrastructure and civilian facilities.²¹ Over 200 homes and civilian facilities such as hospitals, schools, kindergartens, and cemeteries were reported to have been destroyed in the first two weeks of the conflict.²² It has been reported that the attacks frequently targeted civilian infrastructure, civilian property, historical and cultural buildings, and civilian vehicles.²³ Ambulances and medical facilities, educational institutions, and vital civilian infrastructures such as electricity, gas, water, and communication stations were deliberately targeted; serious damage was done to electricity and energy infrastructure; and settlements were left without electrical power.²⁴ In the attacks on

²⁰ "Ombudsman Addressed the Petition to the International Organizations Concerning the Blatant Violations of Child Rights by the Armenian Armed Forces", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, November 3, 2020, <https://ombudsman.az/en/view/news/2199/> ombudsman-addressed-the-petition-to-the-international-organizations-concerning-the-blatant-violations- of-child-rights-by-the-armenian-armed-forces, (Accessed: November 15, 2020).

²¹ The "Interim Report on Violations of International Human Rights Law and International Humanitarian Law by Armenia in the Process of New Armed Attack on Azerbaijan," an official report published by the Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan at the end of the first week of the conflict.

²² Uğur Yıldırım, "Armenia Committing War Crimes in Missile Attacks Targeting Azerbaijani Civilians De-mining, Expert Says".

²³ "Concerning the Factual Evidences of Extensive Civilian Casualties and Damage to Civilian Objects in Barda City Caused by the Ballistic Missiles Launched by Armenian Armed Forces".

²⁴ "Information of the Press Service Department of the Ministry of Foreign Affairs of the Republic of Azerbaijan on the Telephone Conversation between Minister Jeyhun Bayramov and OSCE Minsk Group Co-Chair of the US Andrew Schofer (En/Ru)", Bkz. No: 313/20, The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, November 5, 2020, <https://riga.mfa.gov.az/en/news/3256/> no31320-azerbaycan-respublikasi-xarici-isler-nazirliyinin-metbuat-xidmeti-idaresinin-nazir- ceyhun-bayramov-ve-atet-in-minsk-qrupunun-amerika-birlesmis-statlarindan-olan-hemsedri- endryu-sofer-arasinda-telefon-danisi-gina-dair-melumat, (Accessed: November 15, 2020).

Ganja, for instance, homes, places of historical and cultural importance, large shopping centers, and similar public spaces were severely damaged and destroyed.²⁵

It has also been reported that social, cultural, historical and religious sites were also targeted.²⁶ It was reported that both historical and religious monuments were severely damaged, while deep cracks were found in the walls of the Imamzade Complex and the centuries-old Russian Orthodox Alexander Nevsky Church, part of the Ganja State History and Culture Inventory.²⁷

According to the State Committee for Working with Religious Organizations, there are 403 historical and religious monuments in Karabakh, including 67 mosques, 144 churches, and 192 places of worship. It has been noted that monuments of Islamic heritage, in particular, were either destroyed or converted into barns. According to the report, the Yukhari (Upper) and Ashagi (Lower) Govhar Agha Mosques (Shusha), Saatli Mosque (Shusha), and Cuma Mosque in Aghdam were destroyed. The Armenians completely destroyed Shah Abbas Mosque, Damirbulag Mosque, Haji Novruz Mosque, Sardar Mosque, the Bughakar and Aghadada tombs and other holy places. In addition, the ar-

²⁵ "At the Initiative of the Ombudsman, the Children Who Lost Both Parents as a Result of Missile Attacks on the City of Ganja by the Armenian Armed Forces Were Provided with Psychological Assistance", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, November 2, 2020, <https://ombudsman.az/en/view/news/2197/at-the-initiative-of-the-ombudsman-the-children-who-lost-both-parents-as-a-result-of-missile-attacks-on-the-city-of-ganja-by-the-armenian-armed-forces-were-provided-with-psychological-assistance->, (Accessed: November 15, 2020).

²⁶ "Ombudsman Sabina Aliyeva Raised the Issue of Prisoners of War (POWs) before International Organizations", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, November 12, 2020, <https://ombudsman.az/en/view/news/2228/ombudsman-sabina-aliyeva-raised-the-issue-of-prisoners-of-war-pows-before-international-organizations->, (Accessed: November 15, 2020).

²⁷ "Interim Report Concerning the Serious Damage to Historical and Religious Monuments Inflicted upon Ballistic Missile Attacks on Ganja City by the Armenian Armed Force", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, November 2, 2020, <https://ombudsman.az/en/view/news/2196/ombudsman-addresses-an-interim-report-to-international-organizations-on-damage-caused-to-historical-and-religious-monuments-of-ganja-city-by-armenian-military-forces->, (Accessed: December 12, 2020).

chitectural features of the Goy Mosque were changed. Another mosque in the Qubadli district's Mamar village, which was liberated by the Azerbaijani army on October 30, was also destroyed. It was also stated that the 18th Century religious monument was turned into a pigsty as an insult.²⁸

The destruction of environmental elements is a frequently repeated finding in the reports. Azerbaijan's nature, biodiversity, water reservoirs, and the environment of the occupied areas have all been severely affected as a result of Armenia's military occupation of for nearly three decades. Various rare plant, animal species and flora and fauna biodiversity were reported to be destroyed heavily. The destruction of a unique ecosystem with a total area of over 8,000 hectares consisting of valuable and old dense oak, juniper, beech, hornbeam, pine, ash, and walnut forests was described as the most serious blow to endemic biodiversity.²⁹

Another notable method during the conflict is reported to be the abuse of certain neutral or protected persons and symbols. It has been noted that Armenia did not take the necessary precaution to clearly distinguish journalists from soldiers and exploited them, deploying soldiers in vehicles marked with press signs during active military op-

²⁸ For visual evidence of the information provided, see: "Mosques Turned into a Pigpen & Cowshed in Azerbaijan's Occupied Agdam District", YouTube, April 16, 2020, <https://www.youtube.com/watch?v=k6x-3u4Ce1M>, (Accessed: December 12, 2020); <https://www.youtube.com/watch?v=eC1GsE-Z-MA>, (Accessed: December 12, 2020); "Armenia Transformed Azerbaijani Mosque into Pigsty-Gubadli in Karabakh", YouTube, November 6, 2020, <https://www.youtube.com/watch?v=eSR2ff9PHYM>, (Accessed: December 12, 2020); <https://www.youtube.com/watch?v=0-UVB1lp8Ug>, (Accessed: December 12, 2020); https://www.youtube.com/watch?v=fM_Z_lwxwiA, (Accessed: November 20, 2020).

²⁹ "Appeal by the Commissioner for Human Rights (Ombudsman) Concerning the Eco-terrorism of Armenia in the Occupied Territories of Azerbaijan and its Intentional Fires Aimed at Destruction of Forests of Shusha Region", The Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan, 6 November 2020, <https://ombudsman.az/en/view/news/2208/appeal-by-the-commissioner-for-human-rights-ombudsman-concerning-the-eco-terrorism-of-armenia-in-the-occupied-territories-of-azerbaijan-and-its-intentional-fires-aimed-at-destruction-of-forests-of-sh>, (Accessed: 13 November 2020).

erations. Civilians including children were recruited to participate in military activities.³⁰

Concerns were also expressed about the treatment of prisoners of war. Barbaric treatments and acts were reported to have been carried out against prisoners of war, especially those who were wounded. Sabina Aliyeva, the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, stated that applications as to the issue were filed with the UN, the Council of Europe, the International Committee of the Red Cross and other authorized international and regional organizations.³¹

The nature of the weapons used seems to be another significant matter. A press report revealed that the Armenian army used Tochka-U tactical ballistic missiles in attacks against Azerbaijani civilians.³² More importantly, it was recorded that the attack on the city of Barda on October 27-28 was conducted with the use of prohibited weapons, namely cluster bombs.³³ Use of cluster bombs in Barda has also been confirmed by Human Rights Watch.³⁴

As the final account of the 44 day-conflict, it is recorded that 97 civilians were killed, 405 civilians were injured, and 3,326 detached homes, 504 civilian facilities, and 120 apartment buildings were destroyed.³⁵ Moreover, many health and civilian facilities, historical and

³⁰ The “Interim Report on Violations of International Human Rights Law and International Humanitarian Law by Armenia in the Process of New Armed Attack on Azerbaijan”, an official report published by the Commissioner of Human Rights (Ombudsman) of the Republic of Azerbaijan at the end of the first week of the conflict.

³¹ “Ombudsman Sabina Aliyeva Raised the Issue of Prisoners of War (POWs) Before International Organizations”.

³² Yıldırım, “Armenia Committing War Crimes in Missile Attacks Targeting Azerbaijani Civilians De-mining, Expert Says”.

³³ “Concerning the Factual Evidences of Extensive Civilian Casualties and Damage to Civilian Objects in Barda City Caused by the Ballistic Missiles Launched by Armenian Armed Forces”, pp. 8, 12.

³⁴ “Armenia: Cluster Munitions Kill Civilians in Azerbaijan”, <https://www.hrw.org>, (Accessed: October 30, 2020)

³⁵ “Concerning the Factual Evidences of Extensive Civilian Casualties and Damage to Civilian Objects in Barda City Caused by the Ballistic Missiles Launched by Armenian Armed Forces”.

cultural buildings were attacked and destroyed. Serious damage was done to the environment.

RELATED INTERNATIONAL LAW

RULES OF WAR AND THE NATURE OF THE VIOLATIONS

After such a long the history of humanity, although an effective system is not been established that would completely prevent killing the defenseless in wars, a common legal system has been established to legally prohibit such atrocities. Over the past century or so, states have made considerable progress to accept that not all means of defeating the enemy are legitimate. The condition of soldiers who have fallen ill or become injured in war, as well as the weapons and methods causing civilian losses and unnecessary pain have been addressed with the 1864 Geneva,³⁶ and 1899 and 1907 Hague International Conventions.³⁷

International regulations regulating the weapons and methods of war that indiscriminately cause civilian casualties and/or unnecessary suffering and death continued to emerge in the period between World War I and II.³⁸ However, the main comprehensive regulations have been made following the World War II. Foremost among these are four different Geneva Conventions signed in 1949 and two additional protocols in 1977 on the protection of civilians, civilian places, pris-

³⁶ 1864 Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field.

³⁷ The Convention for the Pacific Settlement of International Disputes, the Convention relative to the Opening of Hostilities, the Convention with respect to the Laws and Customs of War on Land, and the Convention relative to the Rights and Duties of Neutral Powers and Persons in case of War on Land. Some treaties have also been accepted with regard to naval warfare.

³⁸ The 1906 Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field, 1925 Geneva Declaration concerning the Prohibition of the Use of Projectiles with the Sole Object to Spread Asphyxiating Poisonous Gases, and 1929 Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field can be considered among these.

oners, and those are wounded or fall sick as a result of war.³⁹ Since the World War II, certain other agreements have been made to protect fundamental rights in armed conflicts and to eliminate the unnecessary adverse effects of war.⁴⁰

The purpose of the prohibitions brought about by these multilateral international conventions is to prevent unnecessary death, suffering, and destruction without completely preventing the necessities of war, especially defensive wars. In this framework, two main objectives are observed: “limiting the weapons and methods of armed conflict” and “protecting civilians and non-combatants (*hors de combat*) in armed conflicts.”

The rules, now all written in the relevant international multilateral conventions, are applicable to all situations regardless of who started the armed conflict. The concept of “international humanitarian law” is now used more widely so as to emphasize the protection of human rights during the armed conflicts.

The fundamental understanding of all these rules is that the weapons and methods of defeating the enemy are no longer unlimited.⁴¹ The weapons and methods that cause unnecessary death and suffering⁴² as well as the methods that manipulate the trust in certain principles between the parties are prohibited.⁴³ In particular, targeting and attack-

³⁹ Convention I: Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention II: Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Convention III: Convention Relative to the Treatment of Prisoners of War; Convention IV: Convention Relative to the Protection of Civilian Persons in Time of War. 1967 Additional Protocols: Protocol I (1977): Relating to the Protection of Victims of International Armed Conflicts, Protocol II (1977): Relating to the Protection of Victims of Non-International Armed Conflicts.

⁴⁰ Primary examples of these include the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict (and two additional protocols), 1972 Biological Weapons Convention (and five additional protocols), 1993 Chemical Weapons Convention, and 1997 Ottawa Convention on Anti-Personnel Mines.

⁴¹ 1907 Hague Convention on Laws and Customs of War on Land, Article 22; Additional Protocol I of the Geneva Convention (1977), Article 35 (1).

⁴² 1907 Hague Convention on Laws and Customs of War on Land, Article 23 (e); Additional Protocol I of the Geneva Convention (1977), Article 35 (2).

⁴³ 1907 Hague Convention on Laws and Customs of War on Land, Article 23 (f), 29-31; Additional Protocol I of the Geneva Convention (1977), Articles 37, 46.

ing civilians and civilian settlements that are not directly involved in armed conflicts are also prohibited.⁴⁴

More specifically, warring sides have responsibility not to kill non-combatants and surrendered soldiers as well as to treat non-combatants wounded and sick humanly. They also have to respect the emblems and signals of the Red Cross and Red Crescent, to allow prisoners to contact their families and receive humanitarian aid, not to torture or physically punish, not to treat cruelly, and to distinguish between combatants and civilians;. The warring sides should ensure that civilians are protected and civilian places are not attacked.

International conventions and related rules on the protection of buildings and monuments of historical, religious, and/or cultural importance, as well as the environment, during armed conflicts have also been established.⁴⁵ In particular, the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict provides that parties are obliged to avoid to damage the cultural properties both in their own countries and in the countries of other parties; to establish facilities for the protection of these properties and the areas around them, and to conduct hostile behavior towards these properties. The occupying side is obliged to work in close cooperation with the national administration to take the most virtuous preservation measures possible.⁴⁶

The natural environment is also under the legal protection by the Convention on the Prohibition of the Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD Conven-

⁴⁴ 1907 Hague Convention on Laws and Customs of War on Land, Article 23 (c); 1949 Geneva Convention Relative to the Protection of Civilian Persons, Articles 13-23; Additional Protocol I (1977), Articles 48-58.

⁴⁵ The 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1992 European Convention for the Protection of the Archaeological Heritage, and the 1972 UNESCO World Heritage Convention.

⁴⁶ 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, Article 5 (2).

tion)⁴⁷ which was opened for signature on May 18, 1977 and entered into force on October 5, 1978. Today, 78 countries are parties to the convention. Armenia is a party to the convention on May 15, 2002, but Azerbaijan is not.

Moreover, the Hague Convention on Laws and Customs of War on Land in Articles 23 (g) and 55, the Fourth Geneva Convention in Articles 53 and 147, and 1997 Protocol I in Articles 35 (3), 54, 55, 56, 59, and 68 contain provisions on the protection of the environment. The Fourth Geneva Convention in Article 53 prohibits the deliberate or indiscriminate destruction of property belonging to individuals, the state, or other public authorities. Article 147 prohibits extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

The Additional Protocol I of the 1949 Geneva Conventions contains two special provisions for the protection of the environment. These provisions are clearly complementary to the ENOD Convention in the event of armed conflict. While the convention prohibits the deliberate alteration of the environment as a means of warfare, Additional Protocol I prohibits such attacks on the environment regardless of the means used. In addition, according to Article 35 of the Protocol, methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment are prohibited. Article 55 provides that states should take all necessary care to protect the natural environment against widespread, long-term and severe damage. Attacks against the natural environment by way of reprisals are also prohibited.⁴⁸

⁴⁷ United Nations Treaty Series (UNTS), 1978, Vol. 1108, pp. 156-160. Turkey has signed the convention, but it has not yet been approved.

⁴⁸ For a detailed analysis, see: Desy Churul Aini and Desia Rakhma Banjarani, "Environmental Protection in Armed Conflict According to International Humanitarian Law", *TALREV*, Volume: 3, Issue: 1, (2018), pp. 12-24.

PROSECUTION OF PERPETRATORS

The violations of the above rules are not regarded as ordinary violations of law, but as crimes that give rise to individual criminal responsibility. The first examples of armed conflicts in which violations of international humanitarian law were considered crimes date back to World War I. A provision was put in Article 227 of the Treaty of Versailles regarding the prosecution of Kaiser Wilhelm II for an offense against international morality and the sanctity of treaties, but was unable to be enforced.

The first concrete examples were carried out by the Allies in their occupied zones in Germany right after World War II to prosecute the German military and political leaders for violations of the rules laid down by the Hague Conventions in the military courts.⁴⁹ 12 cases in which dozens of people were tried were conducted between 1946 and 1949. The first examples of international trials were the trials of the Nuremberg and Tokyo military criminal courts in the same years. With the Nuremberg and Tokyo trials, little doubt remained over the principle of individual criminal responsibility for violation of the rules of armed conflicts.⁵⁰

International regulations and examples of international prosecution set forth in the following years supported the criminal responsibility for the violation of these rules. Articles 49 and 50 of the First Geneva Convention stipulate that if such acts take place, it would be a criminal act.⁵¹ In addition to these clear regulations, examples of international prosecution have also conducted. The international criminal courts established by the United Nations Security Council

⁴⁹ Law No. 10 was enacted for Germany by the Allied Control Council on December 20, 1945 to enforce the 1943 Moscow Declarations and 1945 London Agreement. See: *Trials of War Criminals before the Nurnberg Military Tribunals*, (United States Printing Office, 1951), p. XVIII.

⁵⁰ H. Ball, *Prosecuting War Crimes and Genocide. The Twentieth-Century Experience*, (University Press of Kansas: Kansas: 1999), p. 85.

⁵¹ See also, Articles 146-147 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War,

(UNSC) for the former Yugoslavia and Rwanda have been important examples. Finally, the International Criminal Court (ICC)⁵² has been established as a permanent international criminal court to try such crimes.

Both the statutes of the courts of the former Yugoslavia and Rwanda, and the statute of the ICC clearly enumerates the categories of crimes which constitute violations of international humanitarian law, as well as the specific acts falling within these categories of crimes. The categories are “crimes against peace” (planning, initiating, and continuing a war against international law); “war crimes” (violations of rules regulating weapons, methods, and the protection of civilians and other non-combatants); and “crimes against humanity” (acts leading to the mass murder of civilians in time of war or peace, including genocide).⁵³

The war crimes that constitute grave breaches of the Geneva Conventions are the following: willful killing; torture or inhuman treatment including biological experiments; deliberately causing great suffering or serious injury to the body or health; extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; compelling a prisoner of war or a protected person to serve in the forces of a hostile power; willfully depriving a prisoner of war or a protected person of the rights of fair and regular trial; unlawful deportation or transfer or unlawful confinement, and acts like the taking of hostages; intentionally directing attacks at civilians, humanitarian workers, or members of a UN peacekeeping force; killing soldiers who have surrendered; making improper use of a flag of truce; deporting the population of occupied territories; employing poisoned weapons; using civilians as shields; using child soldiers; attacking forces

⁵² The ICC’s status was accepted in a conference in Rome in 1998 and went into effect on July 1, 2002.

⁵³ Crimes against humanity are established in the ICC Statute Article 7.

that have flown a flag of ceasefire; and killing those who have ejected from downed aircraft.⁵⁴

The acts that harm the natural environment are also considered crimes. The act of “initiating an attack with the awareness that it will cause widespread, long-term and severe damage to the natural environment” is also included in Article 8 of the ICC Statute.⁵⁵

Such acts lead to individual criminal liability of military or civilian persons, which, according to international law, arises from violations of the law of armed conflict or humanitarian law.

Although we are far from a desired stage of a more effective trial of these crimes and their criminals, a noticeable progress has so far been achieved. The trial and punishment of high-level officials of the German Nazi regime and the Japanese administration by the Nuremberg and Tokyo military tribunals as well as the punishment of the perpetrators of crimes in the former Yugoslavia and Rwanda are limited but promising examples.

Moreover, the ICC, which has the power to prosecute people who have committed genocide, war crimes, crimes against humanity, and the crime of aggression, is now dealing with many cases in Uganda, the Democratic Republic of Congo, Darfur, Sudan, the Republic of Kenya, Libya, Ivory Coast, Mali, the Central African Republic, Georgia, Burundi, Bangladesh, and Myanmar. The Court has prosecuted some individuals, and continues to prosecute many more.⁵⁶

⁵⁴ Clause 2 of Article 8 of the Rome Statute of the International Criminal Court mentions in its first item “grave breaches of the Geneva Conventions of 1949” and in its second item “other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law,” defining war crimes and stipulating punishment. The Nuremberg Statute references similar acts as war crimes.

⁵⁵ ICC Statute, Article 8 (2) (b) (iv).

⁵⁶ The ICC has also started preliminary investigations into the situations in Colombia, Guinea, Britain’s operations in Iraq, Nigeria, Palestine, Ukraine, Venezuela, and Bolivia. <https://www.icc-cpi.int/bolivia>, (Accessed: October 30, 2020).

LEGAL ASSESSMENTS ON KARABAKH CASE VIOLATIONS

The first issue that should be addressed over the latest conflict in Karabakh concerns who initiated the conflict so as to constitute a crime of aggression. This discussion is in fact legally inappropriate. Even if Azerbaijan had initiated the conflict on September 27, 2020, this action would have to be evaluated within the scope of self-defense. This leads to the conclusion that any such Azerbaijan's actions should be considered as an act of self defense rather than a crime of aggression. On the other hand, the actions carried out by Armenia as a whole in Karabakh have been an act of occupation. Therefore, whatever Armenia took in Karabakh was an act constituting a crime of aggression.

As summarized above in the relevant section, the prominent actions of Armenia in Karabakh are attacks on civilians and civilian places. Referring to “grave breaches” of the Geneva Conventions, the ICC Statute includes acts of “[i]ntentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities” and “[i]ntentionally directing attacks against civilian objects, that is, objects which are not military objectives”⁵⁷ as war crimes. On the other hand, “[a]ttacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives”⁵⁸ is also mentioned among war crimes.

Due to the nature of these attacks, it is also possible to consider them as crimes against humanity rather than a simple war crime. If the actions leading to the killing of civilians can be described as “committed as part of a widespread or systematic attack directed against any civilian population”⁵⁹ rather than being an isolated attack, it will

⁵⁷ ICC Statute, Article 8 (2) (b) (i, ii).

⁵⁸ ICC Statute, Article 8 (2) (b) (v).

⁵⁹ ICC Statute, Article 7 (1).

be possible to consider them crimes against humanity. The important point here will be whether Armenia planned its attacks as part of a “widespread or systematic attack”.

Moreover, the illegal and arbitrary widespread destruction of property without military necessity, indiscriminately and systematically targeting vital infrastructure elements, and leading to civilian deaths, constitute a crime in this context.⁶⁰

Violation of the right to life of the civilian population is also a clear violation of Article 2 of the European Convention on Human Rights (ECHR), to which both Armenia and Azerbaijan are parties, which would entail legal responsibility of the Armenian state. (Çirakof Davası??) Deliberate attacks on civilians and civilian infrastructures can also be considered a violation of Article 14 of the ECHR, as the rights protected by the convention are violated through discrimination based on nationality and ethnicity. Damage to civilian property and hindering the use of property constitute a violation of the right to property defined in Article 1 of Protocol No. I to the ECHR. It seems that Azerbaijan has made an application to the ECHR regarding all these violations.⁶¹

Armenia’s use of weapons and methods which are prohibited by international humanitarian law are another source of crimes. Relevant reports indicate that Armenia used cluster munitions, which an indiscriminate and therefore prohibited weapon. However, the Geneva Convention states that “in any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.”⁶² Accordingly, the ICC Statute states that “employing weapons, projectiles and material and methods of warfare which ...

⁶⁰ These acts are considered grave breaches of the Geneva Conventions, and are considered war crimes. See: ICC Statute, Article 8 (2) (a) (b).

⁶¹ “Azerbaycan, Ermenistan’ın Sivilleri Hedef Alan Saldırıları Nedeniyle Avrupa İnsan Hakları Mahkemesi’ne Başvurdu”, Anadolu Agency, October 30, 2020.

⁶² Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 35 (1).

are inherently indiscriminate[is] in violation of the international law of armed conflict”⁶³ constitute war crimes. Armenia’s use of explosives and high-impact missiles to attack civilians and civilian settlements constitutes a war crime, given the extent of the destruction of these the weapons.

Armenia’s previously mentioned acts targeting healthcare facilities and vehicles are also violations of Article 35 of the 1949 First Geneva Convention. Similarly, deliberate attacks on educational facilities violate Articles 51 and 52 of Additional Protocol I to the 1949 Geneva Conventions. Each of the attacks on these facilities is a war crime.⁶⁴

We had previously stated that some Armenian military personnel dressed as journalists bearing press emblems during armed clashes. Article 79 of the Additional Protocol I to the Geneva Conventions grants to journalists the status of protected persons”. The abuse of the journalist identity is a violation which is considered as a crime.⁶⁵ On the basis of reports indicating such abuses, these acts should be examined whether to constitute a crime in the circumstances of Karabakh conflict.⁶⁶

Armenia’s use of children in military activities and conflicts is also an act that violates Article 77 of Additional Protocol I. The fact that this act constitutes a war crime has been included in international court statutes.⁶⁷ These actions are also violations of Article 38 of the Convention on the Rights of the Child.

The Armenian attacks against historical, religious, and cultural monuments, and private property are also prohibited acts. The plun-

⁶³ ICC Statute, Article 8 (2) (b) (xx).

⁶⁴ ICC Statute, Article 8 (2) (b) (ix).

⁶⁵ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 79 (1); also see: Article 37.

⁶⁶ ICC Statute, Article 8 (2) (b) (xxiv) has listed “intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law” as a war crime.

⁶⁷ ICC Statute, Article 8 (2) (b) (xxvi).

dering and destruction of all private property and places that are not related to the necessities of war are among the prohibited.

Violations of all these are criminal acts. UNESCO described similar acts of the Taliban regime in Afghanistan in the early 2000s actions as “crimes against the common heritage of humanity.”⁶⁸ In the relevant paragraph of Article 8 of the ICC Statute describes intentional direct attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives as criminal acts.⁶⁹ In the al-Mahdi case before the ICC, the prosecutor stated that the destruction of religious and cultural artifacts in the Malian city of Timbuktu by the Ansar al Din group had injured the “conscience of humanity.”⁷⁰

We previously mentioned that in almost 30 years of the Armenian occupation of Karabakh, there were findings that some historical monuments and historical-religious structures in the region had been destroyed or damaged, which constitute individual war crimes.

COLLECTING EVIDENCES AND PROSECUTING SUSPECTS

Collecting evidences and the prosecuting persons who are suspected to commit or participate in these crimes is as important as the rules prohibiting the acts above. Since the official positions of those who commit or participate in such crimes do not prevent their prosecution,

⁶⁸ UNESCO, Resolution on the Protection of the Cultural Heritage of Afghanistan, Doc. No. WHC-01/CONF.208/23, at 12 (October 30-31, 2001) (Adopted by the General Assembly of State Parties to the World Heritage Convention at Its Thirteenth Session).

⁶⁹ ICC Statute, Article 8 (2) (b) (ix).

⁷⁰ ICC, Office of the Prosecutor, Situation in Mali, Article 53(1) Report, 157 (Jan. 16, 2013), <https://www.iccpi.int>, (Accessed: November 14, 2020); Prosecutor v. Ahmad Al Faqi Al Mahdi, ICC-01/12-01/15-236, Reparations Order, 22 (Aug. 17, 2017), <https://www.iccpi.int>, (Accessed: November 14, 2020); Also see: Yaron Gottlieb, “Attacks Against Cultural Heritage as a Crime Against Humanity”, *Case Western Reserve Journal of International Law*, Volume: 52, (2020), p. 289.

he remaining issue is how to bring them personally before competent national or international judicial bodies.

There are multiple legal options for prosecuting suspects. The first is to use the jurisdiction of the country where the aforementioned crimes were committed, namely Azerbaijan. International law stipulates that the state in which the crime is committed has jurisdiction according to the territoriality principle. This is in fact the most effective way, given the fact that the collecting the evidence is more effective as the crime scene. However, bringing the nationals of the other side before the judiciary personally enquires international cooperation, which is mostly a difficult case.

As the clashes were ongoing, Azerbaijan seems to have carried out a continuous effort to collect evidence of the acts of violations. Both the General Prosecutor's Office of Azerbaijan and the Commissioner for Human Rights (Ombudsman) of Azerbaijan published intermittent reports containing the accounts of Armenian such acts. Here, the remaining issue is to achieve to arrest the suspects and bring them to justice. Azerbaijan has also issued an international arrest warrant for some persons under investigation. The cooperation and support of other states remains critical in this task.

The second option is the trial of the suspects by the state of which they are nationals. Yet, while this option is legally available, the *de facto* reality is that states will be quite reluctant to prosecute their own political or military leaders or personnel. It does not seem likely that the current international political conditions will force Armenia to prosecute its own leaders and even its ordinary personnel.

The third option is the trial by third states based on the universal jurisdiction over crimes of aggression, crimes against humanity and war crimes. Universal jurisdiction over crimes of aggression and war crimes is relatively controversial, but the existence of universal jurisdiction over crimes against humanity, including genocide, is clearly

approved.⁷¹ Practically speaking, however, third states that were not involved in the conflict have been reluctant in these proceedings due to its political complications.⁷²

Some *ad hoc* international criminal courts have been established in the past to conduct effective prosecution in case the national procedures did not work. Moreover, the ICC has been established as a permanent court with general jurisdiction. The ICC has jurisdiction over the countries that have ratified its statute. The jurisdiction of the ICC is not limited to the citizens of such countries but extends to all those who commit such crimes in the territory of a party state, regardless of their nationality.⁷³ Thirdly, the UN Security Council can, in any case, request the Office of the Prosecutor of the ICC to initiate an examination on cases, which it deems necessary.⁷⁴

The fact that Armenia and Azerbaijan have not recognized the ICC's jurisdiction is the main obstacle preventing the Court from initiating an examination on the acts in Karabakh. The UN Security Council requesting the ICC Office of the Prosecutor to initiate an investigation into the conflict remains the only option. However, the current political conditions does not indicate a prospect.

⁷¹ As of September 1, 2012, at least 142 (approximately 73.6 percent) of the UN member states have included at least one war crime as a crime under national law and at least 136 (approximately 70.5 percent) UN member states appear to have universal jurisdiction over such crimes. In addition, at least approximately 29 (about 15 percent) UN member states have provided their courts with universal jurisdiction over ordinary crimes under national law, even though they have not explicitly included war crimes in their national law. This means that they can prosecute individuals on the basis of universal jurisdiction for at least some acts such as murder, assault, rape, and kidnapping. See: *Universal Jurisdiction: A Preliminary Survey of Legislation around the World – 2012 Update*, (Amnesty International Publications: 2012), p. 12.

⁷² Belgium's War Crimes Act, for example, uses the concept of universal jurisdiction to allow anyone to bring war crimes charges before Belgian courts, regardless of where the alleged crimes are committed. Due to the war crimes trial brought against then-U.S. president George W. Bush and Israeli prime minister Ariel Sharon, there was a serious tension between these countries, but the Belgian Supreme Court dropped the case on September 25, 2003, on the grounds that it had no jurisdiction.

⁷³ ICC Statute, Article 12.

⁷⁴ ICC Statute, Article 13.

Apart from all these investigation and prosecution options, it would be an important contribution for relevant international non-governmental organizations as well as the UN Human Rights Council to take action on the identifying and collecting the relevant evidence.⁷⁵ UN may even decide to establish a special UN committee in order to investigate the conflict.⁷⁶

CONCLUSION

Armenia's military acts in the recent conflict in Karabakh and the surrounding Azerbaijani territories correspond to certain prohibited acts and related crimes entailing individual criminal responsibility regardless of their official positions. Killing or injuring civilians with deliberate attacks on civilians as well as bombing civilian places constitute war crimes. Some of those acts may be considered as crimes against humanity when they are committed as part of a systematic attack on civilians. Demolition of civilian infrastructure serving the basic needs of civilian population so as to cause serious harm to civilians constitute war crimes or even crime against humanity. Attacks on medical personnel, medical facilities and medical vehicles constitute war crimes as well.

Armenian attacks that damaged historical and cultural properties or the environment as well as the use of children in military activities and the misleading use of press signs are among the acts that constituted war crimes.

Based on these findings, prosecuting the perpetrators of these crimes remains as a significant issue. There are national legal procedures that should be applied to this end. In addition to national mech-

⁷⁵ For example, with Resolution 780, the UNSC established a Commission of Experts to investigate and determine crimes committed amid clashes in the former Yugoslavia during the dissolution period.

⁷⁶ The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan Sabina Aliyeva has called for international organizations to use special methods to identify the evidence of war crimes committed by the Armenian Armed Forces and for the establishment of effective international mechanisms to try those responsible for them. See: "Ombudsman Sabina Aliyeva Raised the Issue of Prisoners of War (POWs) before International Organizations".

anisms, some international mechanisms are also available. Since both Armenia and Azerbaijan have not accepted the jurisdiction of the ICC, the remaining option is the UN Security Council to request the ICC to initiate investigating the acts in Karabakh conflict, despite its political difficulties.



FOUR

KARABAKH POLICY OF REGIONAL AND GLOBAL ACTORS



FROM THE ZHELEZNOVODSK COMMUNIQUÉ TO THE TRILATERAL STATEMENT: RUSSIA'S NAGORNO-KARABAKH POLICY

CAVİD VELİYEV*

INTRODUCTION

Russia's special position and policy concerning the Nagorno-Karabakh issue has always been contended by the experts on the subject. The role that Russia played in the emergence of this issue as a problem, its transformation into a war, and the signature of the ceasefire agreement has always been debated. The Nagorno-Karabakh policy of the Moscow administration has been the subject of research from several perspectives. Those who approach the subject from a historical perspective draw attention to the fact that the Armenian presence in the Nagorno-Karabakh region started to increase rapidly after Tsarist Russia's 19th-century invasion of the Caucasus. In this sense, many historians consider the reason for the emergence of the problem as a part of the Russian Tsarist policy in the South Caucasus.

Although Nagorno-Karabakh remained an autonomous region of Azerbaijan since 1920, when the Bolshevik government was established in the region, the Armenian side asked for Karabakh to be annexed to Armenia in letters it sent to Moscow during the Union of Soviet Socialist Republics (USSR) administration. However, despite this, the mountainous part of Karabakh has always been under the rule

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of Azerbaijan. This is due to the fact that Nagorno-Karabakh is historically an Azerbaijani territory and the region is economically dependent on Azerbaijan. For this reason, the mountainous part of Karabakh has always remained subordinate to Azerbaijan both in the periods of Tsarist Russia and the USSR.

After the collapse of the USSR, Russia maintained its influence on this issue and with the moral support it received from 200 years of administration it was able to legitimize its role in the solution of the issue from the first day. Russia has taken an active role in this matter both bilaterally and directly within the framework of the Minsk Group. In the aftermath of clashes in the region in 1994, 2016, and 2020, it was again the Moscow administration that secured the ceasefire.

This article discusses Russia's Nagorno-Karabakh policy in the period after the dissolution of the USSR. In particular, the liberation by the Azerbaijani army of the country's occupied territories as a result of the 44-day war in 2020, and the tripartite declaration that was signed and its stipulations are analyzed in terms of Moscow's regional policy.

RUSSIAN MONOPOLY (1991-1995)

There were no serious clashes in the Karabakh region until the coup attempt in Russia in August 1991. When the dissolution process of the USSR accelerated after the 1991 coup, the Soviet army began to withdraw from the region and this led to increased conflict in the region. Armed Armenians in Khankendi attacked the gendarmerie units of the USSR in the city, seized all the ammunition and armored vehicles in their warehouses, and forced the Russian soldiers to withdraw from the region, leaving their weapons behind. Although the weapons were supposed to be destroyed before the withdrawal of the army, the Russian soldiers, left the weapons to the Armenians before leaving the city.¹ After the Armenians confiscated the Russian weapons, the attacks against

¹ Thomas de Waal, *Black Garden: Armenia and Azerbaijan through Peace and War*, (New York University Press, New York: 2004), p. 132.

Azerbaijani civilians increased.. Indeed, these attacks meant that long-time efforts by Moscow - especially the administration of Mikhail Gorbachev - to prevent the problem from reverting to an active conflict had failed. At the same time, Armenia stood to benefit, since there were two divisions in the Russian administration during this period. In particular, the strong Armenian diaspora and lobby in Moscow succeeded in influencing Moscow's regional policy.

As Armenian attacks on the civilian population in the region began to increase, a ceasefire declaration was signed between the parties in Zheleznovodsk on September 22-23, 1991 with the mediation of Russian Federation President Boris Yeltsin and Kazakhstan President Nursultan Nazarbayev. There were several reasons why Yeltsin took an active role in the signing of this declaration. First, there were plans to establish the Commonwealth of Independent States (CIS), which would gather the former Soviet countries together after the dissolution of the USSR, and Russia wanted to take part in the solution of the problems as the leading state. Second, the Azerbaijani administration had signed the agreement to become a member of the CIS, and Russia needed to contribute to the solution of the Nagorno-Karabakh issue to ensure the agreement was ratified by the Azerbaijani Assembly. Third, in order for both Azerbaijan and Armenia to become CIS members, there should have been no problems between the two member states. Fourth, Yeltsin had the intention of gaining political points by taking an active and constructive role in the solution of the Karabakh issue within the framework of the political rivalry he had with Gorbachev.²

The Zheleznovodsk Communiqué included the following terms: a ceasefire should be secured before January 1, 1992; all armed troops except those subordinate to the Russian Federation Interior Ministry and USSR army should be removed from the region; in order to supervise the ceasefire, disarm illegal armed units, and ensure peaceful

² Bill Keller, "Yeltsin in Azerbaijan, Proposes Pact on Enclave", *The New York Times*, September 22 1991.

living conditions for the region's civilians, a working group composed of Kazakhstan and Russia should be formed in the region by October 1, 1992; a path to return for individuals displaced from their homes in the Azerbaijan and Armenia republics must be secured; railways, airways, and other communication channels must be reopened within two weeks; a negotiation process between Baku and Yerevan officials should be initiated; and an information group should be established by the Russian Federation and Kazakhstan to provide continuous information on developments in the region. With this declaration, Russia aimed to maintain its military and political presence in the region in resolving the issue. However, it was also decided to resolve the issue within the framework of the territorial integrity of Azerbaijan. With this, Russia wanted to send a positive message to Azerbaijan, which was wary about membership in the CIS.

The expansion of the occupation by Armenian forces after the majority of the opposition parties in the Azerbaijani Parliament did not approve the agreement on Azerbaijani membership in CIS³ was evaluated as an increase in cooperation between Russia's armed units in the region and the Armenians.

The second important event that took place in this period was the discussion in the Parliament of Azerbaijan over a draft law regarding the situation of the country's armed forces. To avoid losing control in the former USSR area, the Russian Federation requested the establishment of an army under the command of Moscow within the framework of the CIS and conducted negotiations with the administrations of the former Soviet countries toward this end. This draft law was discussed in the Azerbaijani parliament in February, but the draft did not pass due to the protests of the deputies of the then opposition Azerbaijan Popular Front Party (AHC). According to the statement of

³ "Key Texts and Agreements", 20 February 1998, https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/ Accord17_22Keytextsandagreements_2005_ENG.pdf, (Accessed: November 30, 2020).

then president Ayaz Mutallibov, when the draft law was discussed in the Azerbaijani parliament, Russian Federation President Yeltsin called him and asked that the draft be passed by the parliament in return for Russian support in Karabakh.⁴ However, the agreement was not approved by the parliament.

Together with the 366th Motorized Rifle Regiment of the CIS in Khankendi on February 25-26, 1992, armed Armenians attacked Khojaly and massacred the civilian population there, leading to questions over Russia's objectiveness in mediation with Azerbaijan. Ayaz Mutallibov, who signed the CIS membership agreement in the face of demonstrations that broke out in the country after the Khojaly genocide, was forced to resign. Besides, AHC candidate Abulfaz Elchibey won the presidential election held in June. Abulfaz Elchibey gave weight to Western companies in the signing of agreements on sharing Azerbaijan's energy resources, demanded the removal of the Russian army from his country, and clearly declared that Azerbaijan would not become a CIS member. During this period, the Moscow administration's strategic goals regarding Azerbaijan were as follows: to maintain its influence over Azerbaijan and its oil reserves in the Caspian Sea, to limit the influence of Turkey and Iran in the region, to ensure that a pro-Russian government was at work in Azerbaijan, to maintain the presence of Russian bases in Azerbaijan, and to ensure that Azerbaijan became a CIS member. The differences between Baku and Moscow on these issues caused Russia to favor the Armenians in its Nagorno-Karabakh policy. As a result, Armenia expanded its occupation of Azerbaijani territories.

As the war continued between the parties, some Russian-mediated ceasefire negotiations were held.⁵ Russia's main objective for the

⁴ Cavid Veliyev, "Bütün Yönleriyle Hocalı Soykırımı", *Fırat Üniversitesi Orta Doğu Araştırmaları Dergisi*, Volume: 9, Issue: 2, (2013), p. 60.

⁵ For more on negotiations held under Russian mediation, see: Nazim Cafersoy and Araz Aslanlı, "Karabağ Sorununda Ateşkes ve Rusya", *Ermeni Araştırmaları*, Issue: 53, (2016), pp. 247-252.

talks was to protect its monopoly on the issue rather than to resolve the problem. With the proclamation of the Near Abroad Doctrine in 1993, Russia demonstrated its intention to fill the gap that emerged in the post-USSR region.⁶

With Haydar Aliyev's ascent to power in June 1993, Azerbaijan tried to garner Russian support on two issues by maintaining a distance in its relations with Western states until February 1994. Aliyev wanted to soften Russia's attitude towards the oil agreement to be signed with the Western energy companies for the sharing of energy deposits in the Azerbaijani part of the Caspian, and to try to gain the support of Moscow, if possible, or at least to ensure its neutrality, in the Nagorno-Karabakh conflict. Russia, on the other hand, thought that it could apply pressure on Azerbaijan to block the energy deals and in return would make no concessions on Karabakh.⁷

In this period, Russia had two expectations of Azerbaijan: the deployment of Russian troops on Azerbaijan's borders with Turkey and Iran, and Azerbaijan's participation in the CIS. However, Aliyev denied the request to deploy the Russian army in Azerbaijan.⁸ Although Aliyev's policy on Russia affected Baku-Moscow relations positively, the desired result was not achieved in the Nagorno-Karabakh War. That is to say, Armenian attacks did not stop and as a result of the ongoing attacks, six more regions of Azerbaijan were occupied.

This situation led Aliyev to develop relations with the West in order to counterbalance Russian pressure. Parallel to this, as of December 1993, the Azerbaijani army organized a successful counterattack, liberating more than 20 villages in the Fuzuli region and the town of Horadiz from occupation. Later, in the February-March period, the

⁶ Mustafa Aydın, "Relations with the Caucasus and Central Asia", *Turkish Foreign Policy, 1919-2006: Facts and Analysis with Documents*, trans. Mustafa Akşin, (Utah Press, Utah: 2010), pp. 781-782.

⁷ "Ermənilərin Gəncə Hücumu: Əliyevin Köməkçisi Danışdı", Axar, <https://axar.az/news/gundem/318545.html>, (Accessed: October 25, 2018).

⁸ "Moskova Kızgın", *Milliyet*, February 9, 1994.

Azerbaijani army organized strong counterattacks in the direction of the Aghdam and Tartar regions with the support of air forces, imposing serious casualties to the Armenian Armed Forces. After this, negotiations for a ceasefire agreement were initiated with the intervention of Russia.⁹

With the mediation of Russia, a ceasefire agreement known as the Bishkek Protocol was signed between the parties on May 5, 1994 in Bishkek, the capital of Kyrgyzstan. According to the agreement, a ceasefire would be established between the parties, military operations would halt, the armed forces would withdraw from the occupied territories, a binding agreement would be signed regarding the establishment of a mechanism to ensure communication between the parties and ensure the return of migrants, and a negotiation process on the establishment of a CIS peacekeeping force would be initiated. Although the Bishkek Protocol required Armenia to withdraw from the occupied Azerbaijani territories, this was never enforced.

Russia and the Armenian side wanted to impose the Nagorno-Karabakh Armenians as a separate party to the Bishkek Protocol, and the official representative of the President of the Russian Federation on Nagorno-Karabakh, Vladimir Kazimirov, traveled to Baku to request the Azerbaijani side sign the protocol as such. However, the Azerbaijani side refused, and the Azerbaijani and Armenian community of Karabakh signed the protocol as related parties.¹⁰ Therefore, although Russia tried to legitimize the Nagorno-Karabakh Armenians as an independent party with the Bishkek Protocol, it failed to do so.

After the ceasefire was signed between the parties, Russia continued its efforts to reach a permanent political solution agreement. Vladimir Kazimirov, Russia's representative in the Minsk Group, frequently visited Baku, Yerevan, and Azerbaijan's Armenian-occupied city of

⁹ "Bişkek Protokol'u Nə Vaxt Bitir?", 525th Gazet, May 13, 2014, <https://525.az/news/18503-biskek-protokolunun-vaxti-bitir>, (Accessed: November 29, 2020).

¹⁰ Cafersoy and Aslanlı, "Karabağ Sorununda Ateşkes ve Rusya", p. 255.

Khankendi in June and July 1994. Kazimirov stated that the purpose of his talks was “the preparation of the Great Political Treaty.” With the signing of the Great Political Treaty, Russia aimed to deploy the Russian army to the conflict zone and to keep the solution of this problem under its own control in the future. According to details of the Great Political Treaty shared with the press, the agreement stipulated a four-phase solution: a phased withdrawal of the Armenian army from Aghdam, Fuzuli, Jabrayil, Zangilan, Qubadli, and Kalbajar; the establishment of a natural gas pipeline, railroad, and highway between Azerbaijan and the Autonomous Republic of Nakhchivan; and, in the final phase, the determination of the status of the mountainous part of Karabakh and Lachin and Shusha.¹¹

In order to prevent Russia from being the sole entity to deploy peacekeeping forces in the region and block its solution initiative, the OSCE Senior Council resolved on September 16, 1994 that the peacekeeping force to be deployed to the conflict area should be multinational.¹² Between 1995 and 1996, attempts were made to persuade Armenia by proposing Armenia be added to the Baku-Ceyhan crude oil pipeline and the opening of the Turkey-Armenia border. The United States of America’s main goal was to reduce Armenian dependence on Russia and to improve its relations with the West. The Moscow administration responded to these Western proposals by signing agreements that increased the Yerevan administration’s dependency on itself.

Armenian President Levon Ter-Petrosyan was eventually persuaded to adopt the gradual plan for the resolution of the Nagorno-Karabakh issue, but the radical nationalist groups and Karabakh Armenians who dominated Armenian policy did not accept this solution.¹³ For Ter-

¹¹ Cafersoy and Aslanlı, “Karabağ Sorununda Ateşkes ve Rusya”, p. 251.

¹² Ibid., p. 255.

¹³ Stephan H. Astourian, “From Ter-Petrosian to Kocharian Leadership Change in Armenia”, *Berkeley Program in Soviet and Post-Soviet Studies*, (2000-2001), pp. 56-57; Svante E. Cornell, *The South Caucasus: A Regional Overview and Conflict Assessment*, (Cornell Caspian Consulting, 2002), p. 53.

Petrosyan's acceptance of this proposal and resolution of the problem would mean that beyond the scope of the U.S. offer, Armenia would be part of the pipelines suggested by the West, would undergo changes to its foreign policy, and develop closer relations with the West, being freed of dependency on Russia.

With the resignation of Ter-Petrosyan in Armenia, Karabakh Armenians Robert Kocharyan and Serzh Sargsyan, who took an active role in the occupation of Azerbaijani territories, came to power. Russia, which during the Ter-Petrosyan era established a military base in Armenia, signed an agreement to protect its borders with Turkey and Iran, and made the Yerevan administration more dependent on itself with an agreement on strategic cooperation and mutual aid. In parallel to its increased military power and economic presence in Armenia, Russia also became more deeply influential on Yerevan's political decisions during the Kocharyan period.

A CHANGING RUSSIAN POLICY UNDER PUTIN

In the Yeltsin period, the pro-Yerevan policy on Nagorno-Karabakh not only negatively affected Moscow-Baku relations, but also resulted in a more pro-Western policy of Azerbaijan. Vladimir Putin's visit to Baku after coming to power was intended to reverse this situation and was welcomed in Azerbaijan, while causing discomfort in Armenia. Putin's emphasis on the territorial integrity of states during his visit to Azerbaijan led Armenia to comment that "our strategic value is decreasing for Russia" and "Russia thinks that Karabakh should be resolved within the framework of Azerbaijani territorial integrity."

The active role of the Moscow administration in resolving the Nagorno-Karabakh issue has started to increase again since 2008, and Russia has been the most active member of the Minsk Group as of 2020. There are various reasons why Russia has been more active in this process since 2008. First, the recognition of Kosovo's independence by Western states in February 2008 was a worrying development for

Russia, which believes that the same geopolitical struggle has shifted to the South Caucasus. Second, it viewed the war between Georgia and Russia in August 2008 as a tool of geopolitical struggle. Third, Barack Obama won the presidential election held in the USA in November 2008, and within the framework of Obama's Russian Reset policy, U.S. influence in the South Caucasus weakened while Russia became more active. This situation naturally brought along the Russian assumption of responsibility for solving the Armenia-Azerbaijan conflict.

In this process, the Moscow administration did not want to lose both sides by acting in a more balanced manner. Russia's main aim is to minimize the West's role in the Nagorno-Karabakh issue, to stop it from being an area of geopolitical struggle between the West and itself, and to use it as a means to prevent Armenia and Azerbaijan from moving closer to the West. Putin knows that Armenia has more limited options, and Azerbaijan has a wider array of choice when it comes to foreign policy. Both Russia and Azerbaijan mutually tried not to cross each other's red line. While Russia understood that the Karabakh issue was a red line for Azerbaijani foreign policy, Azerbaijan saw that membership in NATO and the EU was a red line for Russia.

The first meeting between the parties was held under the mediation of Russian President Dmitry Medvedev in June 2008 in St. Petersburg. The second meeting was held at Meyendorff Castle in Moscow on November 2, 2008, and a joint declaration was accepted between the two parties at the meeting. According to the declaration, the parties agreed to high-level talks to reach a political solution of the issue and assigned foreign ministers to continue the talks within the framework of the Minsk Group co-chairs.¹⁴ This written statement is regarded as the first document agreed to between the parties after the ceasefire agreement was signed in 1994. However, no proposal for a solution was put for-

¹⁴ "Declaration between the Republic of Azerbaijan, the Republic of Armenia and the Russian Federation", President of Russia, November 3, 2008, <http://en.kremlin.ru/supplement/232>, (Accessed: November 25, 2020).

ward in this document because negotiations over the Madrid Principles document submitted to the parties in 2007 were ongoing. These negotiations came to a conclusion in 2009 and the parties decided to continue negotiations over the renewed Madrid Principles.

After that, a new meeting was held between the parties in Sochi in 2010, again under Russian mediation. According to Russia's *Novaya* newspaper, Russian President Medvedev tried to persuade the Azerbaijani side to add the Nagorno-Karabakh separatist government to the talks in Sochi. Naturally, this situation became one of the points that Azerbaijan did not agree to. In June 2011, a document, the content of which is not available to the press, was submitted to the parties in Kazan, Russia. According to some claims, the document was not accepted by Azerbaijan because Armenians living in Karabakh were given the right to hold a referendum.¹⁵ Then, in 2013, Russia presented a new plan to the parties to resolve the problem. The plan proposed that, first, Armenia would withdraw from the five occupied regions and, then, two other regions; IDPs' would return home; peacekeeping forces would be deployed; and then, a temporary status would be assigned to Nagorno-Karabakh.¹⁶ However, the Armenian side did not accept this.

Although not officially accepted by Russia, the "Lavrov plan," named after the Russian Foreign Minister Sergey Lavrov, was discussed in the regional press beginning in 2014.¹⁷ According to press reports, the plan proposed a gradual solution to the issue. Armenia would first withdraw from five regions, then both sides would reopen energy and transportation lines, then Lachin and Kalbajar regions would be returned, a temporary status would be given to the mountainous part of Karabakh, and the status of Karabakh would be determined by the parties in the future. However, Armenia continually opposed these issues

¹⁵ "Dağlıq Qarabağ Münaqişəsində Yol Ayrımı", Sputnik, November 25, 2020.

¹⁶ Russian Federation President Vladimir Putin's interview with Channel One Russia.

¹⁷ "Three Principles, Six Elements, Madrid, Kazan and 'Lavrov's Document'", Media Max, June 15, 2016, <https://mediamax.am/en/news/parzabanum/18714>, (Accessed: December 12, 2020).

by demanding that Armenians living in Karabakh be given the right to self-determination.

THE 2016 WAR AND RUSSIA

1994 ceasefire never fully stopped the clashes in the region, but the 2016 conflict were known as the four-day war, became the longest and involved the most casualties to date at the time. In the four-day war, Azerbaijan liberated the strategic heights of Talysh and Lelelep from occupation. The four-day war ended on April 5, 2016, with the mediation of the Russian chief of staff in Moscow and the signing of a new ceasefire agreement between Azerbaijan and Armenia. According to information given by the Armenian Prime Minister Nikol Pashinyan to the press in 2020, the reason for the ending of the four-day war was the verbal acceptance of the Serzh Sargsyan administration that the regions around Karabakh would be returned to Azerbaijan.¹⁸ According to information in the press, after the four-day war, in a meeting with Karabakh Armenian representatives, in an attempt to persuade them, Serzh Sargsyan said that if the seven regions were not given to Azerbaijan, they could lose Khankendi¹⁹. Therefore, before and after the 2016 war, suggestions were made that the Armenian army should first withdraw from the seven regions it occupied. The 2016 war was actually the result of the failure of long-term Russian-mediated peace negotiations. The 2016 war has shown that if peace talks fail, the military option is always on the table. Therefore, in the proposals of both the West and Russia, a consensus was formed that the Armenian army should withdraw from the seven regions without preconditions.

The 2016 war was the first in which relations with Russia were questioned in Armenia. In the four-day war, Armenia expected support from

¹⁸ “Mojno li Bilo Izbejat Voyni v Nagornom Karabakhe?”, (Можно Ли Было Избежать Войны В Нагорном Карабахе?), <https://www.dw.com>, (Accessed: December 6, 2020).

¹⁹ V 2016 Godu Serj Sargsyan Zayavil: “Yesli Ne Sdadim 7 Rayonov, Poteryaem Stepanakert”, <https://haqqin.az/news/194917>, (Accessed: December 7, 2020).

the Collective Security Treaty Organization (CSTO), of which it is a member, but this did not happen. To the contrary, member states such as Belarus and Kazakhstan supported the resolution of the Nagorno-Karabakh issue within the framework of Azerbaijan's territorial integrity. Armenia was left alone by its allies. Azerbaijan's use of Russian-made weapons in the 2016 war increased criticism of Russia in Armenia. Some Armenian experts accused Russia of staying silent over a war started by Azerbaijan and demonstrations against Russia were held in Yerevan.²⁰ Armenian President Sargsyan criticized Russia's arms sales to Azerbaijan in his meeting with German Chancellor Angela Merkel and in an interview with Deutsche Welle. However, despite these criticisms, the Russian side announced that they would continue to sell weapons to Azerbaijan.²¹ In short, in addition to the burden it caused Russia, Armenia was trying to influence Russia's weapons export and foreign policy.

Armenia's defeat in the four-day war in 2016 also created a new political crisis in the country. Criticism of the government continued despite the dismissal of some generals and commanders over allegations of bribery and corruption within the army. After a referendum on the country's transition from the presidential system to the parliamentary system held in 2017, President Serzh Sargsyan, who held the presidency for eight years and was associated with corruption, lack of democracy, and human rights violations during his administration, made a clear promise in advance that he would not be a candidate. However, he was nominated as the prime ministerial candidate by the Armenian Republican Party, leading to widespread criticism among the masses. Demonstrations began in the country and as a result of the demonstrations, Sargsyan withdrew his candidacy. According to Levon Ter-Petrosyan, the first president of

²⁰ "Hundreds in Yerevan Protest Russian Arms Sales to Azerbaijan", *The Armenian Weekly*, April 14, 2016, <https://armenianweekly.com/2016/04/14/anti-russian-protest-yerevan>, (Accessed: November 26, 2020).

²¹ Armen Grigoryan, "Russia's Image in Armenia Damaged by Fighting in Karabakh", The Jamestown Foundation, April 14, 2016, <https://jamestown.org/program/russias-image-in-armenia-damaged-by-fighting-in-karabakh>, (Accessed: November 26, 2020).

Armenia, if Sargsyan had continued as prime minister, he would have signed an agreement in 2018 to withdraw from the regions surrounding Nagorno-Karabakh.²² In this context, Nikol Pashinyan, who came to power in 2018, tried to garner support from the West to reverse the process that started under Russia's leadership in 2008.

After Sarkisyan's resignation, an interim government headed by journalist Nikol Pashinyan, who led the demonstrations, was formed. In the early elections held in December 2018, Pashinyan's "My Step" movement won the elections with 80 percent of the vote. Both the color revolution and Pashinyan's critical approach to the Moscow administration during the period when he was a journalist and a member of parliament created discomfort in Russia. However, Pashinyan often argued that this revolution was not related to Armenia's foreign policy, but rather that it was held against its domestic policy, namely corruption, mismanagement, and oligarchs.

Despite this, after Pashinyan officially became prime minister, steps were taken in Armenia on issues concerning Russia that ran contrary to Moscow. The arrest of Robert Kocharyan, who had close ties to the Moscow administration, pressuring the Russian companies in Armenia being due to corruption and tax debts, and the withdrawal of the CS-TO's Armenian General Secretary, Yuriy Khachaturov, with a request for his arrest caused problems between the two countries. While taking these steps, Pashinyan was trying to get support from the West via his "democratic" image.

THE SECOND KARABAKH WAR AND RUSSIA

When Nikol Pashinyan came to power, there was hope for a peaceful solution to the Nagorno-Karabakh issue. In fact, at the CIS meeting held in Dushanbe in 2018, he personally told President Ilham Aliyev

²² "Sargsyan Bil Gotov Vernut Territori Azerbaydjana İşyo v 2018-m Godom" (Саргсян Был Готов Вернуть Территории Азербайджана Еще В 2018-М Году - Заявление Тер-Петросяна), Day.Az, December 6, 2020, <https://news.day.az/politics/1295903.html>, (Accessed: December 6, 2020).

that he was ready to solve the problem with “creative methods,” but needed time to recover in domestic politics. For nearly a year, there was no serious violation of the ceasefire between the parties on the front line and some steps were taken to prepare the peoples for peace.

But after a short while, Pashinyan started to provoke peace talks by engaging in harsher rhetoric and taking harsher steps than his successors. In 2019, Pashinyan said that they would never withdraw from the regions around Karabakh, while Defense Minister David Tonoyan announced in New York in the meeting with the Armenian diaspora that they could invade new Azerbaijani territories if necessary. While visiting Brussels, Pashinyan stated that Karabakh Armenians should join the ongoing diplomatic negotiations between Armenia and Azerbaijan. Furthermore, the Pashinyan administration also announced its withdrawal from the diplomatic negotiation document that the parties agreed to within the framework of the OSCE Minsk Group, which has been continuing for over a decade.²³

These steps also meant the rejection of the Moscow administration's peace proposals. For after the 2016 war, Russia made an active effort to return the regions around Nagorno-Karabakh to Azerbaijan. By Pashinyan rejecting the conditions in the peace talks, he aimed to get support from the West in the new period. According to Jirair Libaridian, advisor to first Armenian president Levon Ter-Petrosyan and active participant in the 1990s Nagorno-Karabakh negotiations, Pashinyan tried to use to his advantage of being the first prime minister selected by “democratically” to garner the support of the West and swing the diplomatic negotiation process in their favor.²⁴

²³ Vladimir Socor, “How Yerevan Walked away from the ‘Basic Principles’ of Karabakh Conflict Settlement”, The Jamestown Foundation, 25 November 2020, <https://jamestown.org/program/how-yerevan-walked-away-from-the-basic-principles-of-karabakh-conflict-settlement>, (Accessed: November 25, 2020).

²⁴ Jirair Libaridian, “What Happened and Why: Six Theses”, The Armenian Mirror-Spectator, November 24, 2020, <https://mirrorspectator.com/2020/11/24/what-happened-and-why-sixtheses>, (Accessed: December 7, 2020).

When Pashinyan failed to get results in diplomatic negotiations, he tried to put pressure on Azerbaijan by carrying out new military attacks. The Tovuz attack in July 2020 was an outcome of this thinking. This situation brought about the Second Karabakh War, which started on September 27 and lasted 44 days. In this war, Armenia's expectation was that Russia would stage a direct military intervention and the Russian army would fight against the Azerbaijani army. However, in an interview he gave during the war, Putin gave the message to Armenia that it should leave the territories it had occupied, saying that "Azerbaijani lands could not remain under occupation indefinitely."

Neither the CSTO nor Russia sent army support to Armenia within the framework of the Treaty on Friendship, Cooperation and Mutual Assistance signed between the parties in 1997. In fact, the Yerevan administration was planning to attack Azerbaijani civilian settlements from Armenian lands to provoke an attack on Armenia by Azerbaijan and then apply to the CSTO as the party under attack. Russia or CSTO members had stated that they would provide support if Armenia was attacked within the framework of its internationally recognized borders. Even though the Azerbaijani army hit Armenia's missile systems, which were ready to attack, in the framework of a "preemptive strike,"²⁵ the CSTO did not intervene in the incident because this was Azerbaijan's legitimate right to self-defense.

From the beginning of the war, the Armenian press and pro-Armenian writers and journalists in Russia raised some claims to ensure Russia's military intervention in the region. First, they presented the war as a Christian-Muslim war and tried to influence Russia through religious sensitivity. Second, they argued that the Turkish army was actively fighting for Azerbaijan in the field, arguing that this was aimed at reducing Russia's influence in the region.

²⁵ "Azərbaycanın Mülki Əhalisini Hədəfə Almış Legitim Hərbi Hədəflər Zərərsizləşdirilib", Poligon, October 14, 2020.

Third, they tried to provoke military intervention within the framework of the fight against terrorism by making statements that many foreign fighters from Syria were being brought to the region through Turkey. In particular, Russian Foreign Ministry and Russian Foreign Intelligence Service President Sergey Naryshkin shared information about the transfer of foreign fighters from the Middle East to Karabakh. However, it was not proven that foreign fighters fought on the Azerbaijani side and they were unable to convince Putin of this claim.

Fourth, there were those who brought up the option of humanitarian intervention based on claims that Armenians living in Karabakh would be targeted by the Azerbaijani army and ethnic cleansing would be carried out. The Azerbaijani army was particularly careful in this regard and did not target civilians. Although more than 94 civilian Azerbaijanis were killed in the cities of Ganja and Barda as a result of missile attacks from Armenia, Azerbaijan took particular care and avoided attacking civilians.

Fifth, it was requested that Russian peacekeepers be placed in the region in order to ensure Russia's intervention. In fact, Russia had wanted to deploy peacekeeping forces in the region from the very beginning, but both Azerbaijan and Armenia had opposed this. Yet, at the start of the 44-day war, Armenian Prime Minister Pashinyan made a request for Russia to bring peace troops to the region. Russia declared that since Karabakh is not Armenian territory, it could not bring peace troops to the region at its request, and that it would only be able to do so with Azerbaijan's approval. As a result, pursuant to the tripartite declaration peace troops could be deployed to the region only with Azerbaijan's approval.

On the 14th day of the war, the first ceasefire declaration was announced between the foreign ministers of Armenia and Azerbaijan in Moscow through the mediation of Russian Foreign Minister Sergey Lavrov. In the four-article declaration, a short-term humanitarian ceasefire was declared to exchange the dead and prisoners, a plan was

prepared for a permanent ceasefire between the parties, it was emphasized that the format of the peace process was unchangeable, and it was stated that main negotiations were to be held. In order to prevent this ceasefire from turning into a permanent ceasefire, the Armenian side refused to accept Azerbaijan's conditions. This situation was repeated twice more, in Washington and Moscow. Each time, Armenia refused Azerbaijan's demand for a timetable for withdrawal from the surrounding districts. Therefore, Pashinyan's refusal to accept Azerbaijan's demands made Russia's job more difficult.

Upon this, Russia tried to influence the United Nations Security Council (UNSC) to issue a ceasefire resolution through the other countries in the Minsk Group. Despite the cooperation of Russia and France at the UNSC, members of the Non-Aligned Movement prevented the resolution from passing. This was actually the last step that Russia could take diplomatically, and Azerbaijan preempted it through the Non-Aligned Movement. Therefore, Russia has worked up to a point to support Armenia, stopping shy of direct military intervention. According to Russian expert Sergey Markedonov, Russia did not want the conflicts in the region to spin out of control and tried to work to preserve the Armenian presence in the region.

TRIPARTITE STATEMENT AND RUSSIA'S ROLE

Upon the Azerbaijani army liberating Shusha from occupation on November 8, the 44th day of the war, the Yerevan administration agreed to sign the ceasefire statement in line with Baku's demands. On November 10, with the mediation of Russian President Vladimir Putin, a new ceasefire statement was signed between Azerbaijani President Ilham Aliyev and Armenian Prime Minister Nikol Pashinyan. According to the nine-article agreement, there would be a ceasefire between the sides, with the parties remaining in the areas they controlled on the day of the ceasefire; Armenia would withdraw from Aghdam, Kalbajar, and Lachin by December 1; a Russian peacekeeping force would be

deployed to the region for a five-year period;²⁶ a ceasefire monitoring center would be established with the aim of ensuring the articles of agreement between the sides are enforced; a corridor between the region in Karabakh where Armenians lived and the Armenian passing through Lachin would be under the control of Russian peacekeeping forces for three years and then an alternative route would be made; Azerbaijan would ensure freedom of movement in both directions of the Lachin corridor; migrants to Nagorno-Karabakh and surrounding regions would be resettled through the UN High Commissioner for Refugees; and a corridor would be opened between mainland Azerbaijan and the Nakhchivan Autonomous Republic.²⁷

With the statement, the Moscow administration, which aimed to protect the existence of the Armenian population in Karabakh, has achieved deployment of its peacekeepers in the region and responsibility for the security of the corridors. But this also places additional responsibility on Moscow – for the Russian peacekeeping force has to conduct its activities in Azerbaijani territory in an impartial manner. The neutrality of the peacekeepers is an opportunity for Russia to preserve and maintain its reputation in the region. As a matter of fact, the steps taken by the Russian peacekeepers to expel the armed Armenians from Lachin, Kalbajar, and Aghdam since the day they deployed to the region in accordance with the trilateral statement have been commended. Furthermore, the official statements made by the Russian authorities after the signature of the tripartite statement satisfied Azerbaijan. While Vladimir Putin said, “According to international law, Nagorno-Karabakh is the territory of Azerbaijan,”²⁸ his adviser Peskov said that the separatist administration in Nagorno-Karabakh did not have any status, and that there were two

²⁶ Six months before the expiry of the five years, if either side objects, the peacekeeping forces must withdraw (Article 4).

²⁷ “Azərbaycan Respublikasının Prezidenti, Ermənistan Respublikasının Baş Naziri və Rusiya Federasiyasının Prezidentinin Bəyanatı”, Republic of Azerbaijan President İlham Aliyev, November 10, 2020, <https://president.az/articles/45923>, (Accessed: December 2, 2020).

²⁸ “Putin: Dağlık Karabağ Azərbaycan’ın Ayrılmaz Parçasıdır”, *Hürriyet*, November 23, 2020.

sides, Armenia and Azerbaijan, in the solution of the issue. After the Russian peacekeepers were fully settled in the region, additional support materials began to be sent via Azerbaijan, which also means that the materials being sent to the peacekeepers are monitored by Azerbaijan.

According to Article 5 of the tripartite statement, a peacemaking center comprising Russian and Turkish military delegations will be established to oversee implementation of the ceasefire clauses. An agreement was signed between Turkey and Russia on November 11 to establish the center and another agreement on the technical details was signed on December 1. According to the information given to the press by the parties, this center will have an equal number of generals and officers from each party, the center will be located in Aghdam region of Azerbaijan, and will oversee the fulfillment of the terms of the tripartite statement through remote technical means. In this context, although the fact that the Turkish soldiers will not work in the field as a peacekeeping force is considered to be a deficiency by many experts, the control center has been assigned significant duties. Turkey will have as much say in the fulfillment of these duties as Russia. The tripartite statement includes specifically a condition that armed Armenians be expelled from the region, which is also among the duties of the center.

On the other hand, this situation does not mean that Russia has paved the way for Turkey to be influential in the South Caucasus. Russia opposed the Turkish peacekeeping mission's entry into the lands liberated from the occupation. According to Russian experts, an increase in Turkish troops' influence in Karabakh could further increase Turkey's influence as far as Central Asia. Moreover, according to Russia, the fact that Turkey is in a constant state of conflict of interest with the U.S. does not mean that it will cooperate with Russia in the Caucasus, and Turkey has its own interests as a regional power.²⁹

²⁹ Sergey Markedonov, "Rusya'nın Beklentisi: Karabağ Savaşı'nda Rusya Kimin Tarafını Tuttu?" (В Ожидании России. Чью Сторону Заняла Москва В Карабахском Конфликте), Carnegie Moscow Center, November 11, 2020, <https://carnegie.ru/commentary/83201>, (Accessed: November 11, 2020).

The tripartite statement started to disturb the West due to both Russia's leadership and the role of Turkey. As the co-chairs of the Minsk Group, France and the USA were disturbed because they were unaware of the statement. In this statement, signed with the mediation of Russia and placing Russian peacekeepers in the region, the presence of the other two members of the Minsk Group is not felt. After the Second Karabakh War, the elimination of other members of the Minsk Group and the active role of the Russia-Turkey duo disturbed Armenia, and the Yerevan administration tried continually to gain the support of other members of the Minsk Group. Upon this point, the first of the two issues that disturbed the Armenian diaspora and the West was the end of the occupation without their involvement, while the second was the active role of Russia and Turkey in the process.

CONCLUSION

Russia's Nagorno-Karabakh policy was shaped under the influence of four factors: the geopolitical situation in the region, the foreign policies of Azerbaijan and Armenia, the bilateral relations between Russia and the two states, and the different approaches toward the conflict that arose from time to time among decision-makers in Russia. Therefore, when evaluating Russia's Nagorno-Karabakh policy, these four factors should be taken into account. It is thus possible to evaluate the reasons why Russia did not intervene directly in favor of Armenia, its strategic ally, during the 44-day war, within the framework of these four factors.

Azerbaijan has clearly conveyed the message that its "strategic patience" has been exhausted in recent years. The Tovuz attacks that took place in July 2020 caused serious reactions in society, and this reaction, in a sense, provided serious social support to the Azerbaijani state, which had demonstrated strategic patience for 26 years, over its new policy. As a matter of fact, in the first days of the war, 44 political parties in Azerbaijan issued a message of support to President Aliyev. On the other hand, in terms of politics and the economy, Azerbaijan

was an incomparably stronger actor when contrasted with Armenia, and had more than one choice when it came to foreign policy, which expanded its range of motion with regard to Russia. Therefore, Russia did not want to lose Azerbaijan, which was a determined and a powerful actor in recent times.

Russia has followed a more active policy in resolving the issue since 2008. It is possible to consider the post-2008 Russian policy as two periods: from 2008 to 2012 and post-2013. The solution proposals made by Russia in the first period did not please Azerbaijan, and the proposals made after 2013 did not please Armenia. In this sense, while Armenia's diplomatic range of action against Russia is rather limited, Azerbaijan's diplomatic opportunities are more extensive. The fact that Azerbaijan acts as an independent actor and has more foreign policy options has provided it relief regarding Russia. According to Sergey Markedonov, losing Azerbaijan and Turkey, when Armenia has no place to go in terms of foreign policy, could cause serious problems for Russia in both regional and global contexts.³⁰ In this context, the Azerbaijani administration set the aim of liberating its territory from the occupation as a foreign policy red line, and forced Moscow, Brussels, and Washington to accept this.

On the other hand, while putting the necessity of liberating its territories from occupation as a red line against Russia, Azerbaijan preferred to meet at a common juncture instead of fighting with the Moscow administration. According to Taras Kuzio, among the reasons why Azerbaijan won in this war were that for many years it avoided adopting policies that would disturb Russia, and it had Turkey's support. In short, Russia did not see the foreign policy pursued by Azerbaijan as a threat to its security. For Russia, acceptance of Vladimir Putin's mediation and permission for peacekeeping forces to deploy to the region on a five-year limit was an acceptable strategy for the Moscow ad-

³⁰ Markedonov, "Rusya'nın Beklentisi: Karabağ Savaşı'nda Rusya Kimin Tarafını Tuttu?"

ministration. Although Russian Foreign Minister Sergei Lavrov said in 2016 that “Karabakh is not an internal affair of Azerbaijan,” Vladimir Putin’s words in 2020 that “Nagorno-Karabakh is Azerbaijani territory in terms of international law” and his positive speech about Turkey’s role influenced Moscow’s affirmative impact on the process.

From a military point of view, Russia’s donation of arms to Armenia in order to maintain the military balance between the parties began to be a burden after a certain point. Azerbaijan, on the other hand, gained the support of the country by purchasing weapons from the Russian defense industry at normal market prices. On the other hand, Azerbaijan achieved clear military superiority over Armenia by expanding the possibilities of modern and alternative weapons technologies. In addition, many military experts argued that Russia did not believe that Azerbaijan would be successful in such a short period of time.

The cooperation between Baku and Ankara in the field of military exercises and defense technology, and Turkey’s political and moral support of Azerbaijan during the war were also among the key factors preventing direct Russian intervention. The decisive stance of the Republic of Turkey on the support of Azerbaijan led to the idea that Russia might be forced into an undesired confrontation with Turkey. In the early days of the war, President Aliyev’s statement that “if there was no support from Turkey, there would be many states in the region that would want to fish in turbid waters” was a clear message to states wishing to intervene in the process. It is important in this respect that Turkish F-16 aircraft remained in Azerbaijan after the joint military exercise between Azerbaijan and Turkey in August, with President Aliyev stating that “the reason for the F-16s remaining is in the case of possible military intervention by third parties.”

On the other hand, it can be said that the Moscow administration is not as disturbed by Baku-Ankara relations as before. As a matter of fact, from the Russian perspective, Turkey acts as an independent actor in the South Caucasus region, not as an ally of the West as in the past.

This is a more acceptable regional policy from the Russian perspective than the former. Of course, there is no universal consensus between the parties on all matters, but at the same time, Turkey's presence in the region does not pose a vital threat to Russia. As a matter of fact, in the period following the signature of the tripartite statement after the Second Karabakh War, the role of Russia increased. Ultimately, it is the format of cooperation between Russia, Turkey, Azerbaijan, and Armenia in the signature of the peace agreement that is spoken of.

As a result, Russia has tried to prevent the West from using the Nagorno-Karabakh conflict to settle in the region and, in this context, to maintain its own monopoly on the solution of this issue. On the other hand, from the very beginning it aimed to deploy its peacekeeping force in the region and thus maintain its military presence. Since the territories where Russia's peacekeeping forces are located are internationally recognized part of Azerbaijan, the Baku administration has the stronger position. Azerbaijan has the experience of removing Russian bases and troops from the country as it did in 1992 and 2012, and so removing the Russian military presence from the region when its term expires will not pose a major problem. As a matter of fact, according to the tripartite statement, Azerbaijan possesses this legal right.

Apart from this, Russia has undertaken another important task with the tripartite statement: the removal of armed Armenians from the Karabakh region. In the aftermath of the statement, Armenian troops are demonstrating resistance to withdraw from the region. At this juncture, it is important for Russia to fulfill its duty based on the tripartite statement and to expel the armed Armenians from Azerbaijani territory. For at the end of this process, the signature of the peace agreement between the parties and the realization of opportunities for regional cooperation will positively affect Russia's prestige not only in the South Caucasus but also throughout former Soviet geography.

TURKEY'S KARABAKH POLICY

BORA BAYRAKTAR*

INTRODUCTION

Karabakh is a territorial and sovereignty problem that emerged during the disintegration of the Soviet Union (USSR) and resulted from the occupation of Azerbaijani lands by Armenia. In 1988, after Armenia's effort to establish a separate administration in the Karabakh region of Azerbaijan, the occupation of Azerbaijani lands and the forced migration of Azerbaijani civilians further deepened the problem. The Karabakh region is of strategic importance to the global powers struggling for power in the Caucasus. The use of energy resources in the Caspian Basin and the region's location on international transport lines have made the Karabakh problem one of the focal points of the regional and global geopolitical conflict.

The Karabakh problem can be evaluated in terms of global geopolitics. In the past, the Caucasus, which was an area of rivalry between Russia and the Ottomans, and Russia and Britain, became one of the priority areas of struggle after World War I and during World War II due to the Azerbaijani oil. In fact, it can be said that Azerbaijan's natural resources were "one of the factors determining the fate of World War II." Since the Caucasus is a transit point between the Caspian Sea and the Black Sea, Russia losing the Caucasus brings the risk of losing the other two regions.

After the collapse of the USSR in 1991, the region gained importance in terms of Europe's energy security. The use of the region's natu-

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ral resources, the transportation of these resources, their route, and the income and power that they provide have been an important issue for regional states such as the European Union (EU), Russia, Turkey, Iran, Azerbaijan, Kazakhstan, Armenia, Turkmenistan, and Georgia. Therefore, the region's stability is of global importance. Strategist Zbigniew Brzezinski, who also served as national security adviser to the administration of the United States (U.S.), described Azerbaijan as "the cork in the bottle that controls the riches of the Caspian Sea and Central Asia" in his book *The Grand Chessboard*, published in the days of the end of the Cold War.¹ This dimension of the Karabakh conflict should be borne in mind.

Ankara's Karabakh policy has been shaped primarily by Turkey's relations with the USSR, and then by the new republics that emerged, the Caucasus, its energy policy, and its relations with Russia, the USA, and the EU. Turkey's approach to the issue remained distant until the disintegration of the USSR, focusing on the prevention of violence and mediation. Due to the deepening of the occupation and the increase of violence by Armenians against Azerbaijani Turks, Turkey changed its policy under the influence of public pressure.

Turkey, by standing by Azerbaijan's side since its independence, has tried to put pressure on Armenia and to bring the issue to international platforms. With the ceasefire in 1994, it became the main advocate of the return of Karabakh to Azerbaijan on all platforms. Finally, it became the main actor in the liberation of the occupied territories in the Second Karabakh War in 2020.

KARABAKH'S OCCUPATION AND THE TRANSFORMATION OF TURKISH POLICY (1988-1991)

At a time when the USSR was amidst its disintegration process (1987), Karabakh Armenians collected 75,000 signatures and de-

¹ Zbigniew Brzezinski, *The Grand Chessboard*, (Harper Collins Publishers, New York: 1997) p. 129.

clared that the region wanted to be transferred to Armenia. Karabakh Armenians also requested to join Armenia on February 20, 1988. On March 23, 1988, the Soviet Presidium declared that the status of Karabakh would not change, but the Armenians of Karabakh declared that they had become subject to Armenia as an autonomous region on July 12, 1988. When the Armenian flag was hoisted over state institutions, the Azerbaijani government abolished Karabakh's autonomous status at the beginning of 1989. When Armenia decided to annex Karabakh on December 1, 1989, the process resulted in conflict. Thereupon, Azerbaijan declared a state of emergency in Karabakh.² After a demonstration organized to protest Armenia held in Baku on January 13, 1990, the Red Army entered Baku following attacks on the neighborhoods where Armenians lived.³

During this period when the Karabakh problem was escalating, the governments of Turgut Özal (November 9, 1989-June 23, 1991) and Yıldırım Akbulut of the Motherland Party served in Turkey. After Özal became president, Mesut Yılmaz followed the process as foreign minister. At that time, the traces of the September 12, 1980 coup were continuing in Turkey, and the army was directing developments from behind the scenes. Özal, on the other hand, drew a different presidential profile as the former leader of the ruling party and tried to lead the government when it came to foreign policy.

Turkey's primary problems were to resolve the economic problems of the 1970s and the coup period, and to ensure integration with the European Economic Community. In addition, the escalating threat of the separatist terrorist organization the PKK, the situation of immigrants fleeing the discriminatory violence of Todor Zhivkov against Turks in Bulgaria, the violence experienced across the border due to

² Mustafa Gökçe, "Yukarı Karabağ Sorunu ve Türkiye-Ermenistan İlişkileri Üzerine Bir Değerlendirme", *Turkish Studies*, Volume: 6, Issue: 1, (2011), p. 1114.

³ Araz Aslanlı, "Kafkasya'da Güvenlik ve İstikrara En Büyük Tehdit: Karabağ Sorunu", *Güney Kafkasya: Toprak Bütünlüğü, Jeopolitik Mücadeleler ve Enerji*, ed. Cavid Veliev and Araz Aslanlı, (Berikan, Ankara: 2011), p. 8.

the Iran-Iraq War, the use of chemical weapons, and the influx of Iraqi Kurdish migrants to the Turkish border due to incidents like the Halabja massacre were other problems facing Ankara.

Despite the fact that the Ministry of Foreign Affairs and its intellectual circle tried to adhere strictly to Turkey's traditional principles of "status quo and balance," rapid developments in the world had started to impose a more proactive policy. The insistence on the status quo, which is the first parameter on which these two principles are based, caused difficulty for Ankara, as the status quo itself was changing. While President Özal was trying to read and follow these developments, the Ministry of Foreign Affairs adhered to its old reflexes. This dilemma was also reflected in the determination of the Karabakh policy.

Turkey's policies regarding the Caucasus and foreign Turks were largely shaped within the framework of the March 16, 1921 Treaty of Moscow and the Cold War conditions. Turkey and the USSR tried not to interfere in each other's internal affairs, pursuant to the provision in Article 8 of the treaty which stated, "Both contracting Parties hereby promise never to allow the formation or presence of organizations of groups that lay claim to the government of the other Contracting Party or of a portion of its territories, as well as of any group that exists with the purpose of struggle against the other nation, within their territories."⁴ For this reason Turkey generally avoided making statements about "external Turks" until the disintegration of the USSR. Therefore, the violence in Karabakh and Baku, and Armenia's occupation and annexation attempts could not become an important agenda item for Turkish foreign policy. President Özal was a pioneer in changing this situation. Taking advantage of the disintegration of the USSR, Turkey abandoned its isolationist policy toward Central Asian Turks. Turkey was the first country to recognize the independence of the Central Asian Turkic republics, and the leaders of the new states were

⁴ İsmail Soysal, *Türkiye'nin Siyasal Antlaşmaları, I. Cilt (1920-1945)*, (Turkish Historical Society, Ankara: 1983), pp. 32-38.

invited to Turkey. Özal began to talk about a future “Turkish age” and worked on strategies to ensure economic, cultural, and political unity with these countries.⁵

During the period when the efforts of the Karabakh Armenians toward independence and annexation intensified, Ankara followed the topic from afar and conducted its policy through Moscow. Despite Gorbachev’s *glasnost* (openness) and *perestroika* (restructuring) policy, Turkey avoided direct relations with the Soviet republics. In the Baku events of January 1990 – and the main reason for them was the attack on Azerbaijani Turks and occupation of their land in Karabakh – President Özal stated that these were internal problems of the USSR.⁶

President Özal led the process after the collapse of the USSR together with Prime Minister Süleyman Demirel from the True Path Party and Foreign Minister Hikmet Çetin from the Social Democratic Populist Party until his death in 1993. With the disintegration of the USSR, Ankara set its Moscow-based politics aside and entered the process of developing active relations. It was the first country to recognize the independence of Azerbaijan on November 9, 1991. On December 16, all former Soviet republics, including Armenia, were recognized. Turkey considered balancing the Armenian diaspora’s opposition to Turkey through Armenia. However, as the Karabakh issue grew, the pressure of the Turkish public showed its effect and Ankara distanced itself from Yerevan and sided with Baku.

On November 26, 1991, Azerbaijan announced that it had abolished Karabakh’s autonomous status and connected the region to the center, while the Armenians responded by deciding on independence in Karabakh with a popular vote held on December 10. However, the Commonwealth of Independent States (CIS), which was established

⁵ Muhittin Ataman, “Özalist Dış Politika: Aktif ve Rasyonel Bir Anlayış”, *Bilgi Sosyal Bilimler Dergisi*, Issue: 2, (2003), p. 53.

⁶ Mustafa Aydın, “Kafkasya ve Orta Asya ile İlişkiler”, *Türk Dış Politikası: Kurtuluş Savaşı’ndan Bugüne Olgular, Belgeler, Yorumlar Cilt II*, 12th Edition, ed. Baskın Oran, (İletişim: İstanbul: 2010), p. 372.

with the Minsk Treaty on December 8, did not recognize Karabakh. In Article 5 of the treaty, member states have recognized “the territorial integrity of each other and the inviolability of existing borders.”⁷ When Turkey opened foreign representations in all Central Asian and Caucasian republics on December 18, 1991, it excluded Armenia due to its occupation of Azerbaijani territories and Karabakh.⁸ When the outbreak of the crisis and occupation in Karabakh coincided with the last years of the bipolar world and the Cold War, Turkey’s policy was generally identical to the West and no clear steps could be taken.

TURKEY AND DEEPENING OF THE OCCUPATION IN KARABAKH (1991-1994)

The climate after the Cold War was seen as a new window of opportunity for Turkey. Ankara tried to deepen and develop its relations with Central Asian Turkic republics, especially Azerbaijan. Turkey tried to play the role of mediator between Armenia and Azerbaijan, and Foreign Minister Hikmet Çetin conducted shuttle diplomacy, bringing the issue to the agenda in European capitals. In November 1991, Turkey issued the message that it could mediate with then Azerbaijan prime minister Hasan Hasanov, upon the request of Armenia, and announced to President Ayaz Mutallibov, who visited Ankara on January 23-24, 1992, that it could mediate with the approval of both parties.⁹ Turkey was influential in the involvement of the European Security Cooperation Council (CSCE) on the Karabakh issue, and tried to draw the attention of Western countries and the U.S. to the issue. Military intervention was not considered an option despite public pressure. Prime Minister Demirel emphasized that there was no legal basis for Turkish intervention and that the Azerbaijanis did not demand it.

⁷ Emine Vildan Özyılmaz, “Geçmişten Günümüze Dağlık Karabağ”, *Gazi Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi*, Volume: 15, Issue: 2, (2013), p. 201.

⁸ Aydın, “Kafkasya ve Orta Asya ile İlişkiler”, p. 379.

⁹ Ibid., p. 402.

Throughout 1992, Armenian troops looted and massacred Azerbaijani villages and settlements along the border. The most major such incident took place on February 26, 1992 in the city of Khojaly. The event known as the Khojaly massacre led President Ayaz Mutallibov to flee to Moscow and the Azerbaijan Popular Front Party (APFP) came to power in Azerbaijan. Abulfaz Elchibey, the APFP leader, brought the issue to international platforms. Azerbaijani Turks in Karabakh were also forced to migrate due to violent events. Turkey followed these developments with concern, and the issue was frequently discussed in parliament and different options evaluated. Statements such as, “The Karabakh issue has now become the dream of a great Armenia, what would happen if you made a serious maneuver from the Armenian border, and two or three bullets landed there? The situation would then become this: if you go too far, I’m here - but you have to say this not in words but with actions”¹⁰ and “It is necessary to scare the Armenians a little” were voiced.¹¹

On March 24, 1992, the CSCE (OSCE as of 1995) decided to meet in Minsk to analyze the Karabakh events. Consisting of countries such as Turkey, Azerbaijan, Armenia, the U.S., Belarus, Russia, Italy, France, Finland, Netherlands, Sweden, Portugal, and Germany, the Minsk Group has become the main platform for solving the problem.¹² Turkey continued its diplomatic initiatives to end the occupation. Minister of Foreign Affairs Hikmet Çetin emphasized at an assembly meeting on May 20, 1992 that he was concerned that immediately mounting an armed response to the aggressive behavior of a small country of 3.5 million people stuck between Azerbaijan with its 7 million people and Turkey with its 60 million, would turn

¹⁰ Hasan Oktay, “Türkiye-Azerbaycan İlişkilerinde Turgut Özal Dönemi”, Kafkassam, April 8, 2016, <https://kafkassam.com/turkiye-azerbaycan-iliskilerinde-turgut-ozal-donemi.html>, (Accessed: November 20, 2020).

¹¹ İsmail Kapan, “İki Üç Bomba Ermenistan Toprağına Düşerse...”, *Türkiye*, July 18, 2020.

¹² Zühre Pehlivan, “Rusya’nın Ermeni Devleti Kurma Politikalarının Sonucu: Karabağ Sorunu”, *Asia Minor Studies*, Volume: 4, Issue: 8, (2016), pp. 94-109.

into a general Muslim-Christian conflict. Çetin said, "By assuming the role of spokesperson for the just cause of our Azeri brothers and sisters, we registered the party that acted illegally and tried to ensure that the international community takes responsibility. The current situation on the battlefield is, of course, temporary. Azerbaijan will gradually find its support behind not only Turkey but also the world in rectifying this unfair situation."¹³ Turkey also wanted to make a statement on the Karabakh issue at the first Summit of Heads of State of Turkic Speaking States held in Ankara on October 30-31, 1992, but the Central Asian countries, which were afraid of offending Russia, opposed this.¹⁴

In 1993, Armenians expanded the occupation by seizing the Kelbajar, Aghdere, and Aghdam districts. On the one hand, Turkey tried to cope with public pressure to intervene and on the other hand, it tried to observe the balances between Russia, NATO, the U.S., and the EU in the Caucasus. Turkey imposed an embargo on Armenia to support Azerbaijan and closed its borders to crossings other than humanitarian aid. Ankara declared that it would not normalize its relations with the Yerevan administration as long as the occupation continued. This has been one of Turkey's main policies regarding Karabakh.

Turkey also supported the issue being brought to the agenda under the umbrella of the United Nations (UN). The issue was actually raised to the United Nations Security Council (UNSC) after Armenia occupied the city of Shusha on May 8, 1992. After the occupation of Kelbajar, Resolution 822 was adopted on April 3, 1993, and a call was made for Armenia to withdraw from the city. Resolution 853, made on July 31, 1993, also stated that Karabakh belongs to Azerbaijan and that Armenian forces should immediately leave the

¹³ *TBMM Tutanak Dergisi*, Period: 19, Volume: 11, Legislative Year: 1, 78th Assembly, 20.5.1992, 0:1 First Session Start Time: 15.00 Presiding: Deputy Minister Fehmi Işıklar, Recording Members: Işıl Saygın (İzmir), Mehmet Cemal Öztaylan (Balıkesir), p. 205.

¹⁴ Aydın, "Kafkasya ve Orta Asya ile İlişkiler", p. 389.

occupied territories.¹⁵ Turkey made these decisions the basis of its diplomatic struggle.

In 1993, when Heydar Aliyev became president of Azerbaijan, a ceasefire was achieved. Aliyev prioritized the protection of the integrity of the country and the establishment of order therein. When it came to diplomacy, he embarked on a quest to strike a balance between the West and Russia. Within the framework of the CIS Interparliamentary Council held on May 4-5, 1994 in Bishkek, the “Bishkek Protocol” was signed at a meeting with the participation of representatives of the Kyrgyzstan Parliament and the Russian Ministry of Foreign Affairs, the presidents of the Armenian and Azerbaijani parliaments, and representatives of the Turkish and Armenian population of Karabakh.¹⁶ While the ceasefire in Bishkek confirmed Armenia’s gains, the Karabakh Turks were forced to leave their homes and native lands. During this process, Turkey continued its support of Azerbaijan and made an effort to hold the Second Summit of Heads of State of Turkic Speaking States in Baku in 1993. Due to the First Karabakh War, the summit was postponed to October 18-19, 1994 in Istanbul. This time, Turkey succeeded in including a demand for the implementation of UN resolutions emphasizing that the territorial integrity of Azerbaijan should be respected in its closing declaration.¹⁷

1994 CEASEFIRE AND ITS AFTERMATH

After the ceasefire in Karabakh, many peace attempts, solution proposals, and negotiations were held before the war in 2020. During this

¹⁵ UN Resolution 853(1993), S/RES/853 (1993) 29 July 1993, Adopted by the Security Council at its 3259th Meeting, <http://unscr.com/en/resolutions/853>, (Accessed: November 20, 2020).

¹⁶ Seçil Öraz Beşikçi, “Bağımsızlık Sonrası Dönemde Azerbaycan Dış Politikasındaki Stratejik Değişimler ve Yönelimler”, *Türk Dünyası İncelemeleri Dergisi/Journal of Turkish World Studies*, Volume: 16, Issue: 2, (2016), p. 244.

¹⁷ Aidarbek Amirbek, Almasbek Anuarbekuly and Kanar Makhanov, “Türk Dili Konuşan Ülkeler Entegrasyonu: Tarihî Geçmişi ve Kurumsallaşması”, *Bölgesel Araştırmalar Dergisi*, Volume: 1, Issue: 3, (2017), pp. 164-204.

process, Turkey's stance has been clear and stable. Turkey continued to participate actively in the work of the Minsk Group, which operates within the framework of the OSCE, in order to establish a peaceful, just, and lasting solution to the Karabakh conflict as soon as possible within the scope of international law. On the other hand, Turkey continued to keep its border with Armenia closed. After intense diplomatic efforts, Turkey made serious contributions to preventing the international recognition of the Armenian *fait accompli* in Karabakh and the redefinition of Karabakh as Azerbaijani territory.¹⁸

At the end of 1994, Azerbaijan preferred to continue the peace process at the OSCE level and demanded the Karabakh Turks be included in the negotiations. At an OSCE summit in Budapest, the Russian and Swedish administrations assumed diplomatic responsibility as the co-chairs of the Minsk Group.¹⁹ President Süleyman Demirel presented a report to U.S. President Bill Clinton during a visit to Washington in 1996 and stated that the problem could be solved by granting broad autonomy to the Karabakh region, where Armenians lived in the majority. Demirel also sought support from Clinton on this issue.²⁰ During this period, Azerbaijan's most important request from Turkey was that it not open its border gates with Armenia. Haydar Aliyev conveyed this to Turkish Prime Minister Mesut Yılmaz, who made his first official visit to Baku, and asked that the borders with Armenia not be opened until Karabakh was liberated from the occupation.²¹ Yılmaz also provided assurances that the Alican Border Gate between Turkey and Armenia would not be opened.²²

¹⁸ Şükrü Sina Gürel, "Karabağ Sorunu Üzerine Bir Not", *Ankara Üniversitesi SBF Dergisi*, Volume: 47, Issue: 1, (1992).

¹⁹ "Budapest Summit Declaration, Intensification of CSCE Action in Relation to the Nagorno-Karabakh Conflict", OSCE, December 21, 1994, pp. 5-6, <https://www.osce.org/files/f/documents/5/1/39554.pdf%20>, (Accessed: November 25, 2020).

²⁰ "Baba'dan Karabağ Planı", *Hürriyet*, March 28, 1996.

²¹ "Aliyev: Ermenilere Kapınızı Açmayın", *Hürriyet*, April 15, 1996.

²² Beşikçi, "Bağımsızlık Sonrası Dönemde Azerbaycan Dış Politikasındaki Stratejik Değişimler ve Yönelimler", p. 246.

At the OSCE's summit in Lisbon on December 2-3, 1996, Term Chairman Flavio Cotti laid down the principles that would form the basis for the solution of the Karabakh conflict. In accordance with these, Armenia and Azerbaijan's territorial integrity must be maintained and Karabakh should be assigned the highest level of self-government status based on the right to self-determination within Azerbaijan.²³ The consensus principle meant that adoption required the approval of 54 countries, and due to a veto from Armenia this was not included in the declaration. However, the OSCE and Armenia have stated their positions in additional documents. Although Azerbaijan did not want to approve the document due to Armenia's attitude, Baku accepted the offer with Ankara's intervention. At the summit, Aliyev wanted to hinder the approval process of the amendments to the Treaty on Conventional Armed Forces in Europe (CFE), but withdrew his objection upon the request of President Süleyman Demirel.²⁴ Thus, Turkey supported Azerbaijan's acceptance of the principles in Lisbon and ensured Armenia stood alone.

Upon Azerbaijan's dissatisfaction with France becoming the Minsk Group co-chairman instead of Finland on January 1, 1997, the U.S. joined as the third co-chairman on February 14, and thus the Minsk Group co-chairmanship took its final form, which would last for years. The group submitted a draft comprehensive agreement on June 1, 1997. The draft proposed a gradual withdrawal to halt the armed conflict and with regard to the status of Karabakh. Armenia rejected the proposals that Azerbaijan agreed to discuss. Thereupon, the Minsk Group updated the proposals in September and called for the return of six rayons to Azerbaijan, the start of OSCE peacekeeping operations, and the return of migrants in a first stage.²⁵ Armenian President Levon

²³ "Lisbon Document 1996, Annex 1", OSCE, (1996), <https://www.osce.org/files/f/documents/1/0/39539.pdf>, p. 15, (Accessed: November 25, 2020).

²⁴ "Lizbon'da Sancılı Zirve", *Milliyet*, December 3, 1996.

²⁵ Shamkhal Abilov, "OSCE Minsk Group: Proposals and Failure, the View from Azerbaijan", *Insight Turkey*, Volume: 20, Issue: 1, (2018), p. 146.

Ter-Petrosyan met with President of Azerbaijan Aliyev in Strasbourg on October 10, 1997, and as a result of the meeting, the Minsk Group updated its proposals. Leaders issued statements that they were hopeful. Ter-Petrosyan said, “The international community will not tolerate the situation around Karabakh for a long time, because it threatens regional stability and the oil interests of the West. Karabakh won the small war, not the big one.”²⁶ However, at a meeting of the Armenian National Security Council, Prime Minister Robert Kocharyan, Vazgen Sargsyan, and Serzh Sargsyan formed a front against President Levon Ter-Petrosyan to reject the proposal and forced him to resign. As soon as Kocharyan, who came from the Karabakh administration, took Ter-Petrosyan’s seat, he withdrew Armenia’s consent to the “staged” solution proposals.

Aliyev, on the other hand, gave the green light to the peace plan, which included the transfer of Karabakh to Baku on the condition of “full autonomy,” after considering the suggestions of U.S. President Clinton, with whom he met in Washington, on the oil and natural gas trade. The United States’ aim was for a solution to the Karabakh conflict in order to allow the Baku-Ceyhan pipeline to pass also through Armenian territory and for Turkey’s blockade of Armenia and the embargoes imposed by the U.S. Congress on Azerbaijan to be lifted, thus providing oil cooperation and solidarity against Iran.²⁷ Turkey, which desired to become an energy transit country, supported these plans by calculating that with the resolution of the issue, the obstacles in its path would be lifted through this strategy.

On November 9, 1998, the Minsk Group introduced a new proposal based on the concept of a “joint state.” It foresaw giving Karabakh under the control of Armenians the status of an autonomous

²⁶ Kemal Kirişçi and Behlül Özkan, “After Russia’s Nagorno-Karabakh Ceasefire, Could Turkey Step up Next for a Lasting Peace?”, Brookings, 18 November 2020, <https://www.brookings.edu/blog/order-from-chaos/2020/11/18/after-russias-nagorno-karabakh-ceasefire-could-turkey-step-up-next-for-a-lasting-peace/>, (Accessed: November 30, 2020).

²⁷ “Karabağ’a Petrol Çözümü”, *Milliyet*, August 1, 1997.

state within Azerbaijan, with equal rights to Azerbaijan. Azerbaijan rejected the proposal on the grounds that it violated its sovereignty and violated the Lisbon Principles. After this last proposal, no new proposal came and the Minsk process came to a dead end. As of 1999, direct talks have been initiated between the presidents of Azerbaijan and Armenia.

Aliyev did not determine the general framework of his foreign policy with a focus on Russia, and he wanted to put his relations with the U.S. on track in order to enter the energy markets. He developed relations with Turkey cautiously. Aliyev and his counterpart, Kocharyan, were invited to NATO's 50th anniversary meetings in 1999. The two leaders met on the Nakhchivan-Armenia border in October and discussed the Goble Plan, which was proposed by the U.S. and envisaged a land exchange.

Turkey's Karabakh policy was maintained with close contacts at the leadership level, especially during Demirel's presidency that ended in 2000, and Turkey played an important role in bringing the issue to the agenda on international platforms and supporting Baku within the U.S., NATO, the Council of Europe, and the OSCE.

TURKEY AND THE DEADLOCK IN KARABAKH (2003-2020)

The September 11 attacks and the invasion of Iraq in the early 2000s became the priority issues in Turkey's foreign policy. The Justice and Development Party (AK Party) government, which came to power after the 2002 general elections, was busy with these problems on the one hand, and on the other hand, it was taking assertive steps in terms of integration with the EU. Under the pressure of the EU's enlargement strategy, the Cyprus issue came to the fore. In Azerbaijan, after the death of President Heydar Aliyev, his son Ilham Aliyev took on his position and developed his policy based on the development of energy trade relations with Europe and the U.S., development, and growth.

Despite various initiatives, Turkey continued to follow the developments and support Azerbaijan, as the Karabakh conflict was frozen into a deadlock. The parliaments of Turkey and Azerbaijan have worked in cooperation with international parliamentary organizations. Turkey has tried to keep the issue on the agenda when appropriate. For example, the issue was brought to the negotiation table under the umbrella of the Black Sea Economic Cooperation. Foreign Minister İsmail Cem met with Azerbaijani President Heydar Aliyev and Armenian Foreign Minister Vartan Oskanian at the 2002 Istanbul summit. Upon Oskanian's suggestion that it was "time to talk about the relations between our countries" at the meeting, Cem replied, "Let the problems with Azerbaijan be resolved first, the rest will come."²⁸

In 2004, under the name of the "Prague Process," the foreign ministers of Azerbaijan and Armenia turned to direct negotiations. On January 25, 2005, the Parliamentary Assembly of the Council of Europe adopted Resolution 1416 titled "The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Conference," which gave hope to the Baku administration. In the decision made pursuant to a report prepared by British parliamentarian David Atkinson, it was stated that "the occupation of the territory of a member state by another member state constitutes a serious violation of its commitments to the Council of Europe." It was emphasized in the decision that "the right of displaced persons and migrants to return to their homes has been affirmed," and it was recommended that the parties should not exclude the option of going to the International Court of Justice if the Minsk process was not successful.²⁹

In the process, the view of an Armenian withdrawal from the occupied territories within the framework of UNSC resolutions began to gain wider acceptance in the international arena. Azerbaijan continued to share with Turkey the details of the talks with Armenia

²⁸ "Cem, 'Önce Bakü Gelir' Dedi", *Radikal*, June 26, 2002.

²⁹ "AKPM'den Ermenistan'a Dağlık Karabağ Uyarısı", BBC Türkçe, January 25, 2005.

during the diplomatic process. Azerbaijan Deputy Minister of Foreign Affairs Araz Azimov, who was in Ankara in May 2005, stated that the proposal entailed withdrawal from five of the seven districts occupied by Armenia in Karabakh immediately, and the issue of withdrawing from Lachin, the transit corridor between Azerbaijan and Nakhchivan, and Kelbajar, surrounding Karabakh, to be tied to negotiation terms. Azerbaijan, on the other hand, rejected this proposal as it wanted an unconditional withdrawal.³⁰

Turkey has always rejected the steps taken by Armenia in the Karabakh region. For example, in 2007, the Ministry of Foreign Affairs objected to the constitutional referendum held by the Armenians on December 10, 2006, and defined the so-called presidential election on July 19, 2007 as an effort to “unilaterally legitimize the unlawful current situation.”

November 29, 2007 was an important turning point in the Karabakh issue. Azerbaijan Foreign Minister Elmar Mammadyarov and his Armenian counterpart Vartan Oskanian met with the Minsk Group co-chairs in Madrid and agreed on the parameters of peace. According to the proposal accepted as the “Madrid Principles,” the following were decided: the evacuation of the occupied areas around Karabakh; the opening of the corridor connecting Armenia and Karabakh; the provision of international security to fulfill the function of a peacekeeping force; the return of all migrants to their lands; and rights to self-government for the Karabakh Armenians through granting the necessary assurances; and the launch of an initiative to determine the legal status of Karabakh.³¹

During the period of 2008-2009, a crisis was experienced in Turkey-Azerbaijan relations during the process known as “football diplo-

³⁰ Uğur Ergun, “Erivan’dan İlk Sürpriz Çekilme İşareti”, *Hürriyet*, May 12, 2005.

³¹ Ahmet Sapmaz and Gökhan Sarı, “Dağlık Karabağ Sorununda Azerbaycan Tarafından Kuvvet Kullanım Olasılığının Analizi”, *Güvenlik Stratejileri Dergisi*, Volume: 8, Issue: 15, (2012), pp. 1-31.

macy” developed between Turkey and Armenia. The steps taken by the two countries to normalize their relations disturbed Azerbaijan due to fear that the border gates could be opened before Karabakh was freed from occupation. However, the crisis was alleviated with a speech by Prime Minister Erdoğan in the Azerbaijani Parliament.

Serzh Sargsyan, who took the chair of the Armenian presidency in 2008, aimed to open the borders with Turkey due to the anxiety caused by Russia’s intervention in Georgia and the economic problems of his country. The matches of the national football teams of the two countries that fell into the same group in the 2010 World Cup qualifications were seen as an opportunity, and as Sargsyan’s guest, Turkish President Abdullah Gül was invited to Yerevan to attend a match in September. Prime Minister Recep Tayyip Erdoğan was aware that the main problem was Karabakh at the beginning of the process, and thought that the problem could be resolved through this process:

The whole issue here is Nagorno-Karabakh, and as it stands, we are already in favor of a fair conclusion of the Minsk process on the Nagorno-Karabakh issue. Moreover, Armenia has to comply with the decision made by the United Nations Security Council. (...) And the USA, the Russian Federation and France, which are the determinants of the Minsk process, must finally put an end to these negotiations that have been going on for 16-17 years, [and] must take them somewhere.³²

As can be seen, Turkey was of the opinion that there would be no disturbance in relations with Azerbaijan at this point. Gül’s visit to Yerevan (which the author also followed as a journalist) has been described as a “melting of the ice” in both the Turkish and international press.³³ In 2009, Turkey also invited Sargsyan for the rematch. When these steps led to rumors that Turkey would open its border with Armenia, lift the economic embargo, and establish diplomatic relations, all these allegations disturbed Baku.

³² “Erdoğan’dan Ermenistan’la Masaya Oturma Mesajı”, *Deutsche Welle Türkçe*, September 4, 2008.

³³ “Gül’ün Erivan Ziyareti Dış Basında”, *Hürriyet*, September 7, 2008.

Turkey and Armenia reached an agreement on how to take normalization steps in Switzerland on April 23, 2009. This dialogue was also supported by the West. During his visit to Turkey in April 2009, U.S. President Barack Obama stated in his speech at the Turkish Grand National Assembly that “Turkey must face its past and open its border gates to Armenia.” In fact, Turkey never intended to take a step back on the Karabakh issue at any point throughout the process. During Obama’s visit, President Gül and Prime Minister Erdoğan brought the Karabakh issue instead of Turkey-U.S. relations as the first agenda item in their meeting in Istanbul. In a sense, the Karabakh problem was included in the foreign policy agenda of the U.S.³⁴

Turkey was aware that it is not possible to achieve peace and stability in the South Caucasus without making progress in the Karabakh context. However, these developments did not dampen the reactions of the Azerbaijani side. Although President Gül went to Baku after Yerevan and informed the Azerbaijani side about the talks, he was unable to convince them. In response to these developments, President Ilham Aliyev did not attend the United Nations Alliance of Civilizations meeting held in Istanbul. In addition, Azerbaijani deputies expressed their unease during their visits to Turkey.³⁵ Turkey took great efforts to relieve Azerbaijan’s uneasiness, and give assurances and emphasize that its Karabakh policy had not changed. Prime Minister Recep Tayyip Erdoğan’s visit to Baku in May for this purpose and his speech in the Azerbaijani Parliament were historic in nature:

The news claimed that Turkey had given up Karabakh in order to normalize its relations with Armenia, and this was a statement without preconditions... Since then, the public opinion of all countries, friend and foe, has focused all its attention on this issue. My dear brethren, above all it would be a great shame for us to even speak of Turkey giving up on Karabakh. Once again, I openly reject this slander, here

³⁴ From the May 14, 2009 speech of Prime Minister Erdoğan to the Azerbaijani parliament.

³⁵ Yelda Demirağ, “2015’e Bir Kala Türkiye-Ermenistan İlişkileri”, *Ermeni Araştırmaları*, Issue: 47, (2014), pp. 71-84.

before you. (...) When was the Turkey-Armenia gate closed? When Nagorno-Karabakh was completely occupied by Armenia, after that the gates were closed. Therefore, when [the occupation] is lifted, then the doors will open, or we cannot take a step without agreeing with our Azerbaijani brothers on this point. These are interconnected and cannot be considered separately.³⁶

Turkey still continued with the process, and signed two protocols on October 10, 2009 in Zurich, which would ensure the development of bilateral relations and the establishment of diplomatic relations with Armenia.³⁷ Before the signing, Armenian Foreign Minister Eduard Nalbandyan objected to the text of the speech that Turkish Foreign Minister Ahmet Davutoğlu would make after the ceremony, revealing Turkey's Karabakh sensitivity. In his speech, Nalbandyan stated that the concepts of "peace in the Caucasus, stability in the Caucasus" in the Turkish side's speech sought to establish a parallelism between the protocols and the Karabakh conflict. When Armenia assumed a position stating "There is no connection between these protocols and Nagorno-Karabakh. This link should not be established. This process should continue without any preconditions," and the Turkish side objected to Nalbandyan's statement of "without preconditions," no speeches were made at the signing ceremony.³⁸

Despite all of Ankara's assurances that the border would not be opened until the Karabakh problem was resolved, Azerbaijani President Aliyev implied a possible increase by saying that natural gas was supplied to Turkey very cheaply. After that, steps were taken such as the re-arrangement of natural gas tariffs, economic sanctions against Turkish goods, pressures on Turkish companies operating in the country, and the removal of Turkish flags from posts "including those in the

³⁶ "Başbakan Erdoğan, Azeri Meclisi'nde Konuştu", *Hürriyet*, May 14, 2009.

³⁷ For the full text of the protocols, see: "Türkiye-Ermenistan Siyasi İlişkileri Zürih Protokolleri", Republic of Turkey Ministry of Foreign Affairs, http://www.mfa.gov.tr/site_media/html/zurih-protokolleri-tr, (Accessed: November 14, 2020).

³⁸ "Kriz'li İmza", *Milliyet*, October 11, 2009.

Turkish Cemetery” in Baku.³⁹ However, after the signing ceremony, Prime Minister Recep Tayyip Erdoğan said that the opening of the borders depended on the progress that Armenia made in resolving the conflicts in the region. Erdoğan stated that they wanted all borders to be opened at the same time, emphasizing that Turkey would not adopt a positive attitude unless Armenia withdrew from Azerbaijan’s territories.⁴⁰ The articles of the protocol between Turkey and Armenia did not go into effect due to Turkey’s addition of a *de facto* condition of the end of the Armenian occupation in Karabakh, although this was not included in the text of the protocol.

Turkey continued its efforts to end the Armenian occupation in Karabakh. During his visit to Washington in 2010, Prime Minister Erdoğan asked U.S. President Barack Obama to become more active on the Karabakh issue, and said that Armenia should start evacuating at least two of the seven Azerbaijani districts under occupation, mainly Aghdam and Fuzuli.⁴¹

After Turkey linked the normalization of relations to the Karabakh problem and Armenia did not agree to this, Yerevan announced that it had suspended the ratification process of the protocols in its parliament in 2010.⁴² As of this date, the ice between Turkey and Azerbaijan melted and in August, the two countries announced the “Agreement on Strategic Partnership and Mutual Assistance.”⁴³ Within its scope, Turkey also supported Azerbaijan with military training, equipment, system products, and various forms

³⁹ Reha Yılmaz, “Azerbaycan Dış Siyasetinde Bağımsızlık Sonrası Yıllar ve Karabağ Problemi”, *Sosyal Bilimler Araştırmaları Dergisi*, Volume: 5, Issue: 2, (2010), pp. 69-93.

⁴⁰ “Azeriler Protokole Tepki Gösterdi”, BBC Türkçe, October 11, 2009.

⁴¹ “Karabağ’a, Akmam ve Fuzuli’yi Boşaltmakla Başlasınlar”, *Hürriyet*, April 17, 2010.

⁴² “Ermenistan Protokol Sürecini Durdurdu, Topu Türkiye’ye Attı”, *Hürriyet*, April 22, 2010; Armenia canceled the protocols entirely on March 1, 2018.

⁴³ Araz Aslanlı, “Türkiye-Azerbaycan Ekonomik İlişkileri: Yönetim ve Ekonomi”, *Celal Bayar Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi*, Volume: 25, Issue: 1, (2018), pp. 15-27.

of aid.⁴⁴ As the military and defense industry cooperation between the two countries deepened, joint military exercises were held. In November 2012, the “Caucasian Eagle 2012” Turkey-Azerbaijan battalion task force exercise was carried out in Baku and Nakhchivan with the participation of Turkish, Azerbaijani, and Georgian soldiers near Ankara. In addition, a Turkey-Azerbaijan joint air defense exercise named “TurAz Şahini” took place in Turkey in 2014, 2016, and 2018; it was held in Azerbaijan in 2013, 2015, 2017, and 2019 under the name “TurAz Kartalı.”⁴⁵

In the ten years following 2010, Azerbaijan conducted serious defense planning, foreseeing that the Karabakh issue could not be resolved through diplomacy. Turkey took great efforts toward the training and modernization of the Azerbaijani army. In this process, bilateral negotiations continued within the scope of the OSCE and the Minsk Group, and conflicts took place along the border from time to time. Turkey continued to seek a solution to the problem within the framework of UNSC Resolutions 822, 853, 874, and 884.

HOMELAND WAR AND TURKEY

Karabakh and the occupied rayons were liberated from the occupation in 2020 as a result of the 44-day war that Azerbaijan launched with the open diplomatic and military support of Turkey in response to the attacks by Armenia. Military clashes that broke out from time to time on the contact line escalated in July 2020. Armenia’s attack on Tovuz, which was outside the contact line, on July 12, led to clashes that lasted for two weeks. Through the Ministry of Foreign Affairs, Turkey has declared that it will continue to stand by Azerbaijan with all its means

⁴⁴ Göktürk Çetinkaya, “Türkiye Azerbaycan İlişkilerinin Askeri Boyutu ve Jandarma Merkezli Yardımlar (1992-2014)”, *Bilecik Şeyh Edebalı Üniversitesi Sosyal Bilimler Dergisi*, Volume: 5, Issue: 1, (2020), p. 36.

⁴⁵ Araz Aslanlı, “10. Yılında Azerbaycan-Türkiye Stratejik Ortaklık Anlaşması ve Ortak Askeri Tatbikatlar”, Anadolu Agency, August 10, 2020.

in its struggle to protect its territorial integrity.⁴⁶ All four parties that are represented in the parliament issued a joint statement against Armenia. President Erdoğan declared Turkey's full support for Karabakh by saying, "We will definitely not leave brother Azerbaijan alone, we will give full support."⁴⁷

The process that can be called Karabakh's "war of independence" started on September 27 with attack by Armenia on the contact line. Azerbaijan responded to these with a holistic counteroffensive that would liberate all occupied territories. With the start of the operation, Turkey issued statements in full support of Azerbaijan, the public was united, and Turkish press members settled in the conflict zone and started to convey daily and even live developments.

During this process, Armenia's entire strategy was based on spreading the conflict out, activating Russia through the Collective Security Treaty Organization, and ensuring that Western powers like France would come to its aid. Prime Minister Nikol Pashinyan made statements toward this end, and news and comments targeting Turkey gained weight in the international press. Armenia also targeted cities outside the conflict area such as Ganja and Tartar, causing civilian deaths. Armenia waged a propaganda war in the international media, continually claiming that Turkey was also fighting against them, and received serious support from French President Macron. After the war, former Armenian president Robert Kocharyan admitted that "Armenians tried to bring Turkey directly into the war, but failed."⁴⁸

Turkey's support to Azerbaijan in the Second Karabakh War can be listed as political, diplomatic, military, and public diplomacy. Statements of support have been made at all levels since the first bul-

⁴⁶ Mehmet Şah Yılmaz, "Türkiye'den Ermenistan'ın Azerbaycan'a Yönelik Saldırısına Tepki", Anadolu Agency, July 13, 2020.

⁴⁷ "Cumhurbaşkanı Erdoğan: Bayramda Kısıtlama Gündemimizde Yok", TRT Haber, July 17, 2020.

⁴⁸ "Ermenistan'ın Eski Cumhurbaşkanı Koçaryan: Türkiye'yi Savaşa Sokmakta Başarısız Olduk", *Yeni Şafak*, December 5, 2020.

let was fired. President Erdoğan said that Turkey will “continue to stand by its friend and brother Azerbaijan with all its means and with all its heart” and clarified Ankara’s stance by saying, “It is time to put an end to the crisis in the region that started with the occupation of Nagorno-Karabakh. With an immediate withdrawal by Armenia of the Azerbaijani lands that it has occupied, the region will regain peace and tranquility.”⁴⁹

The Ministry of National Defense has constantly published data on the war on its social media accounts and shared data during the course of the operation. Turkey did not respond to Armenia’s efforts to involve itself in the war, and instead of directly opening a side and a front, it supported the Azerbaijani army. Foreign Minister Mevlüt Çavuşoğlu supported Baku in his bilateral meetings, especially those with his Russian counterpart Sergey Lavrov, and in all international platforms. Çavuşoğlu stated to NATO Secretary General Jens Stoltenberg, who was visiting Ankara, that Armenia’s withdrawal from the occupied territories was imperative and that the necessary response must be given to its attacks on civilians.⁵⁰ Turkey also stated that it supported the ceasefires on October 10, October 17, and October 26.

Turkey adopted a solution formula in Karabakh of the complete termination of the occupation and encouraged Azerbaijan in this direction. President Erdoğan said at the Turkey-Africa Economic and Business Forum on October 8, “The solution to this issue, which has almost turned into gangrene for 30 years due to Armenia’s uncompromising and spoiled attitudes, is to end the occupation. Suggestions that legitimize the occupation no longer have a chance to be implemented on the ground.”⁵¹ Mustafa Şentop, Speaker of the Turkish Grand National

⁴⁹ “Erdoğan: Dağlık Karabağ’da Çözüm Vakti Geldi”, Deutsche Welle Türkçe, September 28, 2020.

⁵⁰ “Bakan Çavuşoğlu: Ermenistan Doğrudan Sivilleri Hedef Alıyor, Bu Savaş Suçu”, TRT Haber, October 5, 2020.

⁵¹ “Cumhurbaşkanı Erdoğan’dan Çok Net ‘Karabağ’ Mesajı: Çözüm İşgalin Son Bulmasıdır”, *Hürriyet*, October 8, 2020.

Assembly, went to Baku with parliamentary deputies from the parties represented in parliament to express Turkey's support. Şentop, in his speech at the Azerbaijani parliament, said that Turkey would support and defend Azerbaijan's rightful arguments against the unjust attacks that were being promoted on international platforms and especially in European-based organizations.⁵² Despite the security risks, Şentop visited bombing sites in Ganja and demonstrated solidarity with families who had lost their relatives. These steps from Turkey have been a great source of happiness for Azerbaijan. Sahibe Gafarova, president of the Azerbaijan National Assembly, expressed this pleasure as follows:

If Turkey were not with us, everything would have been much more difficult. The Esteemed President Erdoğan expresses his support for Azerbaijan with a loud voice. Turkey's people and media are standing by us. How can there be a solution without Turkey? We trust Turkey. Whatever the name of the process, Turkey must be at the table.⁵³

Turkey has also been in constant contact with Russia. In his meeting with Russian leader Putin, President Erdoğan emphasized the inadequacy of the OSCE Minsk Group and suggested a bilateral method with Russia to end the conflict.⁵⁴

After the liberation of Shusha from the Armenian occupation, a ceasefire was declared on the night of November 9, and Turkey continued to play a role in the next process – even though claims to the contrary were made initially. Russian Foreign Minister Sergey Lavrov, on the other hand, claimed that in the articles of the agreement signed on November 10, 2020, Turkish soldiers would not enter Karabakh.⁵⁵ However, with Turkey's insistent stance, a compromise was reached with Russia and it was decided to establish a joint coordination cen-

⁵² Ruslan Rehimov, "TBMM Başkanı Şentop: Kafkasya'daki Çözumsuzluk Ermenistan'ın İşgali Sürdükçe Devam Edecektir", Anadolu Agency, October 20, 2020.

⁵³ Bora Bayraktar, private interview, Baku, October 20, 2020.

⁵⁴ Sedat Ergin, "Erdoğan Karabağ için Putin'e İkili Mekanizma Öneriyor", *Hürriyet*, October 30, 2020.

⁵⁵ "Lavrov: Rus-Türk Gözlem Merkezi İHA'larla Uzaktan Görev Yapacak, Türk Gözlemciler Dağılık Karabağ'a Girmeyecek", Sputnik Türkiye, November 12, 2020.

ter.⁵⁶ It was planned for Turkish soldiers to carry out many activities such as supervising the ceasefire, making the ceasefire permanent, and mine-seeking and clearing. Defense Minister Akar said, “Where is Turkey there? Turkey is in the thick of it – and that goes for both the [negotiation] table and the field.”⁵⁷

CONCLUSION

Since the emergence of the Karabakh issue Turkey has followed the problem closely and made efforts to perpetuate the Azerbaijani sovereignty in Karabakh and to end the Armenian occupation, within the limits of the opportunities provided by international developments. After the collapse of the USSR and immediately after Azerbaijan gained its independence, it acted under the slogan of “two states, one nation” and provided military, diplomatic, economic, and serious military support while respecting Azerbaijan’s national sovereignty.

Turkey has also provided strategic support to Azerbaijan for the liberation of Karabakh after increasing its military capabilities and reinforcing its position in the region, especially by eliminating the 2016 coup attempt. In the words of Defense Minister Akar, Karabakh was saved from occupation with the contribution of [Turkish] domestic and national weapon systems.⁵⁸ Here, the effect of unmanned combat aerial vehicles (UCAVs), in particular, and the missile systems they utilized is a fact acknowledged the world over. As a matter of fact, the impact of the Turkish UCAVs used by the Azerbaijani army in the field was also expressed by Azerbaijani President Aliyev.

Turkey continues to support Azerbaijan in maintaining stability and conducting diplomatic processes, as it did before and during the

⁵⁶ “Akar: Türk ve Rus Generaller Beraber Çalışacaklar”, Deutsche Welle Türkçe, December 2, 2020.

⁵⁷ “Bakan Akar: Türkiye Karabağ’daki Anlaşmada Hem Masada Hem Sahadadır”, TRT Haber, November 13, 2020.

⁵⁸ “Bakan Akar: Karabağ Yerli ve Milli Silahlarla 44 Günde Kurtarıldı”, TRT Haber, December 5, 2020.

war. After Baku, Ankara gave the strongest reaction to the decisions of the French Parliament calling for the recognition of Karabakh as an independent state. President Erdoğan emphasized that it is unacceptable for any state to attack the sovereign rights of another state in such a cowardly manner.⁵⁹ President Erdoğan and Ilham Aliyev's participation in the joint victory celebration in Baku on December 10 was a representation of the heights to which this union has reached.

⁵⁹ "Cumhurbaşkanı Erdoğan'dan Fransa'ya Karabağ Kararı Tepkisi", NTV, December 5, 2020.

IRAN'S KARABAKH POLICY: CAUSES, CONSEQUENCES, AND FUTURE

MUSTAFA CANER*

INTRODUCTION

It is an indisputable fact that one of the most important actors in the Karabakh conflict is Iran, which borders both Azerbaijan and Armenia. Iran's approach to the problem and the factors that determine, feed, and transform this approach over time deserve to be considered and researched. The Azerbaijan-Armenia conflict is of direct concern to Iran. Iran is bordered by both countries, and for this reason, the aforementioned conflict is primarily a security issue for the Tehran administration. The possibility of new balances of power as a result of the conflict raises the question of Tehran's capacity to adapt itself to the new situation.

It would not be an exaggeration to say that Iran's position is determinative at the points where the problem has historically flared up. Although Iran has formulated its position on this issue as "neutral" for decades, it should not be thought that this declaration of neutrality does not have positive or negative consequences for the parties. First of all, the provision of international law regarding the Karabakh crisis is clearly evident with the four United Nations (UN) resolutions. There is no confusion in terms of international law that Armenia is an occupier and the territorial integrity of Azerbaijan must be ensured.

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Although Iran is considered as a state that acts in accordance with ideological and sectarian motives based on its activities in the Middle East, one of the clearest proofs that it acts in accordance with real political requirements and material interests is Tehran's Karabakh policy. Choosing between Azerbaijan, whose population is predominantly Muslim and Shiite, and Christian Armenia, the Tehran administration has pursued a policy that is rhetorically neutral but *de facto* prioritizes Armenia. Although Tehran follows this policy for the sake of its national interests, this ultimately damaged its legitimacy both legally and among its own Turkish society. In addition, since the crisis has entered a solution path in favor of Azerbaijan and in accordance with international law, it has been unable to protect its gains in terms of material interests.

Tehran's attitude during the decades-long development of the crisis and its consequences deserve to be analyzed in a conceptual framework. The results to be obtained from this analysis will also provide clues about what kind of South Caucasus policy Iran should follow in the upcoming period.

HISTORICAL POSITION

Iran's attitude in the Karabakh crisis, which flared up after the collapse of the Soviet Union (USSR) and culminated with the occupation of Azerbaijani lands by Armenia, has been expressed with the words "neutrality" and "mediation" from the very beginning. Iran has clearly and officially refrained from taking a position on the side of either party over this issue. This attitude continued for many years despite many administration changes. Of course, it should be noted that the discourse of impartiality has a reinforcing and legitimizing function for status quo. Therefore, Tehran's traditional Karabakh policy indirectly worked in favor of Yerevan.

With the collapse of the USSR, Iran immediately took action to fill the power vacuum in the region. The collapse of the USSR echoed

throughout a broad geography, and the South Caucasus was one of the areas where Iran focused its attention. The fact that the aforementioned region is historically one of Iran's spheres of influence prompted action by the Tehran administration in the early 1990s, together with the innovative President Rafsanjani. In this sense, Turkey, which is in a similar position, took action in order to open up to the former Soviet geography and to establish a strong bond with the Turkic world. The geography of Azerbaijan has been one of the geographies that attracted the attention of both countries.

In February 1992, Turkey brought together the foreign ministers of eight countries from the former Soviet geography in Istanbul. A memorandum of understanding was signed as an outcome of the meeting, in which Azerbaijan and Armenia also participated. The agreement reached aimed to improve political and commercial relations between the participating countries. In addition, Turkey offered to mediate in the dispute between Azerbaijan and Armenia.¹ Iran, on the other hand, came to the table with Russia, Azerbaijan, Kazakhstan, and Turkmenistan two weeks later and put forward the Caspian Sea initiative with these countries.² This coming together led to the new geopolitical situation that emerged in the post-Soviet period, and arose from Iran's desire to manage the balance in its own favor.

Iran's mediation activities have not been limited to rhetoric. With the initiatives of Foreign Minister Ali Akbar Velayati during the Rafsanjani era, these mediation activities bore one of their fruits in 1992. With the ceasefire signed by the Azerbaijani and Armenian authorities in Tehran on March 15, 1992, the guns fell silent and hopes for a political solution arose. According to the agreement signed, both sides declared that they would abide by the ceasefire, the exchange of dead and captured soldiers was stipulated, and the entry of an observer force

¹ Andrew Finkel, "Rivals Agree a Black Sea Pact", *The Times*, February 4, 1992.

² Rouhollah K. Ramazani, "Iran's Foreign Policy: Both North and South", *Middle East Journal*, Volume: 46, Issue: 3, (1992), p. 408.

to Karabakh was accepted to monitor the ceasefire. However, within days, the ceasefire was violated and Armenia occupied many important areas.³ Despite this, Iran's mediation efforts continued and a ceasefire agreement was signed in Tehran on May 7, 1992, as a result of President Hashemi Rafsanjani's initiative. Although the parties envisaged a long-term ceasefire and solution with this agreement,⁴ these ceasefires were also short-lived, and clashes continued.

Iran maintained a similar stance during the 2016 war and avoided taking a position openly in favor of one side. Following the conflicts in April of that year, Iranian President Hassan Rouhani paid a visit to Armenia in October. In response to a question about the visit, Foreign Ministry spokesman Bahram Qassemi said that "Iran has no intention of mediating in the Karabakh issue at this time" and stated that they want the issue to be resolved as soon as possible while protecting the rights of the two countries.⁵ It is clear from this statement that Iran has not taken an initiative either on the basis of discourse or action to end the *de facto* situation, namely Armenia's occupation of Azerbaijan.

Finally, the most important development that determined the fate of Karabakh took place in 2020. On September 27, Armenia's provocative attack on Azerbaijan ignited the Second Karabakh War. When the Armenian forces encountered an unexpected Azerbaijani resistance this time, the possibility of ending the decades-old occupation and unraveling the Karabakh knot arose. Iran's attitude toward the crisis did not change during the 2020 war either. But this time, Azerbaijan's strong resistance and determination caused Tehran to evaluate different scenarios for the course and outcome of the conflict. In this direction, two important "risks" emerged for Tehran: the end of the occupation and

³ Ramazani, "Iran's Foreign Policy: Both North and South", p. 410.

⁴ Ralph Joseph, "Azerbaijani, Armenian Chiefs Sign Cease-Fire Accord in Tehran", UPI, May 8, 1992.

⁵ قاسمی: ایرا نوکانادا به دنبال دفتر حافظ منافع هستند/ ایران نم یخواهد در قره باغ میانجی "، ISNA, October 24, 2016.

the change of de facto borders, and the transformation of the emotional explosion of the Turkish presence in Iran into street protests. Both of these risks have been realized to a certain extent. With the surrender of Armenia on November 10, Azerbaijan achieved an important victory and liberated a significant part of its occupied territory.

Even though the superiority and advance of the Azerbaijani army were clearly evident during the conflict, and the possibility of liberating the occupied lands was more in question than ever, the Tehran administration continued to say, “We want the issue to be resolved through peaceful means.”⁶ The continued passage of trucks to Armenia via Iran’s Norduz Border Gate was one of the most important developments that challenged the patience of Iranian Turks. Information on the shipments shared through social media and news agencies greatly reinforced the perception that Iran was supporting Armenia. As a result, Iranian Turks issued calls for action on social media and took to the streets in many cities.⁷ The Tehran administration, which did not want the anger of Iranian Turks to trigger a new political crisis, issued statements that the border crossings did not involve military equipment, but that they had been stopped as of September 29 to avoid misunderstanding.⁸

On the other hand, the Tehran administration has always worried about the spread of the Azerbaijan-Armenia war to its own lands. The precautionary measures taken by Tehran in this regard include increasing its military presence at the border during periods of intense conflict and the continuous monitoring of border mobility. From time to time, rockets falling on the Iranian side of the border prompt serious and immediate reactions from the Tehran administration. Such examples were

⁶ “Iran Expresses Readiness to Mediate between Azerbaijan and Armenia”, *Tehran Times*, October 3, 2020.

⁷ “İran Ateşle Oynuyor: Ermenistan’a Silah Yardımları 35 Milyon Türk’ü Ayaklandırdı”, *Yeni Şafak*, September 30, 2020.

⁸ “İran’dan Ermenistan’a ‘Askeri Destek’ Açıklaması! Sınırdaki Askeri Araçlarla İlgili Flaş Sözler | Video”, *Sabah*, September 29, 2020.

also encountered amid the conflicts in 2020. Iranian Foreign Ministry spokesman Saeed Khatibzadeh noted that official protest notes were sent to Azerbaijan and Armenia regarding an incident that took place in October.⁹ Apart from diplomatic measures, Iranian authorities did not hesitate to take military measures. Commander of Iran's Islamic Revolutionary Guard Ground Force Brigadier General Pakpour announced that they had built up their military presence in the border region where clashes were intense.¹⁰

Tehran's policy, which is referred to as "impartiality" but actually benefits Armenia, is not a policy agreed upon by all politicians in Iran. The reaction of Iran's Turkish population to Tehran's Karabakh policy was discussed above. In addition, former parliament member Ali Motahhari, son of Murtaza Motahhari, one of the famous names of the Iranian Islamic Revolution, stated that Iran should not support Armenia due to ethnic concerns, and that a ceasefire invitation would not be enough, saying, "Just as was our expectation during the Iran-Iraq war, it should be seen who is in the right," and emphasizing Azerbaijan's rightfulness.¹¹ Motahhari's stance is important in that it shows that Iran's ruling elite is also aware of the deadlocks of the current policy and they need an alternative policy.

ETHNOPOLITICAL CONCERNS

Iran is a state that contains many different ethnic elements due to its imperial past and existence across expansive territories for hundreds of years. Although the "Iranian" identity, as a superstructure and with the power of the cultural richness it contains, acts as a glue between ethnic identities to a certain extent, it is insufficient to prevent the emergence of ethnic-based political crises from time to time. The uprisings

⁹ "İran'dan Azerbaycan ve Ermenistan'a Resmi Protesto", IRNA, October 7, 2020.

¹⁰ Mustafa Melih Ahışhalı, "İran, Azerbaycan-Ermenistan Çatışmalarının Yaşandığı Kuzeybatı Sınırına Askeri Yığınaç Yaptı", Anadolu Agency, October 25, 2020.

¹¹ "توصیه علی مطهری به جانبداری از حق در جنگ قره باغ", Tabnak, September 29, 2020.

that broke out in Kurdish regions after the revolution and the Iranian Turks' occasional street protests for various reasons are examples of this. Therefore, ethnic balances is so important determinant in Iranian politics that they cannot be ignored.

The Turkish population living in Iran comes first among the factors that determine the policy of Iran on Karabakh, in particular, and Azerbaijan and the South Caucasus, in general. There is no official data on how many Turks live in the country, as there is no ethnic-based census. However, various estimates indicate that between 30 and 40 million Turks live in Iran. From time to time, Iranian official authorities also make statements acknowledging the existence and size of the Turkish population in the country. One of the striking examples in this regard is the statement of Ali Akbar Salehi, who was the foreign minister of Iran in 2012. In a statement to the press, Salehi said that Turks make up 40 percent of Iran's population.¹² Since Iran's population is around 80 million, this corresponds to approximately 32 million.

Tehran's main reservation is the possibility of the cultural and historical ties between Iranian and Azerbaijani Turks being used to form an independent political will. The cultural closeness between the two communities is strong, including kinship relations. This issue exacerbates Iran's concerns over division. For Iran's Karabakh policy has drawn the reaction of Iranian Turks as well as Azerbaijani ones. The Turks in Iran approach the issue with an awareness of their Turkishness and resent their own state's share in the matter while their cognates are suffering under the Armenian occupation. Accordingly, the reaction of the Iranian Turks was also reflected on the street, and while Tehran's Karabakh policy was criticized in the cities heavily populated by Turks, solidarity with Azerbaijan was emphasized.¹³

¹² "Iranian Foreign Minister: 40% of the Iranians Speak Turkish", YouTube, January 22, 2012, <https://www.youtube.com/watch?v=Vc9WJ9U2uHo>, (Accessed: January 15, 2021).

¹³ "Pro-Azerbaijan Protestors in Tabriz Demand Closure of Iran-Armenia Border", *Daily Sabah*, October 1, 2020.

The Iranian authorities responded to the protests in a manner that observed the ethnic balances and caused political instability. While trying to manage the emotional reactions of its Turkish population on one hand, on the other, Iran continued to formulate a Karabakh policy in line with its own interests. For example, the Friday Prayer Imams¹⁴ of Turkish cities such as Zanjan and Ardabil and provinces such as East Azerbaijan and West Azerbaijan issued a joint message in which they declared that they supported Azerbaijan on the Nagorno-Karabakh issue.¹⁵ However, no statement was issued indicating that this was the official opinion of the Supreme Leader's office. No similar statement was issued by the Friday Prayer Imams of other provinces.

Iran is home to an Armenian population, just as it has a Turkish one. Based on numbers from various sources, there are at least 100,000 Armenians living in Iran, and just like the Turks, they have been living in these lands for hundreds of years. However, unlike the Turks, Armenians have the status of a constitutionally protected official minority. In this sense, unlike the Muslim community, they freely practice their own culture and lifestyle. In addition, in accordance with Article 64 of the Iranian Constitution, there is a quota of two Armenian deputies in the Iranian Parliament each term. Therefore, Iranian Armenians are a protected minority with a different legal status compared to Iranian Turks. On the other hand, Armenians also have an exceptional economic position. Due to their connections with the Armenian community living abroad, they are in an important position in terms of Iran's international commercial activities. The Tehran administration, which wants to benefit from the power of the Armenian diaspora in international issues such as nuclear negotiations and sanctions, takes into account the sensitivities of the Armenian population and shapes its

¹⁴ The provincial representatives of religious leaders are also called "Friday Prayer Imams." Generally speaking, they lead the Friday prayers in the regions in which they serve personally, but occasionally they delegate this task to others.

¹⁵ "Khamenei Representatives Declare Support for Azerbaijan in Nagorno-Karabakh Conflict", Radio Farda, October 3, 2020.

Armenia politics accordingly. For example, there is a so-called Armenian genocide memorial and museum in Isfahan. While Iran carefully manages its Armenian ethnicity in this way, it has to pay the price of the Turkish reaction.

REALPOLITIK, POWER STRUGGLES, AND GEOPOLITICAL CALCULATIONS

The disintegration of the USSR in the early 1990s was not only an unexpected development, but also an important one in terms of the regional and global consequences it produced. A competition has begun to fill the power vacuum that emerged in the Caucasus region previously dominated by the Soviets. Iran is one of the leading countries in this competition. The Tehran administration, which had already followed an initiative policy during Rafsanjani's presidency, tried to seize the opportunity that emerged in the Caucasus. The spread of the war to Iranian territory and the fear of a refugee influx were also among the material factors underlying Tehran's hesitation in the Karabakh crisis. In addition, the presence of actors such as Ankara and Moscow in the balance of power, which shaped the dynamics of the crisis and will be shaped according to the potential outcome of the crisis, also affected Tehran's Karabakh calculations.

One of the most important reasons Iran did not openly support Azerbaijan in its Karabakh policy was the risk that a new situation emerging from Baku's liberation of Karabakh would put Turkey in an advantageous position in the South Caucasus. Iranian rulers and media are concerned that the Turkey-Azerbaijan alliance is a kind of "Turan" project, or in other words, a pan-Turkist project. They believe that the Ankara-Baku synergy will create a strong bloc and limit Tehran's influence in the South Caucasus. The fact that the corridor to be opened between Nakhchivan and Azerbaijan will connect Turkey and other countries in the Turkic world by land worries the Iranian ruling elite. Turkey's consolidation of power in the Caucasus

revives the image of Iran-Turan rivalry in the political subconscious of the Iranian authorities.¹⁶ While the clashes were ongoing, the analyses published by the Fars News Agency, which is known for its closeness to conservative circles in Iran, especially the Revolutionary Guards, included accusations such as “cooperating with Zionist Israel” and “carrying takfiri terrorists into the region.”¹⁷ The charge that Turkey was “conveying terrorists” into the region was also implicitly expressed by Iranian President Rouhani.¹⁸

On the other hand, Iran’s economic interests are also at serious risk due to Turkey-Azerbaijan cooperation. The opening of the Nakhchivan-Azerbaijan corridor will eliminate Iran as a transit route in the trade between Nakhchivan and Azerbaijan and thence between Turkey and the Turkish world. The usage of Iran for the commercial activities in question for 30 years have provided significant gains for Tehran’s coffers.¹⁹ With the Karabakh crisis resolved for now, Iran has lost its commercial monopoly. This means that Tehran has received a heavy blow economically. In addition, Azerbaijan’s natural gas has reduced Turkey’s need for Iranian natural gas and so the economic deepening of Ankara-Baku relations worries Tehran. According to Republic of Turkey Energy Market Regulatory Authority (EPDK) data, the amount of natural gas purchased from Iran has decreased in the last two years. While Iran’s share in total natural gas imports was 14.19 percent in January 2019, it decreased to 11.76 percent in January 2020 and to 2.41 percent in October of the same year. The percentage of natural gas

¹⁶ “کارشناس مسائل راهبردی ترکیه: اردوغان در پی تشکیل ارتش توران است”, Fars News, January 16, 2021.

¹⁷ “تبعات اقتصادی قرارداد آذربایجان و ارمنستان برای ایران/از دست رفتن نوار مرزی ایران با” ارمنستان”, Fars News, November 13, 2020.

¹⁸ “Ruhani’den Türkiye’ye itham: Birileri Sınırımıza Terörist Gönderiyor”, *Yeni Şafak*, October 8, 2020.

¹⁹ “Azerbaycan ve Nahçıvan Arasındaki Koridor Tahran’ı Endişelendiriyor: Türk Ülkeleri Arasındaki Ticarete Kavşak Olan İran Bu Özelliğini Yitirebilir”, BBC Türkçe, November 29, 2020.

purchased from Azerbaijan, on the other hand, increased from 13.91 percent in January 2019 to 27.29 percent in October 2020.²⁰

On the other hand, one of the aspects over which Tehran hesitates the most in the political sense is the possibility of the Turkey-Azerbaijan association expanding to include the participation of other state actors and therefore influencing other regional issues. In this sense, it has been said that the Baku administration has acted as a mediator to resolve the stand-off between Ankara and Tel Aviv. Iran is particularly concerned about the possibility of rapprochement between Turkey and Israel. Because this new situation would be decisive for Tehran not just in the South Caucasus but also when it comes to other regional issues such as Syria.

The good relations between Azerbaijan and Israel are one of the most important factors determining Tehran's attitude towards the Karabakh crisis. Iranian administrators, who constantly refer to Israel as the "Zionist regime," think that Azerbaijan's retaking of Karabakh will lead to an increase in Israel's influence in the region. They do not want Israel, against whom they are struggling in Lebanon and Syria, to pressure them through Azerbaijan. For this reason, they say the most rational choice for Iran is to support Armenia and thus block Israel in the South Caucasus. Finally, the Iranian Parliament discussed a bill that would task the government with destroying Israel by 2040.²¹

Iran's dependence on Russia has been increasing, especially since 2015, when Russia became militarily involved in the Syrian civil war. For Iran, which needs Russian military support to prevent the Bashar al-Assad regime from being overthrown, the dimensions of this need have reached the limits of dependency. Russia not only saved the Assad regime from collapse in Syria, but also managed to position itself in the center of the Syrian equation militarily and politically. So

²⁰ "EPDK Doğalgaz Piyasası Sektör Raporları", EPDK, <https://www.epdk.gov.tr/Detay/Icerik/3-0-94/dogal-gazyillik-sektor-raporu>, (Accessed: January 16, 2021).

²¹ "Proposed Bill at Iran's Parliament Calls for Israel's 'Destruction'", Iran International, January 4, 2021.

much so that the Russian presence in Syria has now begun to mean balancing and limiting Iran's influence in the region. The clearest proof of this situation is Russia's inaction against the constant Israeli air strikes against Iranian elements in Syria. Israel's attacks are carried out with Russian approval, because the Russian air defense systems in Syria do not work against Israeli air attacks. Moreover, in a 2018 statement, Russian Ambassador to Israel Alexander Shein ascribed legitimacy to the attacks in a sense by saying, "We of course understand the reasons for Israel deciding to carry out actions of this kind, and would of course also prefer that these reasons not exist."²² Therefore, Russia's military superiority over Iran is increasing in Syria.

Iran's dependence on Russia is not limited to the Middle East. Iran is also dependent on Russia's veto power in the United Nations Security Council (UNSC). Iran needs the veto power of Russia and China to block the sanctions that the United States of America (USA) is trying to bring into effect before the UN. In this sense, it is extremely important for Iran not to confront Russia. For pressure from both the USA and Russia would have devastating effects on Iran. To date, the UNSC has taken sanctions against Iran four times. The last of the resolutions were made with the participation of Russia and China on June 9, 2010, despite the objections of Turkey and Brazil, who are temporary UNSC members.²³ Iran also has arms deals with Russia. The Tehran administration purchased the S-300 air defense system from Moscow. Although the shipment of S-300s was blocked by sanctions for a period, it was completed in 2016 following the nuclear agreement signed by Iran with the P5+1 countries in 2015.²⁴

²² "Russian Envoy Plays down Tensions with Israel over Syria Strikes", Reuters, April 25, 2018.

²³ "Security Council Imposes Additional Sanctions on Iran, Voting 12 in Favour to 2 Against, with 1 Abstention", UN Meeting Coverage and Press Releases, <https://www.un.org/press/en/2010/sc9948.doc.htm>, (Accessed: January 16, 2021).

²⁴ "Russia Completes Delivery of S-300 Air Defense Missiles to Iran: RIA", Reuters, October 13, 2016.

It is not possible for Iran, which has a high level of dependence on Russia in the Middle East, to follow a line that would challenge the general direction of the Moscow administration in the Caucasus. Russia's Caucasus projection also draws the boundaries of Iran's Caucasus policy. It is known that Russian policy is not in favor of Azerbaijan and is aimed at maximizing its own influence. In this sense, it is Moscow's choice to keep Azerbaijan and Armenia at a controllable level of weakness by making them fight each other. Tehran's pursuit of a Karabakh policy that would change the balance in the field would be blocked by Moscow. Therefore, Iran must assume a stance in favor of preserving the status quo at this point. It can also be said that it is not possible for it to prevent the passage of weapons and ammunition to Armenia through the Norduz Border Gate due to the Russian factor.

ECONOMIC INTERESTS AND HISTORICAL IMAGINATION

The fact that the Karabakh crisis remained unresolved in Armenia's favor has brought significant commercial returns to Iran over the last 30 years. The terrestrial disconnection between Nakhchivan and Azerbaijan has made Iran one of the obligatory routes of trade between Turkey and Central Asia. In addition, Iran's trade relations with Armenia are also worth mentioning. However, evidence has been presented that Iran has commercial relations with the so-called Nagorno-Karabakh government (Artsakh), which has no legitimacy in terms of international law and is not recognized by any state. In terms of international law, these actions not only put Tehran in a difficult situation, but also make Armenia a target of Washington because it was violating U.S. sanctions by doing business with Iran. However, it can be observed that the U.S. has not any taken steps in this regard. It would not be an exaggeration to mention the power of the Armenian lobby in the U.S. among the reasons for this situation.

In April 2020, a convoy of trucks with Iranian plates carrying oil and food was photographed in Nagorno-Karabakh. This development sparked a very strong reaction in Azerbaijan. Khalaf Khalafov, deputy minister of Foreign Affairs of Azerbaijan, called his Iranian counterpart Abbas Araghchi and asked for an explanation of the situation. The Iranian authorities denied the reports in subsequent statements, but they also stated that the trucks might belong to private individuals, not official entities, and that they may have passed through Armenia to Karabakh.²⁵ Ultimately, Karabakh is a profitable route for Iranian merchants, even if the commercial activity is unofficial. Since the lack of legitimacy in terms of international law has reduced the chances of finding actors to trade with, Iranian merchants have turned this situation into an opportunity. Geographical proximity is certainly among the most important factors facilitating the situation.

The two dams and power stations Azerbaijan built on the occupied lands on the Azerbaijani side of the Aras River, Khoda Afarin and Kız Kalesi, are also of importance to Iran. These facilities were built before the start of the Second Karabakh War. In the early stages of construction, users on social media in Azerbaijan expressed their anger, claiming that Iran, in cooperation with Armenia, had built dams and power plants in the occupied areas. However, the Azerbaijani authorities said that they had known the two power plants were being built.²⁶ The Khoda Afarin and Qiz Qalasi dams, which Azerbaijan allowed to be built on lands it has not yet liberated, can actually be read as a political investment in terms of the future projection of the region. As a matter of fact, in the next period, Iran will have to act together with

²⁵ Joshua Kucera, "Iranian Trucks in Karabakh Spark Protest in Azerbaijan", Eurasianet, April 17, 2020, <https://eurasianet.org/iranian-trucks-in-karabakh-spark-protest-in-azerbaijan>, (Accessed: January 15, 2021).

²⁶ Elchin Mehdiyev, "Azerbaijani Deputy FM Talks about Construction of Hydroelectric Power Plants on Araz River", Trend News Agency, May 6, 2020, <https://en.trend.az/azerbaijan/politics/3235463.html>, (Accessed: January 15, 2021).

Azerbaijan in the operation of the facilities and the use of the electricity obtained. However, before the end of the occupation, Iran was an independent actor in this region. In addition, there were concerns on the Azerbaijani side that the electricity from the power plants would be sold to the so-called Nagorno-Karabakh government.²⁷

Iran's political elite generally nostalgically consider the South Caucasus lands part of their homeland. The historical imagination of Iran has not for a moment strayed from the idea that these lands, which were lost as a result of wars with Russia in the 19th century, belong to Iran. It is possible to see the latest example of this situation in the angry speech of Mahmoud Ahmadi Bighash, one of the deputies of the Iranian Islamic Consultative Assembly, in December. Bighash expressed his dissatisfaction with Armenia's loss of the latest Karabakh war and said that Tehran should openly support Yerevan. He clearly stated that in the future Azerbaijani lands should become part of Iran because those lands belong to Iran.²⁸

The opinion of the Iranian MP is no exception. Iran lost its control of today's Azerbaijan with the Gulistan Treaty in 1813 and the Turkmenchay Treaty in 1828. After 1828, the Aras River was accepted as the border and Iran had to leave the northern side of the river to Russian control. However, it would be incorrect to say that these newly drawn borders separate the language, culture, and lineage ties of the people on either side of the river - both sides of the river remained Turkish. For the Iranian administration, the area north of the Aras River continued to be a cultural background, and the longing for a potential reunification with Iran one day has always remained fresh in their minds.

²⁷ Alasgar Memmedli, "İranla Azərbaycan Arasında 'Xudafərin Müləmməsi'", Arqument, May 10, 2020, <https://arqument.az/az/iranla-azerbaycan-arasinda-xudafarin-memmas>, (Accessed: January 15, 2021).

²⁸ "در جنگ قره باغ باید تعارف را کنار می گذاشتیم و از توازن قدرت ارمنستان حمایت می کنیم", ICA-NA, December 13, 2020.

CONCLUSION

Since the beginning of the Karabakh crisis, Iran has acted to protect the de facto situation in the region. Tehran's position has been shaped and expressed around the two words "neutrality" and "mediation." Undoubtedly, there are geopolitical and ethno-political concerns that shape this Iranian policy. The steps taken by Iran in terms of its national interests present a very rational image. However, when viewed from the perspective of international law or religious and sectarian affinity, it is not possible to justify Tehran's stance. Accordingly, the loss of legitimacy both legally and socially (for example, in the eyes of Iranian Turks) is one of the main costs of Iran's policy. Moreover, Iran's acting to protect the status quo could not prevent the collapse of the status quo in the long run, and the new situation is considered dangerous to Iranian national interests. Therefore, it would not be wrong to say that Tehran was a partial loser in the Second Karabakh War.

It should not be said based on all this that Iran has lost its central and strategic position in the South Caucasus and Caspian Sea from a geopolitical perspective. Although Iran directs its power and concentration toward the Middle East rather than the South Caucasus, it will continue to be one of the important determinants of the new equation formed in Karabakh. Azerbaijan will take care to keep its relations with Iran at a certain level. As it stands, despite the emergence of significant evidence that Iran was acting in Armenia's favor during the clashes, Azerbaijan's President Aliyev strove to avoid deterioration in the country's relations with Tehran. In a television interview, he answered a question on the subject by saying that Iran was helping Azerbaijan, not Armenia.²⁹ The effort of the Azerbaijani administration to establish stable relations with neighboring Iran in terms of realpolitik balances is quite understandable. Undoubtedly, tension between the two neigh-

²⁹ "Aliyev, Ermenistan'a Kimin Yardım Ettiğini Açıkladı", *Milli Gazete*, October 16, 2020.

bors would not benefit either of them. Considering the other problems that the two countries are dealing with, it can be observed that they do not have the resources to spare for such a tension.

Iranian authorities, like Aliyev, are making efforts not to damage bilateral relations. Although Azerbaijan's retaking of its occupied lands worries Tehran a little due to the newly formed geopolitical situation, Iranian administrators are working to ensure that bilateral relations are not damaged and commercial activities continue. Iranian President Hasan Rouhani, speaking on the occasion of the visit of Azerbaijani Foreign Minister Jeyhun Bayramov to Tehran in December 2020, said, "Iran's will is to develop relations with Azerbaijan, and I hope to develop relations between the two countries further by using the opportunity to create new international conditions."³⁰ Speaking in the same vein, Yahya Ali Ishaq, a member of the Iranian Chamber of Commerce, expressed that Iran must also play a role in the restructuring of the regions liberated from Armenian occupation.³¹ Therefore, Iran is also taking care to avoid disrupting its bilateral relations with Azerbaijan in the new period. Considering the border it shares with Azerbaijan and the other important issues mentioned, avoiding a rift with Baku is the most rational attitude for Tehran.

Another important point to be considered is how Azerbaijan's ending the Karabakh crisis in victory will transform the Iranian administration's relationship with its Turkish population. Azerbaijan's victory has calmed the anger of the Iranian Turks against their government for now. However, if Tehran takes similar steps in the future, it is possible that the Turkish population will react similarly or even more strongly. Tehran's rational approach to the issue should be to recognize and respect the closeness between the Turks of Azerbaijan, Iran, and Turkey.

³⁰ "Cumhurbaşkanı Ruhani: İran'ın İradesi Azerbaycan ile İlişkileri Geliştirmektir", IRNA, December 9, 2020.

³¹ "İran'ın Karabağ'ın Yeniden İnşası için Avantajları", IRNA, 21 2020, <https://tr.irna.ir/news/84155833/%C4%B0ran-%C4%B1n-Karaba%C4%9F-%C4%B1n-yeniden-in%C5%9Fas%C4%B1-i%C3%A7in-avantajlar%C4%B1>, (Accessed: January 15, 2021).

It has been observed that opposite approaches increase tensions and create rifts between Iranian Turks and the Tehran administration.

Finally, it is obvious that Iran's negative approach toward Turkey in the Karabakh issue does not contribute to bilateral relations. The Turkish authorities did not respond in a reactionary manner to the aggressive attitudes of the Iranian authorities and took care to preserve diplomatic ties. However, maintaining bilateral relations above a certain level is only possible with mutual care and will. Moreover, Tehran's accusatory attitude toward Turkey could not cast a shadow over the closeness of Ankara-Baku relations. Therefore, a more constructive Iranian approach to Turkey regarding Azerbaijan will also contribute to Iran-Azerbaijan relations.

THE NAGORNO-KARABAKH POLICIES OF THE EU AND THE USA

NURŞİN ATEŞOĞLU GÜNEY*

INTRODUCTION

From the 1980s onward, it was felt that the power of the Union of Soviet Socialist Republics (USSR) was gradually decreasing. The decrease in central power also activated centrifugal forces. In this context, separatist Armenians living in Karabakh also applied to Moscow with a demand for self-determination. However, Moscow did not accept their request, and furthermore sent soldiers to Karabakh to suppress incidents caused by separatist demands. But Moscow's show of force was no longer sufficient to suppress separatist movements as the Soviets collapsed in the late 1980s. Finally, when the referendum organized by the Karabakh Armenians for independence in 1991 was rejected by the Karabakh Azerbaijani community for legitimate reasons, clashes began between the two communities and these clashes turned into a real war in 1992. This state of war was only ended in 1994 with the mediation of Russia and Kyrgyzstan, and a fragile ceasefire commenced in Karabakh with the Bishkek Declaration. From this point forward the Nagorno-Karabakh issue, as a factor that directly affected Azerbaijan's security and territorial integrity, influenced Baku's relationship with the West, and hence the relationship of the West with Baku, and sometimes even limited it.

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Therefore, the Nagorno-Karabakh policy of Western actors was shaped through the intertwining of two dimensions. The first dimension is the “conflict resolution” dimension, which involves managing the risks posed by the fragile ceasefire and ending the ceasefire with a peace agreement. Within the framework of this dimension, the European Union (EU) and the United States of America (USA) sometimes took initiative on their own, and sometimes they developed initiatives under the Minsk Group established within the Organization for Security and Co-operation in Europe (OSCE). As long as Russia has been one of the Minsk Group co-chairs, these initiatives have been unable to depart from the general framework of EU-Russia and U.S.-Russia relations, nor from the freedom or power that Russia has increased in its immediate surroundings (Black Sea, Caspian basin, and Baltics, respectively) after the 2008 Georgian intervention. The second dimension is related to the EU’s and the United States’ vision with regard to Azerbaijan in particular and the Trans-Caucasus in general. In fact, the U.S. changing vision for the region in the 1994-2008 and 2008-2020 periods also affected the EU’s agenda for the region, whether the European actors were aware of the situation or not.

Just as “conflict and peace studies” are related to each other under political science, these subjects are also studied under disciplines such as philosophy, psychology, and sociology. Although the prominent scholars of these fields such as Galtung, Boulding, John Burton, Edward Azar, Morton Deutsch, and others put forward different definitions when it comes to conflict, their common point is that they consider conflict to be discord between the aims of opposing parties.¹ Indeed, the transformation of the early clashes over the Nagorno-Karabakh issue into wars emerged when the separatist demands of the Armenians living in Karabakh (the demands of leaving the autonomous region of Karabakh within the USSR and joining Armenia) evolved

¹ Samad Karimov, *The Role of the EU in Conflict Resolution: The Case Study of Nagorno-Karabakh Conflict*, (Unpublished Thesis, Istanbul: 2017), p. 3.

into independence after the collapse of the Soviet Union. For this situation posed a direct threat to the territorial integrity of the newly established independent Republic of Azerbaijan. This situation coincides with Wallensteen's definition of the Nagorno-Karabakh issue as both a geopolitical and a realpolitik conflict.²

Wallensteen stated that the geopolitical reason for the Karabakh conflict was Armenia's occupation of the Nagorno-Karabakh territory, which was an autonomous region within Azerbaijan during the time of the USSR, and Azerbaijan's defense of its territorial integrity in response. However, Wallensteen states that Azerbaijan and Armenia entered into a realpolitik military rivalry over the Karabakh issue, especially after the 1994 invasion and the ceasefire that turned the occupation into a status quo. This rivalry brought with it the armament of the parties, that is, the transformation of the Karabakh conflict into a "frozen problem" that gained a different quality from other frozen conflict areas. What is interesting is that after 1994, Russia started to sell or donate military equipment and weapons to both Azerbaijan and Armenia. Over time, other countries also stepped in to supply arms to the parties.

The efforts of Western actors, either on their own or together with actors such as Russia and the OSCE, to end the Karabakh conflict with a peace agreement after the 1994 ceasefire is certainly an interesting experiment in terms of resolving ethnic and territorial disputes.³ However, the conflict resolution initiatives put forward by these actors were neither able to result in peace nor prevent the frequent low-level border clashes and two major wars (the 2016 Four-Day and 2020 44-Day War) that took place in Karabakh. These clashes and ultimately wars, which have drawn public attention since the 1994 ceasefire, took

² Peter Wallensteen, *Understanding Conflict Resolution: War, Peace and Global System*, (SAGE Publications, London: 2020), pp. 95-96.

³ Azer Babayev, Bruno Schoch and Hans Jochaim Spanger (der), *The Nagorno-Karabakh Deadlock, Insights from Successful Conflict Settlements*, (Springer, Wiesbaden: 2020).

place despite the existence of UN resolutions condemning the Armenian occupation of Nagorno-Karabakh in 1993 and 1994, demanding the demilitarization of Karabakh and the return of refugees who had to leave their homes.

Amid this process, some resolutions adopted both in the U.S. Congress and in the parliaments of some European countries (for example, in the French Parliament) encouraged and supported the Armenian side in Nagorno-Karabakh by ignoring UN resolutions and international law, and in this context, helped to legitimize the Armenian occupation in Karabakh. In short, the conflict resolution initiatives initiated by the Westerners in order to strengthen Western institutions and norms after the Cold War within the framework of Nagorno-Karabakh policy are not very consistent.

In fact, according to subject expert Stefan Wolff, when looking at Karabakh historically, the “ethnic cleansing” of the Karabakh Turks, which has been observed in the field, requires that this long-term conflict be defined as ethnically based.⁴ In Wolff’s opinion, this is the reason why the Karabakh conflict cannot be resolved by simply focusing on the interests of the parties and signing a peace treaty. Wolff defends the idea that the needs and pains of the two different communities that lived in Karabakh must be relieved in order for the conflicts to come to a complete end. However, contrary to the UN resolutions regarding the end of the occupation after the 1994 ceasefire, the OSCE Minsk process has been a process that paved the way for Western actors to move further away from a solution by moving the Karabakh problem beyond the criteria drawn by Wolff. Since the 2008 Georgian intervention made it clear that Russia was able to use frozen problems - especially those with ethnic dimensions - as a means of intervention, the policy of Western actors seems to have encouraged Russia’s interventionism with one foot and the aggressor (Armenia in this case) with the

⁴ Stefan Wolff, *Ethnic Conflict by Peaceful Means: Peace and Conflict, Development and Civilization*, (PRIO, Oslo: 1996), pp. 1-3.

other. As a matter of fact, the Karabakh Armenians, who saw that the OSCE Minsk process had made no progress, declared the so-called independent Republic of Artsakh. Thus, one of the parties to the conflict, the aggressor party, lost its motivation to resolve the conflict and over time fell prey to its desire to legitimize the occupation and the “state” that it declared unilaterally as a result of the occupation.

In this context, this study primarily examines how Western actors became ineffective in terms of the conflict resolution they undertook within the context of their Nagorno-Karabakh policies, and how they lost the mission of leading the resolution processes to Russia or how they remained silent when Russia expanded its scope in this regard. In the context of this analysis, priority is given to the failure of the EU, which had wanted to establish the peaceful resolution of conflicts as a regional norm. Then, the Nagorno-Karabakh policy of the USA is addressed as a factor that paved the way for and blocked the path to the Karabakh initiatives implemented by the EU and Europeans within the OSCE. In the post-2008 period, there is a general view that the Washington administration lost interest in Azerbaijan, the Nagorno-Karabakh problem, and even the entire region, and therefore Russia, not the EU, filled the initiative gap left by the USA. As a result, the ceasefire agreement, which ended the Second Karabakh War in 2020 and established the new status quo in Karabakh, was made under the mediation of Russia. In this context, the second part of the article seeks an answer to the question, “Does the U.S. policy show that the Western actors’ vision of Nagorno-Karabakh and the Caucasus region has collapsed?”

THE EFFECTIVENESS OF THE EU AS AN ACTOR IN THE RESOLUTION OF THE KARABAKH CONFLICT

The EU’s dealing with the problems inherited from the turmoil in the early 1990s after the collapse of the USSR, including Nagorno-Kara-

bakh, was seen as mandatory due to both the union's normative framework and its enlargement policy.⁵ It is known that the European Union has a habit of using the legal framework in line with the principle of socialization and conditionality in order to spread its vision of human rights and law and has made this habit a part of its foreign relations. In addition, the union's expansion of its borders to the north and east with its newly acquired members as a result of the enlargement policy in 2004 and 2007 also meant that it was adjacent to the frozen problems existing in the South Caucasus, Baltics, and Trans-Dniester. In this context, Brussels deduced that if the frozen problems in the South Caucasus (South Ossetia, Abkhazia, and Nagorno-Karabakh) were not stabilized, the EU territory would face soft and hard security problems such as an influx of refugees from the Caucasus, terrorist infiltration, and radicalization. This negative expectation prompted EU decision-makers to launch initiatives such as the new European Neighborhood Policy (ENP) and the Eastern Partnership Project (EaP) under the EU's Common Security and Defense Policy. The goal was for the EU in this way to secure its borders.⁶

It is not surprising that the EU, which emerged as a successful "peace project" in the European continent after World War II, put into action some foreign policy instruments in order to resolve conflicts taking place right next to or just beyond its borders, especially in post-Cold War Europe. First, Brussels developed different conflict resolution engagements for different areas under the EU's Common Security and Defense Policy shaped after the Maastricht Treaty, and included some of them within the framework of the Neighborhood Policy. In some of these initiatives (for example, in the Balkans and Northern Ire-

⁵ For example, see: *The Frozen Conflicts of the EU's Eastern Neighbourhood and Their Impact on the Respect of the Human Rights*, Directorate-General for External Policies, European Parliament, (April 2016), [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/578001/EXPO_STU\(2016\)578001_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/578001/EXPO_STU(2016)578001_EN.pdf), (Accessed: November 27, 2020).

⁶ Filipo Celata and Raffaella Coletti (ed.), *Neighbourhood Policy and the Construction of European External Borders*, (Springer, New York: 2015).

land), the union can also be said to have performed well in keeping and building peace. However, Brussels and the European states did not play an effective role in the resolution of the Nagorno-Karabakh conflict through peaceful means after the Karabakh ceasefire. There are several reasons for this apparent failure, apart from those noted at the beginning of this article and noted in the work of Wallenstein and Wolff.

First of all, it is known that deep disagreements exist among the member states of the union regarding the determination of the EU's common security and foreign policy. Just as these disagreements may arise in the bureaucratic/technical field on grounds ranging from how decisions should be made to how obligations should be fulfilled, they may also arise in the political arena governing the question "What should be the union's foreign policy toward Russia?" Within the context of these lines of disagreement, it is not surprising that the EU institutions have occasionally issued contradictory decisions⁷ when it comes to Karabakh in particular.⁸ These disagreements, especially as the Minsk process to which the Karabakh issue was transferred has three co-chairs, have led to the appearance that the EU has remained outside the solution process or has followed France's lead.

The second most important reason for the EU's ineffectiveness on the Karabakh issue is that France, the U.S., and Russia, the real drivers of the Minsk process, have emerged as competitors in the South Caucasus over the Karabakh issue since the 1990s. Of course, this competition does not only cover the Nagorno-Karabakh issue, but also depends on geopolitical and geoeconomic interests beyond this issue. Likewise, the rivalry did not continue with the same intensity from the 1990s to 2020, and the interest-oriented actors sometimes preferred to withdraw and open the region to the initiatives of each other in order

⁷ Svante E. Cornell, "The Armenian-Azeri Conflict and European Security", *The International Politics of the Armenian-Azerbaijani Conflict*, ed. Svante E. Cornell, (Palgrave Macmillan, Stockholm: 2017).

⁸ Andraz Racz, "War in Nagorno-Karabakh: A Two Track Strategy for the EU", *DGAP Commentary*, Issue: 30, (October 2020), pp. 1-4.

to avoid provoking each other. This issue, which will be discussed in more detail while discussing the policies of the USA, not only prevented the West from developing a common policy on the Karabakh issue, but also reduced the chance of the EU's involvement in the region on an institutional-legal basis. This is because the EU, which has not yet fully established its common security and defense policy, did not want to confront these three countries in its close vicinity.

Third, in addition to these, the economic bottleneck that the union has experienced from time to time, and more importantly, the lack of an independent and systematic conflict resolution instrument, has made Brussels an ineffective actor in providing a positive peace process regarding the Karabakh issue.⁹

Apart from the first two issues, which gain importance in the geopolitical framework, the third issue causes us to question the EU's political and economic capabilities to support conflict resolution. Conflict resolution consists of four stages. In the first stage, "conflict prevention," the goal is to avoid the disagreements of parties over a certain issue turning into a conflict. In the second stage, "conflict management," efforts are made to limit and contain the conflict. In the third stage, the conflicting parties work to reach an agreement through negotiations and bargaining. At this stage, third parties should step in to end the conflict, institute various rewards or punishments, and show their carrot and stick skills.

The last stage, "conflict transformation," is a long-term process. In this process, it is expected that the conflicting societies will undergo a serious and deep social change and as a result, the identities of different and opposite interests that existed in the past will be transformed. In the period after 2004-2007, when the divisions within the EU increased, which was the cost of the deepening and enlargement of the union, it was perfectly legitimate to pose the question, "Did Brussels

⁹ Syuzanna Vasilyan, "Novel Solutions to Resolve the Conflicts in the EU's Eastern Neighbourhood", *CEPOB*, Volume: 2, Issue: 18, (February 2018), pp. 1-6.

have the power to build a conflict resolution instrument and go beyond the Minsk framework?” However, the 2008 financial crisis limited what the European Union could do in this regard. Until 2008, in the conflicts in South Ossetia, Abkhazia, and Nagorno-Karabakh in the South Caucasus, the EU could only offer support until the conflict management phase, but could not encourage bargaining over reward and punishment. According to subject experts, it is difficult to even call Brussels’s attitude toward these three conflicts “conflict management.” For example, according to Vasilyan,¹⁰ the union preferred to engage in “short-term interventions” instead of choosing long-term, therapeutic approaches by focusing on the root cause of the conflict in all three issues.¹¹

The general opinion of experts is that while the EU assumed a relatively biased mediator role in the resolution of disputes over the South Ossetia and Abkhazia issues, with regard to both the 2016 First Karabakh War and the Second Karabakh War that began on September 27, the Union did not even fulfill its mission of conflict management.¹² People lost their lives in low-level conflicts and ceasefire violations at the border contact point between 2016 and 2020, but the EU was unable to take any initiative to manage the situation. The fact that the EU inclines toward short-term interventions and sometimes fails to realize even these interventions has also shown that the union has consciously or unconsciously abandoned the aim of spreading EU norms to neighboring areas, which was its starting point on the Nagorno-Karabakh issue. The fact that the EU has a general view that encodes the South Caucasus within the framework of “energy security,” that is, it views the developments there within the scope of the union’s energy needs, is also effective. In this context, it is not surprising that the EU pushed

¹⁰ Syuzanna Vasilyan, *Moral Power of the European Union in the South Caucasus*, (Palgrave Macmillan, London: 2020), pp. 207-251.

¹¹ Ibid.

¹² Ibid.

aside the regionalism, which it frequently voiced in the civil field, while dealing with the Karabakh issue, and replaced it with economic-based bilateral relations.¹³

The 2020 Second Karabakh War and its consequences show that the EU still does not have the necessary political and economic capabilities for conflict resolution or the export of the EU's norms to neighboring areas. For example, the coronavirus (Covid-19) crisis has shown how inadequate the EU is at developing a common crisis policy. Brussels's policy regarding the USA, Russia, and Turkey over different issues also contains many divergences. In short, it is a well-known fact that the inconsistencies between the member states of the European Union regarding foreign policy in the 1990s continue to deepen today. EU member states and the Brussels administration limit themselves to the Minsk process in this environment. The nature of the Minsk process that does not facilitate conflict resolution, the implicit rivalry between the Washington and Moscow administrations that pushes the parties to a cautious position, and more importantly, the U.S. not voicing concerns over the new status quo in Nagorno-Karabakh being determined by non-EU actors (Russia and Turkey) have limited the European Union's influence, even rendering it an ineffective actor.

THE UNITED STATES' LOSS OF INTEREST IN THE NAGORNO-KARABAKH ISSUE

The U.S. policy during the Second Karabakh War was described by many commentators as "strategic indifference." In fact, a similarity has been established with the erroneous decisions of the Obama administration regarding Ukraine and Syria. Behind the indifference displayed by the Washington administration was the fact that the U.S. decision-makers were busy with the November 2020 presidential election. However, this cyclical factor alone is insufficient to explain the USA's inaction. During

¹³ Ibid.

the 44-day period that began on September 27, the USA did not intervene in the conflict between the parties, except for a weak humanitarian ceasefire attempt under its own mediation that immediately broke down, and in a short statement, US Secretary of State Pompeo announced to the public that they were pleased with the ceasefire agreement signed with the mediation of Russia and outside the Minsk process.

For those closely following the developments in Nagorno-Karabakh, a vague attitude or indifference on the part of the U.S. toward events is not a new phenomenon. Observing that Armenia's aggressive attitude and intentions could push Yerevan to act alone in Nagorno-Karabakh, Stephen Blank defined the region as a "ticking time bomb" in 2017 and stated that he had difficulty in understanding the USA's indifference.¹⁴ For Russia, which after 1994 deliberately provided the arming of the parties that made the bomb ready to explode, supplies ammunition and weapons to Azerbaijan, in addition to its arms sales to Armenia, its ally in the Collective Security Treaty Organization. Section 907 of the Freedom Support Act,¹⁵ passed by the U.S. Congress in 1992 under the influence of the Armenian lobby¹⁶ during the First Karabakh War, blocked American military aid to Azerbaijan, and simultaneously criticized Russia from time to time for paving the way for armament of Armenia and Azerbaijan. Although it is known that the stance of the U.S. Congress reached the extent of providing U.S. financial aid to Nagorno-Karabakh,¹⁷ which has no international legitimacy or recognition and is not even recognized by Armenia, it is also a fact that the American administrations have found ways to overcome the limitations imposed by Section 907. For example, there are

¹⁴ Stephen Blank "Missing in Action: US Policy", *The International Politics of Armenian and Azerbaijani Conflict*, ed. Svante E. Cornell, (Palgrave, New York: 2017), p. 126.

¹⁵ "US Denies Assistance to Azerbaijan", *Azerbaijan International*, (Summer 1998), https://www.azer.com/aiweb/categories/magazine/62_folder/62_articles/62_section907.html, (Accessed: November 25, 2020).

¹⁶ Julien Zarifian, "The Armenian-American Lobby and Its Impact on the US Foreign Policy", *Society*, Volume: 51, Issue: 5, (2014), pp. 509-510.

¹⁷ *Ibid.*, p. 510.

exemptions provided under the Freedom Support Aid (FSA) program from 1995 to 1997, and waivers specific to Section 907 since 2013.¹⁸

In short, it is meaningless to think that the USA's hands are completely tied to balance the convergence in the defense sector that Azerbaijan accelerated with Russia after 2011 or with Israel after 2015. The reports published by the USA in the context of the Treaty on Conventional Armed Forces in Europe (CFE) also show that the Washington administration is aware that Armenia and Azerbaijan are arming beyond the limits of the CFE.¹⁹ In addition, the White House also knows that since the 1990s, Turkey has supported Azerbaijan's territorial integrity both with the USA and independently of the USA, and after 2010, has made great progress in the defense industry. In short, it is not difficult for Washington to predict where the conflicts sparked by Armenia's aggressive provocations in Nagorno-Karabakh will evolve. Despite this, the USA remained resolutely inactive and watched as the status quo of this region, in which it lost interest after 2009 and forgot after 2016, was redefined step by step by non-Western actors. In this context, the division of Georgia by Russia in 2008, the increase of Russia's conventional power in the Caspian Sea in 2011, and the creation of a joint supervisory mission of the ceasefire that ended the Second Karabakh War by Russia and Turkey in 2020 were the most prominent developments. Since it is known that the USA –unlike the EU– has carrot and stick mechanisms to promote conflict resolution, how can it be explained that the Karabakh issue was “practically shelved after the failed Key West mediation attempt in 2001”?²⁰

In the case of Karabakh, three different explanations can be made regarding the reasons for this inactivity. In terms of the U.S. policy

¹⁸ For waivers provided since 2020, see: <https://www.federalregister.gov>, (Accessed: November 25, 2020)

¹⁹ “Compliance with the Treaty on Conventional Armed Forces in Europe (Condition 5-C Report), U.S. Department of State, (April 2019).

²⁰ Galib Bashirov, “US Foreign Policy Towards Azerbaijan, 1991-2015”, *FIU Electronic Theses and Dissertations*, Issue: 3191, (2017), p. 177.

toward the Karabakh issue, these explanations converge, among others, on the limited influence of independent factors like the Armenian lobby, the Azerbaijani lobby, and Washington's desire to be a successful diplomatic pioneer in the peaceful resolution of conflicts. According to these statements, the main factor determining Washington's perspective on the Karabakh issue is the general vision it draws for Azerbaijan, Russia, and the Trans-Caucasus region. When examined closely, it is possible to evaluate the U.S. regional vision for the South Caucasus at three different points.

First, is the occurrence of a change in the Washington administration's Azerbaijan policy that led it to lose its motivation toward a solution in Karabakh. Bashirov describes this change as a shift from "energy to security, from security to concern for democracy."²¹ Indeed, developments like the tightening of defense cooperation between the USA and Azerbaijan that led to Azerbaijan's inclusion in frameworks such as PFP (Partnership for Peace) and Pff (Partnership for Freedom) that were exempt from Section 907 restrictions, and the USA's 1997 ascension to the OSCE Minsk mission as co-chairman, occurred after Azerbaijan together with Turkey demonstrated the necessary determination to implement the key Baku–Tbilisi–Ceyhan (BTC) project in east-west energy transfer. In this context, it is not a coincidence that the "honeymoon"²² between the USA and Azerbaijan took place during the years of Clinton's energy diplomacy and Bush Jr.'s war on terrorism diplomacy, in which Baku represented the connection between West and the Caspian, and beyond it, Central Asia. It is known that this honeymoon ended badly during Bush Jr.'s second term and the Obama administration, when the USA began to punish democracy and human rights violations and even to use the discourse of regime change. In fact, Azerbaijan will demonstrate its disappointment at seeing that its close years with the USA did

²¹ Galib Bashirov, "Energy, Security and Democracy: The Shifting US Policies in Azerbaijan", *Cambridge Review of International Affairs*, (2019), pp. 1-29.

²² Svante Cornell, *Azerbaijan since Independence*, (Routledge, Abingdon: 2015), p. 410.

not lead to a positive development in the Nagorno-Karabakh issue, by joining the Non-Aligned Movement (NAM), which recognizes Azerbaijan's sovereignty over Nagorno-Karabakh.²³

Indeed, the only serious step taken on the Nagorno-Karabakh issue in the years when the USA tried to establish close relations with Azerbaijan fell far short of satisfying Baku. When the negotiations between Azerbaijan and Armenia under the 2001 Key West mediation did not produce any results, the USA seems to have left the Karabakh solution to the Minsk Group, even to the initiative of the EU and then Russia until 2008. The Madrid Principles,²⁴ which were implemented as a product of this transitional phase, did not please Azerbaijan due to the uncertainty in the status of Nagorno-Karabakh, or Armenia due to its revisionist dreams. In this context, the Madrid Principles fall behind the third and fourth stages of conflict resolution, which we mentioned at the beginning of our article, even though the parties declared that they had agreed. Especially during the periods when the USA stood behind France and Russia, the issue of who would pay the costs of the reconstruction of Nagorno-Karabakh occupied minds and prevented France from filling the role of mediation leader vacated by the USA.

In addition, the U.S. support for the next stages of the BTC project after 2008, for example the Trans-Caspian Gas Pipeline, is not as certain as the support given to the BTC in 1994. Therefore, in this period, Azerbaijan did not expect much from the USA in terms of Nagorno-Karabakh and energy projects beyond the BTC. For this reason, Azerbaijan has started to deepen its relations with Turkey and third-party countries. The Obama administration initiated its second Turkey-focused diplomacy move (Turkey-Armenia normalization move) in 2009. When this move, like the first one (the move to resolve

²³ "NAM (Non-Aligned Movement)", Republic of Azerbaijan Ministry of Foreign Affairs, <https://www.mfa.gov.az/en/content/177/non-aligned-movement-nam>, (Accessed: November 30, 2020).

²⁴ Statement by the OSCE Minsk Group Co-Chair Countries, July 10, 2009, <https://www.osce.org/mg/51152>, (Accessed: November 25, 2020).

the Cyprus problem through the newly discovered Israeli natural gas in the Mediterranean), fails, it will not surprise anyone that the closeness between Ankara and Baku is indicated as one of the main reasons for this failure. Many observers criticized the Obama administration's attempt to negotiate the normalization of Turkey-Armenia by separating it from the Nagorno-Karabakh issue and, in a sense, ignoring the territorial integrity of Azerbaijan.²⁵ According to these criticisms, the Obama administration was neither able to read the new dynamics of the region nor did it aim for conflict resolution in Nagorno-Karabakh in real terms.

Second, the number of those coming to the conclusion that the ties between the Caspian region and the USA were severed during the Obama and Trump eras, when the Washington administration redefined its relations with both Moscow and the world energy market, is not insignificant. It is clear that both administrations were very different from each other and had different priorities. However, the fact that the USA is an important energy power establishes a link between the Obama and Trump era. The Obama era is the first period in which the USA declared its energy independence. After this date, the U.S. has focused increasingly on LNG production in its domestic energy sector and entered a period of incentivizing the export of U.S. LNG to the European market. In this context, the Trump era was a period in which the European market was opened to domestic American gas.²⁶ The USA's energy power was seen as one of the main reasons for its loss of interest in east-west energy transfer.²⁷ It was also said that the USA lost interest in the security of fossil fuel producers in the region.²⁸

²⁵ Svante E. Cornell, "Turkish-Armenian Relations: Wrong Priority, Wrong Approach", *Caspian Report*, (2013), pp. 1-14.

²⁶ Marco Giuli, "Trump's Gas Doctrine: What Does It Mean for the EU", *Commentary for European Policy Center*, 2017, <http://aei.pitt.edu>, (Accessed: November 30, 2020).

²⁷ Blank, "Missing in Action: US Policy", pp. 127-128.

²⁸ Michael Denison, "Game Over: Shifting Energy Geopolitics in Central Asia", *Central Asia Policy Brief*, October 5, 2012, http://www.unice.fr/crookall-cours/iup_geopoli/docs/Policy_Brief_5_October_2012.pdf, (Accessed: November 30, 2020).

The first years of the Obama administration, wherein it thought of restarting relations with Moscow, its strategy of returning to Asia, and its failed Ukraine and Syria strategies, and the Trump administration's vague Russian policy, which is still unclear, and its prioritization of the Mediterranean as a field of competition with Russia²⁹ have all increased suspicions that the U.S. has returned to an isolationist policy. As this period was a period in which Russia also developed its power to cover areas in the Caspian Sea, Black Sea, and Mediterranean, voices raising questions such as "Is the USA's Russia strategy out of control?" or "Did the USA leave the Caspian region and therefore the Trans-Caucasus to Russia?" have been heard more loudly. Indeed, the post-2008 period, when the U.S. was reluctant to bear the cost of direct military competition with Russia, is still the period when the BTC worked, and when the Trans Adriatic Pipeline (TAP) and the Trans-Anatolian Natural Gas Pipeline (TANAP) were operational.

Third, it is clear that the Washington administration has an orientation that began after 2008 and became clear after 2016. This orientation means that the USA sees the Caucasus region as Russia's special area of interest,³⁰ and in this context, it leaves both the lead and the cost to the Moscow administration in the attempts to resolve conflicts in the region. However, I do not think that the main reason pushing the Washington administration to adopt this orientation is a change in the U.S. priorities regarding the regional states and therefore Azerbaijan. For it is not thought that the USA's interest in natural gas- and oil-producing countries has disappeared, nor that its interventionist foreign policy has been abandoned.

It is a fact that the USA wants to reduce its forces in Asia and Europe. However, as in the decisions made within NATO after the

²⁹ Nurşin Ateşoğlu Güney, "Batılı Ülkelerin Doğu Akdeniz Politikaları", *Doğu Akdeniz ve Türkiye'nin Hakları*, ed. Kemal İnät, Muhittin Ataman and Burhanettin Duran, (SETA, İstanbul: 2020), pp. 129-159.

³⁰ Nurşin Ateşoğlu Güney, "Montreux Convention as a Factor of Stability in the Black Sea", *French Year Book*, ed. J. P. Pancracio, (University of Paris, 2 Pantheon Assas: 2017).

Ukraine war, the USA still maintains its deterrence when it comes to Russia. The change in the USA's view towards the region can also be seen as a reflection of the comfort felt by securing American interests in the region. Ultimately, the BTC, TAP, and TANAP broke Russia's monopoly over east-west energy transfer over the Caspian Sea. The Bosphorus and Dardanelles Straits, which is the easiest way for Russia to transfer forces from the Black Sea to the Mediterranean, are under the control of Turkey, that is, a NATO member, as a result of the Montreux regime. In addition, Romania and Bulgaria, two states bordering the Black Sea, are also NATO members. NATO's readiness to deter conventional and sub-conventional attacks has been strengthened. In short, in this picture, it is not easy for Moscow to follow a policy that can really harm Washington's interests. In fact, it can be argued that in this context, the real risk for the United States arises when it fails to normalize its relations with Turkey.

The status quo, which was redefined by Russia and Turkey in Nagorno-Karabakh and which saw Azerbaijan regain most of its lands, is more important in terms of the opportunities and risks it may bring for the Turkey-West relationship, rather than the Russia-West relationship.

CONCLUSION

In the period referred to as "neither peace nor war" after the 1994 ceasefire, it was observed that the EU and the USA were constantly lagging behind Russia in the resolution of the Nagorno-Karabakh issue. Both the known inadequacies of the EU in conflict resolution and the frequent debates and divisions of the European Union's member states over forming a common security and foreign policy caused Brussels to fail on the Karabakh issue. The impression was given that the USA deliberately kept its presence in the Minsk Group at a low level from the beginning. As a matter of fact, in 2006, apart from securing the BTC pipeline project and the energy projects that followed it, various

U.S. administrations remained passive in resolving issues such as Nagorno-Karabakh in the South Caucasus and left the key role in conflict resolution to Russia.

This inactivity of the West, which has continued nearly 30 years, naturally paved the way for Russia to take the initiative on the Nagorno-Karabakh issue. In this context, it is not surprising that the ceasefire took place yet again under the mediation of Moscow after the Second Karabakh War. However, the main difference today is that alongside Azerbaijan, which successfully ended the Second Karabakh War that began on September 27, 2020, Turkey has ostensibly taken its place in the South Caucasus equation as an effective actor. As a matter of fact, Turkey's presence in this new ceasefire process will push the limits of the negotiations table of the 1990s, when the EU and the USA were ineffective, and as a result, the Nagorno-Karabakh problem and conflict, which had been deliberately frozen, will be resolved now.

On September 27, 2020, regional clashes erupted following a provocative Armenian attack on the front line, leading to a reemergence of the dragged-out Karabakh conflict onto the world agenda. When the clashes first started, few could have guessed that this period would be known as the “Second Karabakh War” and that it would lead to key outcomes in a short time span. With the influence of various factors on the war, especially Turkey’s support, Azerbaijan liberated an important segment of its occupied lands, dealing a clear defeat to Armenia. This war is an important turning point in terms of reversing the status quo which had been attempted to be imposed on Azerbaijan for nearly 30 years. The status quo demonstrated that the Karabakh conflict, and hence Armenia’s occupation of Azerbaijani territories, was unsustainable. The current book conducts a comprehensive analysis of the Karabakh conflict, with contributions from field-expert academics and specialists from Azerbaijan and Turkey. While doing so, it addresses the significance of the Karabakh conflict, its historical background, the Second Karabakh War, and the Karabakh policies of third-party actors from a broad perspective.

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