

The Riddle of Karabakh's Status

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In this article, I will first examine the status discussions which preceded the 44-day Second Karabakh War. Then I will look at Russia's previous peacekeeping activities and share my views on the future of the post-war status issue. Although the Azerbaijani side asserts that the Nagorno-Karabakh conflict is a thing of the past^[i] and that Nagorno-Karabakh will not be given any special status, it would seem that the status question nevertheless remains open. On February 26, 2021, President Ilham Aliyev once again said at a press conference with local and foreign media that the status issue was over for Azerbaijan and that those who raised the question were serving the interests of confrontation, not peace.^[ii]

Proposals for the resolution of the Karabakh issue and their fate

The First Karabakh War entered a long period of negotiations with the signing of the Bishkek Protocol in 1994. Although there was only one major clash in 26 years, regular ceasefire violations and the resulting loss of life became routine. Armenia used the endless peace talks to prolong the situation—which was favorable for it—as long as possible and to create a secure buffer zone in the occupied territories surrounding Nagorno-Karabakh. The Azerbaijani government, meanwhile, insisted on its territorial integrity. The principles of territorial integrity and self-determination, supported respectively by the opposing parties to the conflict, were in such stark contradiction to one another that no one really expected a peace agreement to be concluded.

Russia and Finland were the first co-chairs of the OSCE Minsk Group, which took on the role of mediator to resolve the

conflict. However, immediately following the Lisbon Summit in December 1996, the co-chairmanship was rearranged and France and the United States became co-chairs with Russia. In the 1990s, the OSCE Minsk Group put forward three proposals to address the problem, but the *Package Deal*, the *Stage Solution*, and the *Common State* proposals were rejected by the parties.

One of the first plans to resolve the issue was proposed in the 1990s by the US diplomat Paul Goble. According to this plan, the conflict was to end through the *exchange of territories* (the regions of Mehri and Lachin). The United States played the role of the primary moderator in this plan. There was great hope at meetings between Heydar Aliyev and Robert Kocharyan that the talks on this plan would end positively, but as the US Deputy Secretary of State was visiting Yerevan there was a terrorist attack in the Armenian parliament killing the Prime Minister and the Speaker of the Parliament, and the signing of the peace agreement was postponed. There have always been suspicions and allegations that Russia was the main organizer of this terrorist act. Alexander Litvinenko, a former Russian intelligence agent who was poisoned to death in the UK, also claimed that Russia had orchestrated the attack.^[iii]

In the 2000s, discussions aimed at the resolution of the conflict were held on the *Madrid Principles* (2007) and the *Renewed Madrid Principles* (2009). The only difference between the two sets of principles is that, according to the former, the future status of Karabakh would be determined by referendum, while according to the latter it would be by a legally binding expression of will. While the Azerbaijani government always stated that Karabakh would not be granted independence, it was never fully clarified what status would be the subject of the referendum or the legally binding expression of will.

In the 2010s, Russia took the lead in the mediation process and began to organize talks on its own without the

participation of the other co-chairs. Russia was also the only state to offer its own peacekeeping mission in the resolution of the conflict, which it first proposed in 1994. Later, in 2015, Russia renewed its offer of a peacekeeping mission in the *Lavrov Plan*, a proposal that did not differ much from its predecessor. Interestingly, both Azerbaijan and Armenia objected to Russian peacekeepers.^[iv]

Even after the escalation in April 2016, all negotiations failed and provocations by the Pashinyan government in Armenia (Pashinyan's statement that " Artsakh is Armenia, period," the plans of the separatist Nagorno-Karabakh Republic to move its parliament to Shusha, the Armenian Ministry of Defense's "new war, new territories" idea, etc.) led to war. The clash in Tovuz in July 2020 made war inevitable.

The 44-day war, in which Azerbaijan had a huge military advantage, resulted in the signing of a declaration to end the war on the night of November 10, 2020, with Putin's moderation or under pressure from him. In the first hours after the signing of the statement, the Azerbaijani government called it *the end of the Karabakh problem* and stated that Karabakh's status was no longer an issue.

The terms of the statement, consisting of a total of nine articles, began to be interpreted differently by the signatories, even Russia. In particular, different approaches have emerged regarding Articles 1 and 4. According to Article 1, Azerbaijan and Armenia remain in their current positions. Article 4 states that the Russian peacekeeping contingent is to be deployed in parallel with the withdrawal of Armenian armed forces. The Azerbaijani side states that according to Article 4, Armenian armed forces must be withdrawn from Karabakh, while Armenia and Russia state that, in accordance with Article 1, Armenian armed forces may remain where they were as of November 10.^[v]

In any case, the Russian peacekeeping mission is seen as a

decisive factor in resolving the problem. Article 3 of the November 10 statement—deploying a peacekeeping contingent of 1,960 Russian military personnel, 90 armored vehicles, 380 vehicles, and some special equipment along the line of contact in Nagorno-Karabakh and the Lachin Corridor^[vi]—gave Russia the right to send peacekeepers to the region, which it did within a few hours. According to Article 4, the peacekeeping force is to remain in the region for a five-year period with the possibility of extension, and Article 5 provides for the establishment of a peacekeeping center monitoring the ceasefire to increase the effectiveness of monitoring the parties' compliance with the agreements.

For Azerbaijan, Turkey's participation in peacekeeping, which neither Russia nor Armenia would agree to, could compensate for Russia's hegemony here. On November 11, the day after the statement was signed, Turkey and Russia reached an agreement on the peacekeeping center, and a document laying out the details of that agreement was signed on December 1.^[vii] The Russian-Turkish Joint Monitoring Center was opened on January 30, 2021 in Aghdam with the participation of Azerbaijani, Turkish, and Russian officials.^[viii] The center will have 60 military personnel from both Russia and Turkey, whose task will be to monitor and maintain the ceasefire.^[ix] Thus, Turkey's participation has been reduced to the absolute minimum.

Is Russia Really a Peacekeeper?

As I noted above, Russia has re-established its military presence in Azerbaijan, as it had hoped to from the beginning of the conflict. How its presence will play out for Azerbaijan is still a mystery, and it is impossible to say exactly what the future will bring. However, it is clear that Russia, in its official documents and doctrines, calls the former Soviet countries the *near abroad* and considers them its sphere of interest. It is in this context that the deployment of Russian

peacekeepers in the region must be understood. (Before Karabakh, Russia had four other peacekeeping missions in the post-Soviet period, one as a result of the civil war in Tajikistan and the other three in the separatist regions of Transnistria, Abkhazia, and South Ossetia.)

However, it should be noted that maintaining international peace and security is one of the main duties of the UN. This duty is specifically delegated to the UN Security Council, and Articles 34 and 42 of the UN Charter give the Security Council the right to identify a situation that may threaten international peace and to use force to restore peace and security.

Russia has deployed peacekeepers within the UN framework as well. The first such deployment took place in the Suez Canal region during the Soviet era, and then in the Balkans in the post-Soviet period. However, in recent times Russia has minimized its involvement in peacekeeping operations within the UN framework and has mainly sent special forces, or sometimes military experts, to conflict zones.^[x] After the collapse of the USSR, Russian military personnel were sent to Yugoslavia, Cambodia, and Mozambique in 1992, and to Rwanda and Georgia in 1994. It sent 160 troops to Angola in 1995, to Guatemala in 1997, to Sierra Leone in 1998, and to East Timor and the Democratic Republic of Congo in 1999. In 2010, at the peak of Russia's participation in international peacekeeping operations, a total of 367 military personnel were involved.^[xi] This number later declined sharply.

It is noteworthy that Russia's peacekeeping mission mainly encompasses post-Soviet countries. Georgia's 1992-1993 war with separatist Abkhazia resulted in the signing of a Russian-moderated ceasefire and separation of forces agreement in Moscow. The agreement declared a ceasefire from May 14, 1994, and deployed 3,000 CIS (de facto Russian) peacekeepers in Abkhazia. There is nothing in the agreement about the

mission's duration or activities. Only under an agreement signed between Russia and Georgia in 2003 did the parties gain the right to withdraw from peacekeeping operations, although no time limit was set. If the demand was made, the peacekeeping forces had to be withdrawn within a month.^[xii]

Another post-Soviet region with Russian peacekeepers is South Ossetia. Georgia ended its 1991-1992 war with South Ossetian separatists with the Sochi or Dagomys agreement signed with Russia on June 24, 1992. According to Article 3 of the agreement, joint Russian and Georgian forces were to be deployed in the region. Russia was to send 700 people, South Ossetia 469, and Georgia 320. According to the agreement, the main responsibility of these forces was to maintain peace and security and to monitor the situation. The agreement did not specify the status of the joint forces or the duration of their stay in the region. Later, over time Georgia reduced its forces and was replaced by Russia. A Joint Control Commission was established with the participation of representatives of Russia, Georgia, and North and South Ossetia. The OSCE also participated in the commission. Although the Georgian parliament passed a resolution in 2006 to replace the Joint Peacekeeping Forces with real international forces, this was not possible.^[xiii] In August 2008, Russia harshly intervened in Georgia in defense of the separatists. After the war, Russia recognized the separatist republics of Abkhazia and South Ossetia and signed a treaty with them maintaining its military presence there.

Another post-Soviet country with Russian armed forces is Moldova. Following the 1991-92 war in Transnistria, a peacekeeping force of Russian, Moldovan, and Transnistrian troops was stationed in the region under a July 1992 agreement signed by Moldova and Russia. The Russian Army's Operational Group was created in 1995 under the aegis of the 14th Army, which supported the separatists during the war.^[xiv] Currently, about 1,500 Russian troops are on Moldovan territory. Although

Maia Sandu, who was elected president in November 2020, demanded the withdrawal of the Russian army from Moldova, Russia refused, saying that withdrawal would lead to further destabilization.^[xv]

After the collapse of the USSR, a civil war (1992-1997) broke out in Tajikistan, which had gained independence in September 1991. Citing the war, Russia sent 12,000 peacekeepers from the CIS–Russia, Kazakhstan, and Kyrgyzstan–to Tajikistan in October 1992. The unit was created under the aegis of the 201st Division, which had been stationed in Tajikistan before the civil war, and, of course, it was controlled by the Russians. In 2000, the Council of Heads of State of the CIS passed a resolution that the peacekeepers had already completed their work and should withdraw. The 201st Division was stationed on the border with Afghanistan, and in 2003 a military base was established in Tajikistan. According to an agreement signed with the Tajik government in 2012, Russia has the right to maintain a military base in Tajikistan until 2042.^[xvi]

Many correctly believe that Russia is pursuing its geopolitical goals by supporting separatist forces in the post-Soviet countries,^[xvii] which it calls its *near abroad*, and uses peacekeeping forces, military bases, and the creation of pro-Russian governments as key tools. Although it is difficult to prove directly the claim that these separatist movements were created with the support of Russia, the fact is that Russia uses these movements for its own geostrategic goals. For example, in 1999, Russian President Vladimir Putin agreed at a summit in Istanbul to withdraw peacekeepers from Moldova and Georgia, but has so far failed to do so based on geostrategic interests. In fact, Russian forces have always been engaged in defending and supporting separatists.^[xviii]

Russia already has military units in every post-Soviet country except Uzbekistan, Turkmenistan, and the Baltic states.

Russia's peacekeeping missions within the UN framework involve dozens of military personnel, or hundreds at most, while that number reaches the thousands in post-Soviet countries. The presence of these military units on the ground to protect Russia's geopolitical interests casts doubt on their genuine peacekeeping intentions.

In this case, the army sent to Azerbaijan hours after the signing of the November 10 statement should not be considered a peacekeeping force, which in turn kills the belief that they will leave Azerbaijan in 5 years. It is clear that the steps taken by the Russian army after its arrival of Karabakh which conflict with the interests of Azerbaijan, the retention of the de facto government's agencies there, and the ambiguous response to claims that Russian will become an official language of the separatist Nagorno-Karabakh Republic indicate various problems in the future.^[xix] Note that on February 17, 2021, the parliament of the separatist Nagorno-Karabakh Republic adopted a bill making Russian an official language.^[xx]

How to resolve the conflict?

When thinking about the future of the conflict, it is important to pay attention to the rhetoric of officials. During the 44-day war, the parties used very harsh rhetoric. After the war, President Ilham Aliyev shifted the target of his harsh statements from Pashinyan to former Armenian presidents. He began to say that it was Sargsyan and Kocharyan's army that had been defeated in the war. Apparently, Aliyev trusts Pashinyan more to sign a peace agreement. Nevertheless, the mutual rhetoric is still hostile and reduces the chances of international reconciliation in the near future. The position of both the OSCE Minsk Group co-chairs and Russia shows that the question of Karabakh's status is still open.

Although the President of Azerbaijan says that the war is over and the status issue is closed, the reality is different. The

reality is that the Azerbaijani public condemns the government for failing to continue the war, i.e. for not fully ensuring Azerbaijan's territorial integrity. The Armenians, meanwhile, have not renounced the independence of Nagorno-Karabakh and in fact seem to have become even more uncompromising on that issue. The war is not over and will not end until the status issue is resolved. In these circumstances, the agreement is just another ceasefire, and the flames of war will continue to burn until the next *opportune* moment. For the war to end, the status question must be dealt with in reality, only then will the conflict be resolved.

Some say that in the current circumstances, contacts between the two sides should be expanded, lines of communication opened, and the severity of the status issue gradually mitigated through civic initiatives. This is nothing but an illusion and a waste of effort. There have been many such initiatives in the last 30 years with zero success. This is not a solution, it is self-deception. The only solution is the resolution of the status issue, and only after that will there be contact, and all hostilities will gradually fade away by themselves.

But if both sides still pin their hopes on the status issue, how can it be resolved peacefully? One thing is clear: the Azerbaijani side will never agree to the independence of the Armenians of Nagorno-Karabakh, or, to be more precise, to the transfer of part of its legal territory to Armenia. That is impossible. If Azerbaijan did not agree to independence even after 27 years of defeat and the loss of a lot of territory, it would be naive to suppose that it would agree to it after the crushing defeat of the Armenian army. But there is no solution to the status issue without compromise. What could this compromise be? There is only one way: the Armenians' renunciation of the idea of independence for Nagorno-Karabakh and the solution of the problem within the framework of Azerbaijan's formal territorial integrity. Azerbaijan, meanwhile, must put the highest autonomy status it ever

promised back on the table. Obviously, the public on both sides will categorically reject my suggestion, but it seems to be the only option for resolving the status issue. If that is not accepted, only the possibility of war remains.

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