

How Should Azerbaijan Negotiate with Karabakh Armenians?

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In October 2022, thousands of ethnic Armenians living in Nagorno-Karabakh joined actions to protest the return of Armenian-populated parts of Karabakh back to Azerbaijani control. Officially Baku holds that Karabakh Armenians have no other way but to (re)integrate into Azerbaijan's political system. Today, the future status of Nagorno-Karabakh remains one of the most fiercely debated subjects in Armenian and Azerbaijan societies.

In the latest polls conducted in both Armenia and Nagorno-Karabakh, the absolute majority of respondents oppose granting special status to Nagorno-Karabakh within Azerbaijan. In Azerbaijan, however, public debate on this is very limited and is built mainly on the inadmissibility of granting any form of a territorially defined status to Nagorno-Karabakh.

Recently, signing a peace treaty between Armenia and Azerbaijan has become quite urgent, yet it would be hard to imagine the peace process can work without reaching an agreement on the status of Karabakh Armenians. The main purpose of this article is to review the current stage of the negotiation process between Armenia and Azerbaijan and to discuss the steps necessary to come to a mutually acceptable solution regarding the status of Nagorno-Karabakh. This article also aims to encourage a broad socio-political debate on this issue in Azerbaijani society because such a debate is essential in bringing peace and stability to the South Caucasus as a whole.

At what stage are the negotiations?

Today, Armenia and Azerbaijan have conflicting positions over roughly five subjects: firstly, the future of the bilateral diplomatic ties and their legal foundations; secondly, the legal and technical foundations of the international border; thirdly, humanitarian problems (POWs, missing persons, landmines, etc.); fourthly, the future status of the Lachin road, which connects Armenia with the territories remaining under the control of Karabakh Armenians, and of the Zangezur Corridor, which should connect the western regions of Azerbaijan with its exclave Nakhchivan; finally, the future status of Nagorno-Karabakh. With regards to the latter, the two sides seek answers specifically to two questions: Who will have sovereignty over Nagorno-Karabakh? And how will Nagorno-Karabakh be governed?

For there to be agreement on the aforementioned five subjects between Baku and Yerevan, negotiations are currently underway mainly on two diplomatic fronts: in Brussels/Washington and Moscow. In fact, there are no serious disagreements between the Western countries and Russia on the first three subjects because they believe that those disagreements are largely agreed upon and only technicalities remain. Yet it seems there is a serious discord between the mediators over the fourth and fifth subjects.

The fourth subject, which is the future of the transport and communication routes, is a matter of discontent. While the establishment of the Zangezur Corridor serves Russia's strategic interests, it does not align with the interests of the collective West. Apart from exerting additional pressure on both Armenia and Azerbaijan, this corridor project, which would enhance Russia's military and political presence in the region, stands as one of the most significant elements of Moscow's post-2020 policy. Especially after the Second Karabakh War, the Kremlin's regional priority is to bolster its military-political presence (peacekeepers, corridors) in the region in the short and medium term rather than deal with politically complicated issues (status). And Western states

are determined not to support an initiative that would further strengthen Russia's influence in the region. In principle, when it comes to the Zangezur Corridor, Moscow's views are – or at least, were – more in line with that of Baku, while the position of Yerevan is largely supported by Brussels and Washington.

There are also disagreements among the mediators over the future status of Nagorno-Karabakh. For Moscow, *freezing* the status question for some time would give grounds for Russia's continued military presence in Azerbaijan as well as bring more pressure on Baku and, to a certain extent, Yerevan in order to influence their foreign policy choices. Unlike Moscow, which uses the status quo in Nagorno-Karabakh to strengthen its regional positions, the West has been sending several [message](#)s that the future status of Karabakh Armenians has to be dealt while maintaining Azerbaijan's territorial integrity. The strategic calculation here is to reach an agreement on the status of Nagorno-Karabakh to bar the Kremlin from creating conditions for using Karabakh as another Transnistria (Moldova), hence strengthening its military presence. That is, in principle, what can be observed is that a common denominator on the status of ethnic Armenians has been established between Brussels/Washington and Baku.

However, significant changes in the international relations system in the light of the Russian invasion of Ukraine have brought about a change in the aforementioned conventional divisions. On the one hand, Armenia has begun to question the role of Russia as its traditional security guarantor, and on the other hand, Azerbaijan has begun to more actively implement its post-war vision, leveraging Russia's thus-far severe tactical defeats in the Ukrainian war. The main priority for Baku at the moment is to cement the military victory achieved in the 2020 war in the form of a legally binding interstate agreement, hence eliminating the chance of Nagorno-Karabakh getting any political status outside of Azerbaijani control for once and forever.

It is worth paying special attention to two recent changes in the pace of negotiations. First, the Armenian government has acknowledged that the future of Nagorno-Karabakh can only be recognized as Azerbaijani territory through [statements made by Pashinyan](#) after April 2022 and the signing of the [Prague Statement](#) in October. In doing so, Armenia has effectively abandoned the policy of Nagorno-Karabakh getting a political status outside of Azerbaijan, which it had pursued for many years. Secondly, since the beginning of 2023, the Azerbaijani authorities have begun to be more vocal that Azerbaijan would accept Armenian checkpoints on the Zangezur Corridor, thus giving messages on the possibility of stepping back on demands for its extraterritorial corridor policy, which has been used as a tool of pressure on Armenia for almost two years.

These latest developments have led to significant compromises in the positions of Baku and Yerevan on the two most problematic disputes in the post-2020 period. Thus, in a rare case in the region's recent history, both states have begun to view the issue of the future of Karabakh Armenians as a potential *win-win*, not a *zero-sum game*. For Yerevan, whose foreign policy priority for many years had been to never allow Nagorno-Karabakh's (re)integration into Azerbaijan, Baku's total control over Karabakh is now considered acceptable.

What to do?

Looking at this historic momentum between Armenia and Azerbaijan, it would be wise to consider how to address the complexities regarding the status of Nagorno-Karabakh in a manner acceptable to both parties. This requires developing a political model that would consider the basic needs and fears of the parties.

In Armenia and Nagorno-Karabakh today, the most important need is to have a continued Armenian presence in Karabakh and to provide a safe living environment for Armenians living there. And Armenia's major fear is that if Nagorno-Karabakh is

returned to Azerbaijani control, ethnic Armenians will be forcibly displaced from the region. On the other hand, Azerbaijan's greatest need is to restore its sovereignty within internationally recognized borders, and its biggest fear is the generation of a new tide of separatism in the future, if Nagorno-Karabakh is granted a territorially defined special status. But can an ethno-political model be established to secure both the Armenian community's physical existence and security as well as Azerbaijan's territorial integrity?

Over such conflicting situations, the proponents of the liberal school of conflict studies usually would support the creation of ethno-territorial autonomies. Northern Ireland (the UK), the Aland Islands (Finland), South Tyrol (Italy) are just a few examples of successful conflict transformations that happened thanks to the ethno-territorial autonomies. However, after the Second Karabakh War it is difficult to say whether there is any incentive for Azerbaijan to grant an ethno-territorial autonomy, and since the 10 November Trilateral Statement, Baku has repeatedly pointed out that it will not grant ethno-territorial autonomy to Nagorno-Karabakh.

If an ethno-territorial autonomy model is unacceptable, what alternative is acceptable then? Although the historical and legal aspects of the Israeli-Palestinian conflict differ significantly from the Armenian-Azerbaijani conflict, I assert that certain elements of the model initially negotiated by Israel and the Palestine Liberation Organization (PLO) in Oslo in 1993 can be applied to resolve the status riddle of Nagorno-Karabakh. Thus, the Oslo Accords generated a number of creative and durable mechanisms on how to ensure the coexistence of two conflicting national narratives. In Oslo, the parties agreed to cooperate in areas of mutual interest (housing, energy, security, etc.) instead of a final decision on the status of conflicting regions. Although the legal basis for the future of the Palestinian state has not changed, contacts between Palestinians and Israelis were

institutionalized, and economic and trade exchanges intensified. The neighboring Israeli and Palestinian communities agreed not to use violence against each other based on the so-called model of *cooperation within the conflict*, but rather to benefit from the cooperation where possible.

Using this model, it is possible to create three zones according to the 1988 census in those parts of Karabakh where the Russian peacekeeping contingent is currently deployed. Zone A could encompass the settlements that were at the time Armenian-dominated (e.g., Askeran); Zone B could extend to those settlements that were once Azerbaijani-dominated (e.g., Khojaly); and Zone C could cover the territory of the Lachin corridor. The current status quo in the management of settlements to be impacted by Zone A can be preserved for an interim period (e.g., the next 5-10 years). And in the settlements to be attached to Zone B, civilian life can be governed directly by the central authorities of Azerbaijan. For example, there would be no difference between Khojaly and Yevlakh in terms of administration.

Multi-round discussions should be launched between representatives of the Azerbaijani government and ethnic Armenians in Karabakh to determine the final format of Zone A. The parties can even sign a joint statement to institutionalize mutual contacts. Signing such a statement is not unfamiliar to us in historical terms: under the agreement signed in August 1919 between the National Council of Karabakh Armenians and the Azerbaijani Democratic Republic, the Armenians living in Karabakh agreed to stay within Azerbaijan in exchange for cultural autonomy.

As a guarantee of visibility and transparency of the contacts, representatives from the European Union and/or the OSCE High Commissioner on National Minorities (HCNM) may be regularly invited to these meetings. The solution to the legitimacy problem that would arise in mutual contacts can begin with de

facto recognition of the results of the most recent municipal elections in Nagorno-Karabakh. It is hard to expect Azerbaijan to recognize the de facto presidential and parliamentary elections held in the separatist entity. However, accepting the results of the most recent municipal elections in ethnic Armenian-populated parts of Karabakh and expanding contacts with those elected individuals alone could play a very important role in building a sense of mutual trust.

One of the points to be negotiated is the future of peacekeepers in Karabakh. Currently, only Russia has a foreign military presence with its 2,000 peacekeeping troops deployed there. The Azerbaijani side has regularly [signaled](#) its interest in the withdrawal of this contingent in 2025. Today, Russian peacekeepers mainly perform the function of *protecting Nagorno-Karabakh from external threats*. With the return of Azerbaijani IDPs to Nagorno-Karabakh, the peacekeepers will fulfill the function of *preventing a possible conflict between ethnic groups*. Everyone knows that after a conflict lasting more than 30 years, the return of IDPs will not be easy. Therefore, in the initial period Azerbaijan might encourage a *segregated coexistence*, as Israel and Palestine did in 1993. In this case, the process of return can begin first with smaller communities, and then after a certain period of time with larger communities. For example, the return of IDPs to the village of Umudlu, which was densely populated by Azerbaijanis under the Soviet Union, is a much simpler and less risky process. After three decades, their return would reconstruct the ethno-linguistic composition of the region, making the Azerbaijani-populated village of Umudlu a neighbor of the Armenian-populated village of Haterk. However, larger settlements require a different approach: the return to Khankendi/Stepanakert in the initial period could be limited to the settlement of Kerkijahan, located to the south of the city and compactly populated by Azerbaijanis during the Soviet era. And in the future, given the ethno-political situation in the region, certain mechanisms could be developed to restore

lost property rights.

In that case, the parties might consider replacing the Russian peacekeeping troops with a more appropriate international civilian mission in the future. By facilitating communication between Armenians and Azerbaijanis in Karabakh, this mission can help to establish trust between the two communities and prevent possible conflicting situations. For example, such a mission could lead to joint cooperation between communities that are neighbors but have little or no communication with each other, on issues of vital importance to both. Also, if the peace process between Armenia and Azerbaijan goes well, discussions may include the issue of opening consulates-general in addition to offices of international organizations in Karabakh. For example, the opening of the Armenian consulate-general in Khankendi/Stepanakert could make a symbolic yet positive contribution to the peace process.

Another issue related to Karabakh Armenians is the future of the armed group, known as the *Nagorno-Karabakh Defense Army*, which currently numbers over 10,000 servicemen, according to some reports. The existence of this para-military force is unacceptable for Azerbaijan. Despite the fact that this self-defense force has little or no capacity to fight the Armed Forces of Azerbaijan, they give the Armenian population a sense of security. A solution in the form of mutual concessions could be to abolish this para-military force and instead, to initiate forming new local police units with a more limited number. In return for this step, Azerbaijan can make a solemn commitment to impose a moratorium on the entry of its armed forces into the territories inhabited by the Karabakh Armenian community (Zone A according to the above section) for the next 5-10 years, as well as announce that the ethnic Armenians who served in the military will not be brought before a court, thus making the process easier.

Another issue to be addressed is the return of the Armenian population, displaced from their pre-war homes as a result of

the 2020 war. Although the 10 November Trilateral Statement recognized this right of return, the political and technical details of this issue remain unclear. In such a case, Azerbaijan can work on a plan for the return of these people in cooperation with the Office of the United Nations High Commissioner for Refugees. If the conditional territorial units that I propose to make in Nagorno-Karabakh, which as of now is under the protection of Russian peacekeepers, are successful, then the scope of this model can be expanded to include a number of settlements located within the ex-Nagorno-Karabakh Autonomous Oblast boundaries. The distribution of registration cards, which are symbolically neutral but integrated into Azerbaijan's registration system, can alone make a positive contribution to the process. Neighboring Georgia has already taken advantage of this expertise by offering *neutral passports*, devoid of Georgian governmental emblems, to the residents of its Abkhazia and South Ossetia regions. People who use these passports can benefit from visa-free travel to EU countries just as Georgian citizens do, in addition to taking advantage of social protection mechanisms offered by the Georgian government.

The fate of Karabakh's cultural heritage has always been a sensitive topic for all sides. The future of Christian religious monuments and cemeteries located in parts of Karabakh over which Azerbaijan regained control has been a major concern among Karabakh Armenians as well as in Armenia. On the other hand, the incidents of violence against Muslim religious sites in Armenia and during the occupation years in Karabakh are a continuing issue. To address possible concerns regarding the future of religious monuments and cemeteries, sensitive for both communities, the Armenian Apostolic Church should be permitted to establish a diocese in Azerbaijan, and all Armenian churches and cemeteries located within Azerbaijan can be placed under its administration. To support the peace process and foster more trust between parties, Dadivank (Khudavang), Ghazanchetsots (Gazanchy), and Kanach Zham (Green

Church) in Karabakh can be returned to the Armenian Apostolic Church. Exercising some degree of control over Muslim religious monuments and cemeteries in Armenia through the Caucasian Muslims Office could make this process more sustainable and easier.

Conclusion

The global geopolitical situation and recent regional developments have led to an unprecedented compromise in the positions of Armenia and Azerbaijan in the ongoing peace talks after the end of the 2020 Karabakh War. It can still be felt today that between Baku and Yerevan there is a certain common vision of how to resolve most problematic aspects of the conflict.

However, in order to take advantage of this positive shift in the peace process, it is important to seek a political solution acceptable to all on the status of Nagorno-Karabakh. Armenia and Azerbaijan are capable of gradually resolving the status issue, which is, in essence, comprehensive and multi-faceted, breaking it down into smaller details. In this direction, it is possible to use the technical parameters of the hybrid model of segregation and cooperation, which Israel and Palestine agreed upon in Oslo back in 1993.