Liberated Karabakh

Policy Perspectives by the ADA University Community

edited by
Fariz Ismailzade and
Damjan Krnjević Mišković

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"If you want to be respected, first and foremost, respect yourself; only by this, only by self-respect, will you make others respect you."

– Fyodor Dostoevsky, *Humiliated and Insulted*, III:2 (1861)

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Foreword

Hafiz Pashayev

The Second Karabakh War, which lasted 44 days, was in many ways analogous to experiencing an amazing surrealist dream that was coming true. All eyes were glued to the television, waiting for good news from the front every day: all our attention was on the progress our military was making on the battlefield, which fortunately did not fail the hopes of an expectant nation. We fought and won a war to liberate our sovereign lands from an illegal occupation, restoring our territorial integrity. And in so doing, Azerbaijan became the happiest country in the world, notwithstanding the moment of global pestilence that has still not come to an end.

ADA has always paid much attention to the issues that make up the conflict over Karabakh, be it within academic courses or extra-curricular activities. Right after the Azerbaijan Diplomatic Academy was established in 2006, we took our young diplomats to refugee camps to show them the plight of Azerbaijani ethnically cleansed from the occupied territories. And we also took our diplomats to churches and synagogues to teach them about intercultural and interreligious dialogue and tolerance, which is so important for long-term peace and regional stability.

Throughout all these years, we at ADA University worked to contribute to the return of our lands, be it through academic research or diplomatic and international outreach. We organized conferences, seminars, and workshops on Karabakh, published articles and books, conducted charity

events, and undertook social projects. We lived with the Karabakh dream in our hearts and helped to make this dream a reality. During the Second Karabakh War, our students and faculty were also very active on various social media channels, informing audiences near and far about the history of the conflict, the violations of international law, the language of various UN resolutions, and the hopes, aspirations, and rights of our displaced population. Many articles were posted on the internet and social media accounts. Interviews were given to foreign journalists. And so on.

During the war, one of this book's editors was invited to join President Aliyev's assistant, Hikmet Hajiyev, and members of the diplomatic corps on a trip to Barda and Terter to survey the damage caused by indiscriminate Armenian shelling; respects were paid to the families of the civilians who perished as a result. ADA faculty and staff also travelled to army bases to deliver warm clothes and provisions to our soldiers and civilians displaced by the fighting that had been collected by ADA High School pupils and ADA University undergraduate students. Financial contributions were made to the Azerbaijan Army Relief Fund.

And perhaps most importantly, more than a dozen ADA alumni and staff members took part in the military operations, either as soldiers or volunteers. Several were wounded in the performance of their duties although, fortunately, all who fought for their country came back safely to their families. And five alumni received a total of 15 presidential medals for bravery and courage. It was a true honor to meet with these heroes upon their return: to offer each my heartfelt congratulations for playing a role in the liberation of our historical lands and to thank them personally for their service to our country.

No matter what part of the world in which we live, all Azerbaijanis call Karabakh home. All of us are keen to do our part to redevelop the liberated territories and turn the war-torn area into one of the most prosperous and sustainable regions in the world. Our country's vision for Karabakh is truly inspiring and the ADA University community is also very much eager to contribute to the process of renewal and reconstruction.

In fact, we have already started. Not long after the trilateral statement ending the war was signed, we mobilized our faculty to get involved in helping to organize a year-long, detailed national survey among IDPs—

commissioned by the Presidential Administration—to assess the needs and plans of Azerbaijani IDPs ethnically cleansed during the First Karabakh War. This flagship research project is helping the government to better understand their needs and develop proper repatriation and infrastructure development programs, as well as determine the right sort of economic opportunity initiatives and incentives. ADA University's academic team is fully committed to this project and continues to devote many hours to addressing the needs of IDPs, but also to help in drafting various documents regarding Karabakh's redevelopment.

Since the end of the war, I have been privileged to travel to liberated Karabakh several times: with the editors of this volume and other members of the ADA community, and also in the company of state officials, foreign ambassadors, and the press. Each of these journeys was a mesmerizing experience. During my tenure as Azerbaijan's first ambassador to the United States, I had dreamt of such times. Sometimes, I even felt it did not seem possible; and yet, there I was. In liberated Karabakh. Indescribable were my feelings in seeing our compatriots on the other side of the Araz river—waving and conveying messages of congratulations—as I approached the great and ancient Khudafarin bridge. So were those I experienced in Shusha: walking along the city's streets in the morning, imagining how it will all look like when the rebirth of our nation's cultural capital is completed.

I recently re-read what I wrote in the Winter 2016 edition of *Baku Dialogues*, a policy journal that we re-launched, as it happens, only a few weeks before the war began. It speaks not only to ADA's mission but also to why I initiated this book project:

> The role of the university in society is to reflect, to analyze, to bring together diverse ideas, and to offer to its community a range of observations and responsible thoughts from different viewpoints and perspectives, about the issues the world faces—today and tomorrow. ADA University, as an educational institution and a home for research and reflection, is contributing to this timeless function on a daily basis through its discussions, classroom exchanges, and the many dialogues that take place here every day.

This book is part of such an endeavor. Published on the first anniversary of the end of the war, it forms part of ADA's contribution to a larger

celebration in which our nation, as one, proclaims that Karabakh is back—that we are proudly back in Karabakh and that we will never again part with those lands. New roads, railways, airports, electric stations, and towns and cities are under construction. Internally displaced persons and refugees are beginning to return. ADA University, too, will have a presence there: we too will lend our support and experience to the restoration of Karabakh's standing as an attractive epicenter of the South Caucasus through our well-educated and well-trained alumni.

It is my sincere hope that this book will be amongst the first to adorn the shelves of Karabakh's restored libraries as well as many others through our great country.

Preface

Damjan Krnjević Mišković and Fariz Ismailzade

This book is being published on the first anniversary of the end of the Second Karabakh War. During this war, which lasted 44 days, Azerbaijan liberated Karabakh: a territory that more or less encompasses the former Soviet-era Nagorno-Karabakh Autonomous Oblast and its seven surrounding regions. This liberation—achieved through a combination of military and diplomatic success—brought to a definitive end an occupation that had unequivocally violated the Azerbaijani constitution and directly contravened international law. One could thus conclude that as a direct result of the war's outcome, de jure and de facto realities have again achieved congruence after having been in opposition for nearly three decades.

The book's formal or exoteric intention is provided in its subtitle: to serve as a platform for members of the ADA University community to provide their respective perspectives on the topic at hand. This topic can be articulated in general terms with the following interrogatory: what caused the Second Karabakh War to start and end as it did? In other words, what were the proximate affronts and provocations, as well as the immediate grounds, that led to the cessation of a stalemated negotiation process, and how did this bear upon Azerbaijan's military and diplomatic victory and Armenia's military and diplomatic defeat? Directly or indirectly, each chapter concerns itself with, if not providing direct answers to such and similar weighty questions, then at least in laying out one or another of its specific aspects in as straightforward a manner as possible.

Although this is an academic, interdisciplinary book published under the imprint of ADA University Press (at the initiative of our venerable rector, we may add), it is not "academic" in the narrow sense that is often portrayed by contemporary critics as being too abstract or too technical in content for a non-specialist audience. Rather, its contributors examine serious questions concerning some of the most important political issues human beings can encounter, and they do so for the most part using everyday ordinary language devoid of excessive jargon and abstraction, which all too often obscures rather than illuminates what is fashionably called "scholarly literature." Thus, the reader will find in these pages articles that take seriously the possibility, first articulated by Thucydides so long ago, that an inquiry into the flow of a particular set of political events against a backdrop of war and an elusive quest for peace, as experienced by both belligerents and onlookers, each of whom made judgments and miscalculations in their respective deliberations and actions, can serve as a "possession for all time" (Thuc. I:22.4)—that thinking through why such events happened as they did and not otherwise could produce something more valuable than the "winning of applause of the moment" (ibid.); in other words, that examinations of the Thucydidean sort can provide insight into aspects of human nature that are constant.

Of course, this is not to say that our ambition is Thucydidean in scale or scope, much less depth: certainly, no edited volume should aim so high. But it would be impudent (foolish, even) to dismiss a priori even the possibility that a book like this one could be of use to sober and reflective human beings of this and future generations (Thuc. I:22.4-5; II:48.3)—irrespective of whether such readers had a discernable stake in the conflict over Karabakh itself. Perhaps the most inoffensive similarities between the Thucydidean undertaking and our own is that he then, and we now, are contemporaries of the war and the underlying conflict about which we write, and that the various accounts contained in the respective works produced are confirmable by firsthand participants and eyewitnesses still alive (Thuc. I:22.1-3).

An especially important object lesson in politics that this book drives home—as it happens, one articulated first and thus with great lucidity by Thucydides—is the antithesis between a nation's dreams and the reality of its power; this antithesis is sempiternally coeval with political life (Thuc. VI:31.5-6; VII:75.6-7; VII:87). In other words, this antithesis—or, at the

very least, the possibility of an inquiry into this antithesis—has been around for as long as human beings have lived together in political communities advancing claims to justice, set down laws in accordance with these claims, and witnessed the perversion of these same claims by those who advanced their particular or private interests to the detriment of the common good of their political community in the name of advancing those same claims. Here we can recall another Thucydidean antithesis, applicable in principle everywhere and always: that of the burdens and responsibilities of statecraft and the necessary acknowledgment of even an accomplished statesman's inefficacy in the face of grave disadvantage (Thuc. V:85-116). This is, of course, even more applicable in cases involving political communities led by run-of-the-mill politicians. What statecraft requires most, everywhere and always, is a clinical examination of what *cannot* be achieved.

This book is also not strictly speaking academic in that its contributors sometimes seem to follow a view first articulated by Xenophon, famous in some circles as the author of the *Hellenica*—which begins with a claim of continuity with Thucydides' masterwork—that "it is noble, just, pious, and more pleasant to recall the good things more than the bad" (Xen. *Hell.* V:8.26). This should, of course, not take anything away from an understanding, shared by the likes of these two thinkers and their intellectual progeny, of one's duty as consisting in seeing political things as they truly are and to communicate this understanding to those who are by nature endowed, and by education equipped, to hear and bear them.

Be that as it may, in the front matter of too many books of the present sort, editors feel the need to summarize the content of the chapters contained within its pages; we have chosen to forgo this recent convention for the simple reason that we do not wish to abridge and hence simplify the respective positions, theses, and arguments of our authors. If nothing else, this is a matter of basic respect for the abilities of our colleagues to put forward their scholarly productions as they see fit, without untoward mediation presented to a readership anterior to the encounter with the texts themselves.

We should like to mention that some of the book's chapters appeared in earlier form in the pages of recent issues of *Baku Dialogues*, a quarterly policy journal whose institutional home is ADA University, and which, as

Hafiz Pashayev notes in the Foreword to this volume, we re-launched only a few weeks before the onset of the Second Karabakh War.

On a personal level, we can also add that we have visited the liberated areas on several occasions, both together and separately—as have some of the other contributors to this volume. We have seen with our own eyes evidence of unconscionable conduct that took place during the nearly three decades of occupation; and we have come to the considered view that its full impact could only be brought to light in the wake of the Second Karabakh War. Much of what took place in those lands during the last 30 years was successfully and, it seems, purposefully hidden from the eyes of the world. This uncovering is perhaps the most important moral consequence of the war that produced the liberation of Karabakh.

There are of course other consequences that derive from Azerbaijan's victory: geopolitical, legal, economic, social, and environmental. Any reasonable rank-ordering of these would place the impunity of non-compliance with UN Security Council resolutions, the inequity of prohibiting the right of return of internally displaced persons and refugees, and the untrammeled countenance given to lucrative sophistry that misshapes public opinion at or near the top of the list. However that may be, we contend that the chapters in this book, taken as a whole, provide an overview of many of these and similar consequences in a way that should help the reader form a more complete picture of the issues at stake—at least some of which are reverberating far beyond the Silk Road region: this part of the world that looks west past Anatolia to the warm seas beyond, north across the Caspian and the Great Steppe, east to the peaks of the Altai and the arid sands of the Taklamakan, and south towards the Hindu Kush and the Indus valley, looping around to the Persian Gulf and back up across the Fertile Crescent and onward to the Black Sea littoral.

Perhaps the most important long-term consequence of the Second Karabakh War is that it opens the prospect for reconciliation, which is normally predicated on the instauration of a political process that culminates in a genuine, sustainable peace. There are indications that the modes and orders of the peacebuilding project to come could well bear fruit. Obviously, this will take much time and sincere commitment by

Armenians and Azerbaijanis alike (and at least some of their neighbors and perhaps their neighbors' neighbors as well). The 10 November 2020 tripartite statement ended the war but not the underlying conflict between Armenia and Azerbaijan: this historic document is, in terms of scope, more than a narrow ceasefire agreement but less than a general peace treaty—taken as a whole, it lays out a binding framework of obligations for establishing an interconnected set of normalization arrangements that for all the world appear to be clearly intended to represent concrete steps towards a comprehensive peace (we invite those who doubt the binding nature of this document to consult Articles 2.1(a) and 7.2(a) of the 1969 Vienna Convention on the Law of Treaties). We are aware that some view this document with suspicion, other with cynicism. Given the status quo ante of the interbella period, however, the tripartite statement surely is a welcome improvement. That being said, bringing the conflict to a formal end may well require synchronous efforts by neighbors, regional actors, and outside stakeholders. Working in concert could help tame illusory remonstrances and revanchist ambitions; choosing to work at cross-purposes would not only run counter to the spirit of the tripartite statement whilst producing no reversal of fortune for the vanquished, it would also perpetuate deepening disrespect towards international law, whose demotion under various guises has contributed significantly not only to the breakdown of negotiations that served as a prolegomena to the Second Karabakh War but also to a general breakdown of world order.

The South Caucasus may never have been the world's most important geopolitical theater, but figuring out how to incorporate the new regional order that has emerged as a consequence of the liberation of Karabakh may well turn out to be a bellwether of contemporary international relations. Failure here could accelerate existing acrimonious trends; success may herald the prospect of reaching accommodations elsewhere and, in turn, produce consensus on a sufficient number of new or revised rules of the road to stave off the worse consequences of a precipitously transforming world without precedent in human history. In the past, agreement on the rules of the road led to a general acceptance of the existence of a correlation between extended periods of stability and a common commitment to the legitimacy of an international order based on maintaining the balance of power. The new geopolitical reality in the

South Caucasus that is emerging in the wake of the Second Karabakh War, admittedly in fits and starts, provides the latest opportunity to reaffirm the veracity of this ultimately Thucydidean proposition, alongside so many others.

When the First Karabakh War came to an end, one side rejoiced whilst the other wept; when the Second Karabakh War came to an end, the other side rejoiced whilst the first wept. In a generation's time, both nations have thus known both triumph and tragedy. We therefore dedicate this book to all the victims of the conflict over Karabakh, to their compatriots, and to the forging of a lasting and sustainable peace between reconciling foes.

1

Why the War Happened, and Why the Armenian Attempt at Secession Failed

Azer Babayev

After 44 days of fighting, the Second Karabakh War came to an end on 10 November 2020 due to a Russian-brokered ceasefire agreement. The most important questions now appear to be twofold. First, what led to this dangerous military escalation? Second, what does it mean for the conflict, given that it seems to have now entered into a (new) political phase (again)?

In the declining Soviet Union, what was originally a *status* dispute over the autonomous Nagorno-Karabakh region escalated into an international violent conflict between Armenia and Azerbaijan in the early 1990s. Following the end of a bloody war in 1994 (the First Karabakh War), a fragile situation around the conflict region took root: the "frozen conflict," as it came to be known, lasted for nearly three decades and led to conditions of neither war nor peace. And during this period, it was feared that the longer the sides had to wait for a peace agreement to be reached, the more likely the conflict would re-escalate. As it turned out, this is exactly what happened: an all-out war erupted again unexpectedly between the conflict parties in late September 2020, and, in the end, the Armenian side more or less capitulated.

But first things first: in the First Karabakh War, Azerbaijan suffered a major defeat, ceding to Armenian forces not only the secessionist region itself but also seven surrounding territories. These other lands were, as a whole, twice the size of Nagorno-Karabakh itself and contained five times the old oblast's population, the entirety of which was expelled by the time an armistice was signed in 1994. And that is why during that war the UN Security Council responded by passing four resolutions demanding the withdrawal of Armenian forces from the occupied areas of Azerbaijan. However, the UN resolutions failed to have any effect.

Since that time, no international protagonists felt a strong, compelling need to try to resolve the Karabakh conflict. In addition, all international actors dismissed the idea of "power mediation." Moreover, although Russia as a key international actor is directly involved in all the conflicts on the territory of the former Soviet Union, its involvement in the Karabakh dispute has been rather indirect: in this case, Moscow has been both a critical and a questionable actor. On the one hand, the Kremlin has taken a central position in mediating a peaceful settlement to the conflict while, on the other hand, it has been delivering weapons to both sides. This last represents perhaps the most striking situation regarding the international dimension of the conflict. Russia is militarily allied with Armenia and has a military presence in the country. It has provided security guarantees to Yerevan, primarily through their shared membership in the Collective Security Treaty Organization, which neutralized to a certain extent the potential effects of Russian arms being sold to financially strong Azerbaijan on a purely commercial basis.

Overall, the First Karabakh War ended in the early 1990s, though the prospects for peace in the South Caucasus remained uncertain long after. One thing was clear: The war-prone situation between Armenia and Azerbaijan (with no peace and no established diplomatic relations) that had existed for nearly 30 years could not last forever. The longer they had to wait for a peace agreement, the more likely the conflict was eventually to erupt into a hot war—especially in light of the massive arms race that had been taking place between the two countries for years, as proven by their hugely inflated military budgets. For example, Azerbaijan increased its military spending more than fifteenfold between 2000 and 2020, while Armenia did so more than fourfold during the same period (see Table 1). It is no surprise

that, according to the 2019 Global Militarization Index, Armenia (rank 2) and Azerbaijan (rank 16) were among the most militarized nations of the world in the run-up to the recent war.[1]

Table 1:
Military spending by Azerbaijan and Armenia (2000-2020)

Country	Military spending	2000	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020
AZE	In constant (2019) US$ m	141	171	259	622	1308	1094	2159	2192	1554	1716	2173
ARM	In constant (2019) US$ m	152	146	185	268	364	397	372	426	453	523	635

FROM THE FIRST TO THE SECOND KARABAKH WAR

Following the end of the First Karabakh War, Armenia and Azerbaijan could not reach a political solution to the conflict: countless attempts and numerous rounds of negotiation failed; an attitude of resignation creeped in. Particularly, as nearly three decades went by, Azerbaijan got justifiably frustrated with a lengthy peace process that produced no tangible progress. The OSCE Minsk Group co-chairs (France, Russia, and the United States), as the key peace brokers to the conflict, were reproached for not placing enough political or diplomatic pressure on the Armenians to withdraw from the occupied Azerbaijani territories, which especially precluded any settlement via negotiations.

Although the conflict was sparked by the status of Nagorno-Karabakh, the issue of the occupied surrounding territories complicated the nature of the conflict as a whole. In this regard, the Karabakh conflict brought with it the risk of an additional shift in former state boundaries, in contrast to other conflicts in the region. Overall, after the First Karabakh War the conflict situation featured a structural asymmetry: Armenia wanted to use the power of facts (i.e., military control) to maintain the territory's *de facto* status whilst changing its *de jure* status; Azerbaijan

wanted to use the force of law (i.e., international law) to preserve the *de jure* status and change (back) the *de facto* status.

In the interwar period, the conflict parties conducted partly intensive peace negotiations that, according to diplomatic circles, were close to achieving a breakthrough a fair number of times. However, the positions of Armenia and Azerbaijan did not grow closer over time; on the contrary. Despite numerous attempts—with the help of third parties—to find compromises that could last, the antagonists never were able to agree. Instead, the conflict continued to smolder with a low level of violence. This sometimes raised the question of a potentially crucial factor: the timing of the sought-after settlement. When will the conflict reach a "mutually hurting stalemate" that helps no one and causes everyone to suffer equally? In theory, this would have consisted in the "ripe moment" to find a successful compromise to the Karabakh conflict.[2]

However, both parties were still playing a zero-sum game and practicing strategies of attrition, expecting the other side to suffer more and finally give up. Specifically, Azerbaijan responded to Armenia's policy of *occupation* with its own policy of *isolation*.[3] In the years and decades following the war in the early 1990s, the government in Baku prevented Yerevan from participating in all the region's strategic projects: the Baku-Tbilisi-Ceyhan crude oil pipeline (2005), the South Caucasus gas pipeline (2006), and the Baku-Tbilisi-Kars railroad line (2017), all of which are now operating around Armenian territory. Armenia's isolation was supposed to force it to compromise. Yet Yerevan did not move from its expectation that sooner or later Baku would get used to the loss of Nagorno-Karabakh, which resembles a "lose-lose more" strategy.[4] Armenia viewed any change in the military-political status quo or a withdrawal from parts of the occupied areas as its strategic loss, while Azerbaijan regarded any shift in the regional geostrategic network of relationships as undercutting its pressure on Armenia.[5]

Having lost the First Karabakh War, Baku was particularly dissatisfied with the seemingly permanent occupation of its territories and the plight of IDPs; at the same time, Azerbaijan interpreted Armenia's negotiating practices as representing a kind of salami-slicing tactic: Yerevan was trying to make only rhetorical—or at most, minimal—concessions in

order to prolong negotiations because it was not at all interested in changing the status quo established by the ceasefire that ended the First Karabakh War.

Armenia counted on the negotiations either coming to an end with it having to offer minimal concessions or being broken off with absolutely no results. The positions thus remained entrenched. The peace process was leading nowhere, which was why, from time to time, the Azerbaijani side made a point of asking what the point of the negotiation process was exactly whilst threatening to use its ultimate form of pressure—its military—in order to prevent the Karabakh conflict from remaining "frozen."

SHIFTS IN MULTIPLE CONFLICT EQUILIBRIA

Between the end of the First Karabakh War and the onset of the Second Karabakh War, a fragile situation around the conflict region took root. However, an equilibrium favoring the status quo appeared to be established around this "frozen conflict" in basically three ways. *First*, militarily: an offence-defense balance between Armenia and Azerbaijan (favoring defense); *second*, internationally: a regional balance of power with Russia as the key stabilizing actor; and *third*, socio-psychologically: a political inertia (habituation effect) in the conflict countries.[6]

For many years after the First Karabakh War, the offence-defense balance appeared overwhelmingly to favor Armenia, which had clear defensive advantages favored by military and geographical factors. It is no surprise that Karabakh had been among the most militarized regions in the world: heavy defensive fortifications—including many kilometers of tunnels interlinking with each other along the ceasefire line, coupled with dense minefields—offered the Armenian side a false sense of invincibility for a long time.

In the years leading up to the Second Karabakh War, however, the offence-defense balance changed gradually, ultimately shifting in favor of Azerbaijan. Its extensive military buildup, which took place over the past several years, became the first important indicator of this shift. One

visible element of this is the fact that, several years ago, the Azerbaijani government established a Ministry of Defense Industry to build up the country's military capabilities. In addition, Baku imported high-tech modern weaponry in large quantities, including drones and loitering weapons (i.e., kamikaze munitions) from countries like Israel and Turkey, thus creating considerable offensive advantages. It came as no surprise that these weapons proved to be very effective in the Second Karabakh War: within a few weeks, Azerbaijani troops were able to break through the Armenian defensive line at several places and retake significant swaths of occupied territory. That is why Azerbaijan's President Ilham Aliyev proudly stated during the war that "in this case, unmanned aircraft, both Turkish and Israeli drones, of course, helped us a lot."[7]

We can next consider the geopolitical context of the conflict in the past decades. Russia's role as an external veto power has also been central in at least two respects. On the one hand, Moscow positioned itself as the only external actor that was believed to be able to contain and actually stop a new war between the conflict parties, as was evident during the April 2016 clashes (what some call the Four-Day War), when the Kremlin forced Baku and Yerevan into a ceasefire. On the other hand, any amicable resolution to the conflict that goes against Moscow's will was (and remains) unimaginable. As such, Russia appeared to create a state of geostrategic stability or balance around the military and political status quo on the ground.

In recent years, Turkey's rapid rise in power and Ankara's more assertive foreign policy in its neighborhood, resulted in a gradual shift in the region's balance-of-power system that came to favor Azerbaijan. Specifically, Turkey and Azerbaijan built a very effective alliance—encapsulated in the late president Heydar Aliyev's "one nation, two states" phrase—which in turn weakened the "stabilizing" impact of the Armenia-Russia alliance that had been effectively designed to perpetuate the status quo. But Baku also tried to maintain close relations with Russia as part of its "balanced" and "multivectoral" foreign policy, which had a constraining effect on the scope of Russian commitments towards Armenia. That is why, during the Second Karabakh War, Russian President Vladimir Putin pointed out that, besides Armenia, Russia had "also always had special ties with Azerbaijan as well […].

Therefore, Armenia and Azerbaijan are both equal partners for us."[8] Putin chose not extend Russia's alliance obligations to Yerevan in this war—formally on the basis of the argument that it was "not taking place in the Armenian territory."[9]

The shift in the geopolitical context of the conflict was clearly made manifest during the three-day fighting that erupted on the Armenian-Azerbaijani border in mid-July 2020—far from the conflict region but quite close to the pipeline infrastructure carrying energy resources to Turkey and beyond. Ankara saw this as an externally inspired threat against its interests as well. This, in turn, triggered an unprecedented Turkish endorsement of Azerbaijan, including the rapid deployment of Turkish forces for military exercises in Azerbaijan.[10] Afterwards, Turkish F-16 fighter jets were even kept in Azerbaijan as a deterrent against possible foreign attacks. Also, during the war, President Aliyev publicly referred to this changed geopolitical reality in the region and the special role of Turkey: "The main reason why other countries do not interfere in this issue today is the statements of President Erdogan from the first hours that Azerbaijan is not alone, [that] Turkey is with Azerbaijan and will be with it until the end."[11]

In addition to military and geopolitical factors, starting in the second half of the 1990s, political stability set in also domestically in both Armenia and Azerbaijan. And a decades-old conflict situation, coupled with unsuccessful negotiations, created a lasting condition of "No War, No Peace," which the adversaries appeared to accept implicitly and gradually. Most importantly, over time it led to the effect that they appeared to avoid new costs or "extreme" measures in terms of both military escalation and substantive compromises. In other words, the willingness to take high risks declined continuously on both sides. Being full of uncertainties and insecurities, "No War, No Peace" implied a potential source of instability—but what amounted to a "stable" one. Paradoxical as it may sound, "stable instability" worked in practice for decades: the conflict parties got used to this in-between situation. Thus, "No War, No Peace" became a new normal of sorts and established its own particular form of equilibrium. And this inertia became self-reinforcingly more sustainable the longer it lasted.

But then a political revolution took place in Armenia: a new opposition leader, Nikol Pashinyan, came to power after a popular uprising in 2018, also raising expectations—hopes, even—in Azerbaijan for progress in negotiations. Initially, it looked as though "he was an open interlocutor ready to discuss thorny issues."[12] Yet, gradually, quite the opposite happened. Tensions escalated, as the democratically elected Armenian government started making increasingly populist statements with respect to the Karabakh conflict. Most prominently, Prime Minister Pashinyan said in his address at the opening ceremony of the Pan-Armenian games held in Karabakh in August 2019: "Artsakh is Armenia. Period."[13] He also repeatedly led the crowd in chants of "*miatsum*" (the Armenian word for "unification")—a pan-nationalist slogan that gained popularity during the original escalation of the conflict in the late 1980s. In this way, Pashinyan apparently yielded to an "irredentist nationalism seemingly required to survive in Armenian domestic politics."[14]

There were also further moves that came across as provocatory from the perspective of Azerbaijan: announcing plans to make Shusha—a city in Karabakh that Azerbaijanis regard as one of their cultural centers—the capital of the region, and with the same logic, holding the inauguration ceremony of the new head of the Armenian secessionist entity not in the capital of the region, but in Shusha, as well as resettling Armenians from abroad (notably, from Lebanon) to Shusha (and doing this demonstratively by broadcasting it on TV) and building a new road from Armenia to Jabrayil—one of the occupied districts around Nagorno-Karabakh. Also, on the diplomacy track, Pashinyan openly repudiated the "basic principles" (preliminarily) agreed within the OSCE Minsk framework, insisting on a fresh start to negotiations in a new format with Karabakh Armenians as equal participants.[15] Because he was not elected by them, he cannot represent them—a typical populist argument, yet the final nail in the coffin for the negotiation process, because of this being an absolute 'no go' for the Azerbaijani side. He was also rebuked by the Minsk Group Co-chairs, urged "to refrain from statements […] demanding unilateral changes to the format without agreement of the other party."[16] Yet, his defense minister Davit Tonoyan went even further by publicly declaring the underlying "land for peace" formula for the Basic Principles to be replaced by the "a new war for new lands" one, hinting at a possible Armenian offensive to gain new territories.[17]

The culmination of the pre-war increased tensions was an above-mentioned fighting on the Armenia-Azerbaijan border and the death of several Azerbaijani soldiers and officers, including a general, in July 2020. Following this clash, an unprecedented event—a spontaneous and unorganized meeting of tens of thousands—took place in Baku: an outpouring of rage about the humiliating status quo that represented a demand to retake Karabakh by military means.

In general, all these increasingly provocative statements and actions by the new Armenian leadership were probably motivated by reasons of domestic power consolidation: it sought to increase its legitimacy by attempting to appear more nationalistic than the forces it had deposed. But by doing so—whatever the reason—Yerevan came to be seen as taking a harder and thus dangerously populist line on the Karabakh issue. And, most importantly, these moves were perceived in Azerbaijan as insulting and hurtful to the country's national pride, thus amounting to, as the saying goes, adding insult to injury in the public's perception. It can be argued that such actions by the Armenian authorities upset both the people and government of Azerbaijan, which in turn upset the political inertia that had characterized each country's posture towards the other beginning in the years that followed the end of the First Karabakh War. As President Aliyev made clear during the Second Karabakh War, "insulting the Azerbaijani people" proved to be "too costly" for the Armenian government.[18]

Overall, the Karabakh conflict had been a typical dispute in the interwar period (1994-2020), having reached an advanced stage of attempted secession that had been brought about by military force used by a neighboring patron state. Despite these military-political advantages, however, Karabakh could not become independent. And after Armenia's military defeat in the Second Karabakh War, it can be argued that the struggle for secession has now been transformed from a unilateral attempt to a permanent failure.

STRUCTURAL FACTORS INHIBITING SECESSION

There may be many reasons—whether they be actor- or process-centered—for which, against all odds, the Azerbaijani side *never accepted* the attempted secession of the breakaway region, despite its complete

defeat in the First Karabakh War. To develop a deeper understanding of Baku's invariable stance, we must first (and foremost) consider structural factors, such as geographic and historical preconditions, the ethnic composition of the state, and the (both domestically and international) dominant political/legal system. From today's perspective, these structural factors appear to be relevant to providing an explanation for the ultimate failure of the attempt at secession.

Geography

Covering an area of just 4,400 square kilometers, the Nagorno-Karabakh region is relatively small. As such, it comprises only 5 percent of Azerbaijan's state territory. Along with this great asymmetry between the rest of Azerbaijan and Nagorno-Karabakh, the political and physical geography of the region differs from that of the other conflict cases in the post-Soviet space and beyond. The fact of being an *enclave* should have hindered the region's secessionist aspirations: it certainly strengthened the Baku central government's resistance all along. At the same time, Nagorno-Karabakh's specific geographic position helped to expand the conflict beyond its oblast boundaries: the Armenian side's military strategically occupied the adjacent Azerbaijani regions, thereby creating an extensive "security belt" around Nagorno-Karabakh to offset the enclave's precarious isolation and facilitate Armenian control by shortening the length of the front line. Armenia also sought to create an overland connection to Nagorno-Karabakh, thus expanding the original conflict, which was at bottom about the region's political status, into a territorial conflict that involved the desire to shift state borders. On the other hand, the issue of the surrounding territories complicated the nature of the conflict as a whole, in contrast to other conflicts in the region. In particular, the long-term occupation of these districts by Armenian troops precluded any peaceful settlement in the last decades.

There is a further geographical factor playing an important role in the conflict's dynamics. In ethno-territorial conflicts, a peripheral location (a border region or an island) is generally said to have strong centrifugal effects; whereas the contrary (an enclave in a heartland) is expected to foster centripetal tendencies and cause secessionist efforts to be strongly resisted.

Nagorno-Karabakh is an ethno-territorial enclave within the Azerbaijani heartland that is separated from Armenia by the high mountains of the Lesser Caucasus, which make access from Armenia even more difficult.

Thus, the breakaway region clearly exemplifies the latter situation which, all other things being equal, should have inhibited secession because it made it much harder for Azerbaijan to agree to any territorial compromise in the interwar period. Interestingly enough, back in 1921 the Soviet leadership officially cited Nagorno-Karabakh's constant connections with Lower Karabakh and the rest of Azerbaijan as a reason for retaining the region within the borders of Azerbaijan.

What is more, geographic locations at times also constitute a reference point for one's national identity. The relevant territory is seen as a site which solidifies the nation's collective memory into an indispensable component of its "character."[19] Shusha, a key town in Karabakh, best illustrates the region's national importance for Azerbaijan. Once the regional center for traditional carpet production, Shusha was also home to many Azerbaijani composers and singers who made the town famous as the musical capital of Azerbaijan. During the Soviet era, Shusha was even declared an inspiration for Azerbaijani culture.

It is thus no surprise that President Aliyev made the liberation of Shusha a central goal during the Second Karabakh War, because, as he put it, "Shusha occupies a special place in the hearts of the Azerbaijani people. This is our historic city, a hotbed of ancient culture. [...] Without Shusha, our mission would be half done. Of course, this issue was always on the agenda during the [peace] talks."[20] And following the end of the Second Karabakh War, its "special place" was also officially honored in two ways: 8 November, the day of liberation of Shusha was established as Victory Day whilst the city itself was declared to be the cultural capital of the country.

History

Shusha is also a good example of a situation in which geography and history reinforce each other. As the old capital of the Karabakh khanate (1748-1822), Shusha is also an important component of Azerbaijan's (political)

history. For example, the successful 33-day-long defense of the Shusha fortress against the all-powerful army of the Iranian Aga Mohammed Khan Qajar in 1775 is a *lieu de mémoire* for a popular national-historical story of Azerbaijani heroism.

Historically, another factor inhibiting secession is the lack of Armenian statehood in Nagorno-Karabakh. Although the Armenian side refers to its bloody fights for sovereignty in the area, Nagorno-Karabakh cannot invoke an earlier era of political independence under Armenian authority, which is always helpful for legitimizing secession. The region's lack of any Armenian sovereign tradition contrasts with Abkhazia, for example, another long-term post-Soviet conflict in the region: a principality from the fifteenth to the nineteenth century with its own tradition of statehood, Abkhazia was a Soviet Socialist Republic from 1921 to 1931 before it was downgraded by Stalin to being an autonomous republic within Georgia.

What is more, over the decades, Azerbaijan was mostly concerned about losing *still more* land to its neighbor—in addition to the areas that Moscow had ceded to Armenia in the twentieth century.[21] In Azerbaijani public opinion, Nagorno-Karabakh's secession would be thus perceived as Azerbaijan losing part of its territory to Armenia *again*. Most prominently, a comparison was made with the historical province of Zangezur, which had been transferred to Armenia after the establishment of Soviet rule in the South Caucasus in the early 1920s. That is because Azerbaijan sees in the conflict two complementary processes: first, the violent attempt at secession of a breakaway minority that seeks to expand beyond even its administrative borders; second, the *irredentist* policy of Armenia, which supports this attempted secession militarily in order to further push its borders at the expense of Azerbaijani territories.

In this respect, it had been a dominant historical narrative in Azerbaijan in the past years and decades that, as President Aliyev said back in 2014, for example, its "historical lands are not limited to Nagorno-Karabakh and surrounding areas. [...] Today's Armenia is, in fact, the historical land of Azerbaijan."[22] That is why the Azerbaijani government repeatedly made its policy plain that it would never allow a "second Armenian state"[23] to be established on Azerbaijani soil. It is no surprise that President Aliyev famously announced, already back in 2009, that "Nagorno-Karabakh will

not be an independent state, not today, not in ten years or one hundred years. Azerbaijan's position is unequivocal. Despite all the pressure, we will defend this position to the end."[24]

Ethnic Composition

With only 1.5 percent (150,000 people) of Azerbaijan's total population (10 million) documented as residing in Nagorno-Karabakh (as of the last official count), there is a huge asymmetry in the quantitative relationship between the majority and the minority group in the country.

Another relevant factor inhibiting the attempted secession is connected to the ethnic composition and structure of settlements in the secessionist area. Prior to the war, the situation in Nagorno- Karabakh proved contradictory. Ethnic Armenians represented more than three-quarters of the population, but the region also had a substantial number of ethnic Azerbaijanis. However, the Azerbaijani and Armenian settlement areas were not compact, displaying an *ethnic heterogeneity* in the conflict area: they were spread throughout the region—a situation that generally seems best suited to a system of autonomy with minority protection.

Then, during the First Karabakh War, ethnic cleansing transformed Nagorno-Karabakh into a homogeneous, ethnically pure Armenian region. Just as in the seven surrounding territories also occupied during that war, all ethnic Azerbaijanis either fled Nagorno-Karabakh or were expelled. At the onset of the conflict, in Azerbaijan proper only a tiny part of the population living in an equally tiny part of the country was of ethnic Armenian origin.

However, unlike the Israeli-Palestinian conflict, for example, ethno-cultural differences in Nagorno-Karabakh have not caused it to become an international proxy conflict between two religious groups—despite efforts by Armenia and its diaspora to portray themselves as an endangered Christian outpost in a predominantly Muslim region. Although Christianity is a source of the West's general sympathy for Armenia, its direct effects are limited. For example, the United States was the only Western country to impose sanctions against Azerbaijan in 1992—a sign of one-sided solidarity helped by the Armenian diaspora's intensive lobbying.

Dominant Political/Legal Order

Along with the aforementioned non-political factors, Azerbaijan's tradition of state centralization made Nagorno-Karabakh's attempted secession even more difficult to accept. Also, regarding either a federative or a confederative scheme—namely, granting maximal sovereignty to Nagorno-Karabakh short of a state independence—the following structural constraint immediately strikes the eye: as a *unitary state* with a presidential system of government, it would be very hard for Azerbaijan to consider even a loose union with Nagorno-Karabakh.

While looking at other conflict settlement cases, autonomy arrangements are rather a typical characteristic of centralist unitary states (albeit also found in federations), which was also Baku's preferred solution in the interwar period. It is no surprise that back in 1998, the international peace broker's *common-state* plan—which foresaw a joint state for Azerbaijan and Nagorno-Karabakh—failed because Azerbaijan would not accept Nagorno-Karabakh as its equal.[25]

In addition to Azerbaijan's domestic system, it is also the international system that makes the attempted secession highly problematic. It is because autonomy is a common way in today's world of souverain states to settle ethno-territorial conflicts since the international community is very reluctant to accept secessions in violation of the territorial integrity of states. It is not a surprise that internal conflict settlements are a dominant model among the negotiated cases of conflict resolution such as in South Tyrol, Åland, Northern Ireland, or Quebec.

In this respect, Nagorno-Karabakh's legal status in the Soviet Union plays a central role. The Soviet leadership first issued a binding decision declaring Nagorno-Karabakh an autonomous region (oblast) of Azerbaijan in July 1921. Baku continues to regard this ruling as confirmation of the Azerbaijani nation-state's rightful boundaries (*uti possidetis jur is*—principle of the inviolability of borders). Accordingly, when Azerbaijan became independent—like all other former Soviet republics—it was under international law recognized by the community of states within the boundaries that it had as constituent republic of the Soviet Union. Azerbaijan therefore always saw the conflict first and foremost as an

act of aggression by Armenia because it illegally occupied its sovereign territories during the First Karabakh War. That is why the UN Security Council also condemned the Armenian occupation in the early 1990s in four separate resolutions.

INTERNAL CONFLICT SETTLEMENT: THE BEST WAY FORWARD

A sober assessment of the situation reveals that an internal conflict settlement within Azerbaijan can present significant advantages for Karabakh. One aspect is its geographic link to Azerbaijan: this would facilitate the development of the territory's economic and transportation connections, which in turn would positively impact upon the surrounding regions. Also, twentieth-century history reveals another important and positive moment in the collective memory of the two communities: the period of peaceful coexistence when they lived together and got along with each other day in and day out. Building on these and similar examples could gradually transform the historically antagonistic distortions and enemy images and make it possible to create a new, shared identity.

In addition, Azerbaijan's economic potential, which is far superior to that of Armenia, along with its financial resources, also presents opportunities for relatively poor Karabakh. The case of South Tyrol in Italy can serve as an example: a once mostly poor province populated by mountain farmers, South Tyrol is now one of Italy's wealthiest provinces. South Tyrol benefited not only from Italian government grants, but also from Italy's membership in the EU, which granted significant regional funds to the autonomous province. In the same vein, if Nagorno-Karabakh were to become prosperous in comparison to Armenia—like South Tyrol (Italy) did in comparison with North and East Tyrol (Austria), it could develop its own economic interests and self-confidence. This, however, would require creating incentives, for instance in the form of special offers, such as starting a "Develop Karabakh" initiative and financial transfers. The regional road network, municipal infrastructure, and energy supply urgently need to be upgraded. Creating competitive structures, renovating and modernizing homes, and building new housing are also needed.

NOTES

1. The Global Militarization Index (GMI) compares a country's military expenditure with its gross domestic product (GDP) and health expenditures (BICC 2016).

2. For a detailed discussion of the concept, see I. William Zartman, *Ripe for Revolution: Conflict and Intervention in Africa* (New York: Oxford University Press, 1989).

3. Azer Babayev and Hans-Joachim Spanger, "A Way Out for Nagorno-Karabakh: Autonomy, Secession—or What Else?" in *The Nagorno-Karabakh Deadlock: Insights from Successful Conflict Settlements*, eds. Azer Babayev et al. (Wiesbaden: Springer VS, 2020), 277-320, 293.

4. Babayev and Spanger, "A Way Out for Nagorno-Karabakh," 293.

5. That is why in 2010 Baku vehemently and successfully opposed the opening of the Turkish-Armenian border, which would have ended Armenia's isolation.

6. Azer Babayev, "Nagorno-Karabakh: Why Did the Second Armenia-Azerbaijan War Start?," *PRIF Blog*, November 5, 2020, blog.prif.org/2020/11/05/nagorno-karabakh-why-the-second-armenia-azerbaijan-war-started/.

7. "Ильхам Алиев: операцией в Карабахе Азербайджан изменил геополитический расклад в регионе," interview, *Interfax*, October 25, 2020, www.interfax.ru/interview/734574.

8. "Meeting of the Valdai Discussion Club," President of Russia, October 22, 2020, en.kremlin.ru/events/president/news/64261.

9. "Interview with Rossiya TV channel," President of Russia, October 7, 2020, en.kremlin.ru/events/president/news/64171.

10. Svante E. Cornell, "Can America Stop a Wider War Between Armenia and Azerbaijan?," *The National Interest*, October 5, 2020, nationalinterest.org/feature/can-america-stop-wider-war-between-armenia-and-azerbaijan-170182.

11. "Ilham Aliyev was Interviewed by Turkish NTV TV channel," *Official Website of President of Azerbaijan Republic,* October 15, 2020, en.president.az/articles/43149.

12. Robert M. Cutler, "Without Russian Aid to Armenia, Azerbaijan Has the Upper Hand in Nagorno-Karabakh," *Foreign Policy*, October 9, 2020, foreignpolicy.com/2020/10/09/russia-aid-armenia-azerbaijan-putin-nagorno-karabakh.

13. "'Artsakh is Armenia,' Says Pashinyan during Stepanakert Rally," *Asbarez*. August 5, 2019, http://asbarez.com/183673/artsakh-is-armenia-says-pashinyan-during-stepanakert-rally.

14. Cutler, "Azerbaijan Has the Upper Hand in Nagorno-Karabakh."

15. Matthew Bryza, "Armenia-Azerbaijan Ceasefire Revives 'Basic Principles' and Demonstrates Putin's Continued Sway," *Atlantic Council*, October 10, 2020, www.atlanticcouncil.org/blogs/new-atlanticist/armenia-azerbaijan-ceasefire-revives-basic-principles-and-demonstrates-putins-continued-sway.

16. "Press Statement by the Co-Chairs of the OSCE Minsk Group on the Upcoming Meeting of President Aliyev and Prime Minister Pashinyan," *OSCE Minsk Group*, March 9, 2019, www.osce.org/minsk-group/413813.

17. Joshua Kucera, "After Peace Negotiations, Threats of War Break Out between Armenia and Azerbaijan," *Eurasianet*, April 1, 2019, eurasianet.org/after-peace-negotiations-threats-of-war-break-out-between-armenia-and-azerbaijan.

18. "Ilham Aliyev Addressed the Nation," *Official Website of President of Azerbaijan Republic,* October 17, 2020, en.president.az/articles/43334.

19. Stefan Wolff, "Managing Ethno-National Conflict: Towards an Analytical Framework," *Commonwealth & Comparative Politics* 49, no. 2 (April 2011): 162-195, 178-179, doi.org/10.1080/14662043.2011.564471.

20. "Ilham Aliyev was interviewed by Turkish Haber TV channel," *Official Website of President of Azerbaijan Republic*, October 16, 2020, en.president.az/articles/43250.

21. Babayev and Spanger, "A Way Out for Nagorno-Karabakh," 282.

22. "Prezident İlham Əliyev Gəncədə 1500 məcburi köçkün ailəsi üçün tikilmiş yeni yaşayış məhəlləsi ilə tanış olmuşdur," *Azerbaijan State News Agency (AZERTAC)*, January 21, 2014, bit.ly/3zp4FB9.

23. "Prezident İlham Əliyevin sədrliyi ilə Nazirlər Kabinetinin ilin birinci rübünün yekunlarına və qarşıda duran vəzifələrə həsr olunan iclası keçirilib," *Azerbaijan State News Agency (AZERTAC)*, April 9, 2016, bit.ly/3BbFJxw.

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25. Babayev and Spanger, "A Way Out for Nagorno-Karabakh," 300.

2

International Law and the Karabakh Question

Javid Gadirov

The conflict between Armenia and Azerbaijan over Karabakh has been going on for more than thirty years and has wrecked horror and destruction on hundreds of thousands of innocent individuals. The trilateral statement[1] that concluded its latest episode, the Second Karabakh War, will hopefully render resumption of hostilities pointless and unnecessary, provided that all sides act in good faith towards their obligations.

This chapter will consider some of the international legal consequences of the conflict, with a view to clarifying the legality of the use of armed force by both Armenia and Azerbaijan in the course of the Second Karabakh War, and to contextualize the respective legal positions of the parties to the conflict. There remain a few further legal consequences of the conflict, ranging from compensation for the use of natural resources and for environmental damage, destruction of cultural property, property redistributions, and individual responsibility for war crimes and crimes against humanity, to name some of the most obvious.

Ongoing litigation in international judicial and arbitral mechanisms may reveal some of these issues and address them from their respective perspectives, but the purpose of the current work is narrowed down to a set of issues that bear direct relevance to the legality of the use of armed force.

Firstly, this chapter will clarify the territorial claim to Karabakh at the time of the dissolution of the USSR, and then consider whether a part of it—the former Nagorno-Karabakh Autonomous Oblast (NKAO)—has a right to secede unilaterally from Azerbaijan and whether it constituted a state under international law in September 2020, the legal status of Armenia as a party to the conflict, and whether it has been committing an act of aggression and a continuing armed attack against Azerbaijan. The validity of the argument as to whether Azerbaijan has been exercising its right to self-defense when liberating Karabakh from occupation stands or falls largely on this last point. I will also consider the legal status of the occupying administration in Karabakh, i.e., examine whether it may act as a lawful administration and whether its acts are attributable to Armenia.

KARABAKH'S STATUS BEFORE AND AFTER THE USSR'S DISSOLUTION

It is somewhat trivial to observe that armed conflict between Armenia and Azerbaijan over Karabakh started as a civil war in the USSR, and became a full-scale international conflict with the advent of the independence of Azerbaijan and Armenia.[2] Yet August 1991 plays a critical role in the inquiry as to whether Karabakh, or rather the portion singled out by Soviet authorities as "Nagorno-Karabakh" (Mountainous or Upper Karabakh), was or was not a part of Azerbaijan when the Soviet Union ceased to exist as a subject of international law. This issue takes us back to the Constitution of the USSR that was in force at the time, since its provisions are relevant to the international law rule of *uti possidetis juris* that preserves the exiting boundaries of states that emerge as the result of the dissolution of 'mother' states and decolonization.[3]

This cornerstone legal principle holds that pre-independence or colonial borders are automatically upgraded to state borders upon independence or decolonization, and in the absence of an international treaty on border delimitation, *uti possidetis juris* is the rule of international law that is applied to determine the borders of Azerbaijan, even if merely delimited, based on the border of Azerbaijan SSR within the former USSR. The International Court of Justice (ICJ) held that *uti possidetis juris* "is a general principle, which is logically connected with the phenomenon of the obtaining of

independence, wherever it occurs;" that "its obvious purpose is to prevent the independence and stability of new States being endangered by fratricidal struggles provoked by the challenging of frontiers following the withdrawal of the administering power;" and that the "essence of the principle lies in its primary aim of securing respect for the territorial boundaries at the moment when independence is achieved."[4]

It is therefore of central importance whether Karabakh's territory is attributed to Azerbaijan under the USSR constitutional framework at the moment of Azerbaijan's independence.[5] Regardless of whether purported secession of the region with lesser autonomy than an SSR (such as Chechnya) is successful or not,[6] the question of the territorial integrity of Azerbaijan is considered from the vantage point of its territorial possessions as a part of the USSR.

An assessment of the exact date on which Azerbaijan became independent and the Soviet Union formally ceased to exist under international law may vary. One approach could be to consider the date of Azerbaijan's declaration of independence from the USSR on 30 August 1991[7] or Baku's adoption of the Constitutional Act on State Sovereignty on 18 October 1991.[8] Another approach could consist in taking the date of the formal dissolution of the USSR, such as the signing of the Belovezha Accord on 8 December 1991[9] or the adoption of the Alma-Ata Declaration on the establishment of the Commonwealth of Independent States on 21 December 1991, in which inter alia Azerbaijan and Armenia, as "independent states," indicate that they are "recognizing and respecting each other's territorial integrity and the inviolability of existing borders."[10]

Thus, no matter the date selected, in late 1991 Karabakh was an integral part of Azerbaijan SSR. According to the 1977 Soviet Constitution, Azerbaijan SSR was one of the USSR's 15 Union Republics[11] and had the right to secede freely from the USSR.[12] The borders of these Union Republics could not be changed without their consent, and any mutual agreement of the respective Union Republics on changing their borders was subject to approval by USSR authorities.[13] According to Article 87 of the USSR Constitution, "the Azerbaijan SSR includes the Nagorno-Karabakh Autonomous Oblast," for in the Soviet Union an autonomous oblast were clearly understood to be a part of a Union Republic or an autonomous kray.[14]

NKAO was carved out from the mountainous regions of Karabakh, where at that moment the ethnic-Armenian community constituted the majority. It was formally established on 7 July 1923 by a decision of the Azerbaijan Central Executive Committee and abolished by a law of the Republic of Azerbaijan on 26 November 1991.[15] Already prior to Azerbaijan's independence from the USSR, the authorities in Yerevan tried to transfer Karabakh to Armenian SSR, by adopting a resolution on 1 December 1989 "On the Reunification of the Armenian SSR and Nagorno-Karabakh." Yet, the Supreme Council of the USSR, by its decision of 10 January 1990, invalidated these and other acts of the Yerevan authorities to the same effect as being in direct contradiction to the Constitution of USSR.[16]

The attempt to transfer part of Karabakh to Armenia while Azerbaijan was still part of the Soviet Union has therefore failed, and Azerbaijan became an independent state with Karabakh as an integral part, which was recognized by the international community of states and international organizations. When on 14 March 2008 the UN General Assembly adopted a resolution entitled "The Situation in the Occupied Territories of Azerbaijan," it again reaffirmed respect for Azerbaijan's territorial integrity "within its internationally recognized borders," demanded "the immediate, complete, and unconditional withdrawal of all Armenian forces from all the occupied territories of the Republic of Azerbaijan [including] the Nagorno-Karabakh region of the Republic of Azerbaijan."[17]

Therefore, another tactic was chosen by the Armenian leadership, and this time the claim became that NKAO had now become the "Nagorno-Karabakh Republic" ("NKR") and that the independence of "NKR" should become a legal apology for the occupation of Karabakh.

DOES "NKR" HAVE A RIGHT TO SECEDE UNILATERALLY FROM AZERBAIJAN?

About three days after Azerbaijan declared its independence from USSR, on 2 September 1991 a group of Soviet deputies from NKAO and the Shaumyan rayon of Azerbaijan, alleging that the Azerbaijani government is conducting a policy of discrimination and "apartheid" towards the Armenian population, declared a "Nagorno-Karabakh Republic" that

claimed the territory of the former NKAO coupled with the Shaumyan rayon of Azerbaijan.[18]

One would be hard-pressed to provide a factual basis for a claim that the Republic of Azerbaijan (especially within 2 days of its independence) practiced a system of institutionalized discrimination against the Armenian population. But even if that would have been the case, does international law allow for this type of "remedial" secession? It is very difficult to find support for such a contention in the practice of UN member states, which tend to be very cautious about recognizing separatist entities. The ICJ declined to rule on this issue in its Advisory Opinion on Kosovo, citing a lack of minimal consensus about this matter among sovereign states, let alone an existence of any consistent and uniform practice that could generate a customary rule:

> Whether, outside the context of non-self-governing territories and peoples subject to alien subjugation, domination and exploitation, the international law of self-determination confers upon part of the population of an existing State a right to separate from that State is, however, a subject on which *radically different views* were expressed by those taking part in the proceedings and expressing a position on the question. Similar differences existed regarding whether international law provides for a right of "remedial secession" and, if so, in what circumstances […]. The Court considers that it is not necessary to resolve these questions in the present case.[19]

International practice since 2010 has also not been optimistic towards secessionists outside the colonial context. According to James Crawford, outside the colonial context, the dissolution of states (such as the USSR) differs from unilateral secession, as in the latter case the consent of the predecessor state is required "unless and until the seceding entity has firmly established control beyond hope of recall."[20] Crawford lists Nagorno-Karabakh's attempt at secession from Azerbaijan as unsuccessful, along with cases including Abkhazia, South Ossetia, Chechnya, Northern Cyprus, and Republika Srpska.[21]

States affected by separatist movements are reluctant to pronounce on the international legal validity of secession referendums and tend to regard the issue exclusively from point of view of national constitutions. Thus, the

Constitutional Court of Spain ruled in 2017 that the Catalonian law "on self-determination referendum" was contrary to the Constitution of Spain,[22] as did the Iraqi Supreme Court regarding the referendum in Iraqi Kurdistan.[23] The only exception is the Canadian Supreme Court, which considered the legality of Quebec's referendum not only from the perspective of the Canadian constitution, but also from the international legal standpoint.[24]

Nevertheless, it seems that there is no other roadmap for any sort of Armenian authority to present territorial claims to Azerbaijan apart from alleging the right to remedial secession—however unsubstantiated such a claim might be given the facts, however shaky may the acceptance of such a rule turn out to be, and regardless of the record of abuse such a rule entails—all of which may explain the reluctance of states to acknowledge this rule.

The reality is that, however, "NKR" had from the beginning of the conflict in the late 1980s until at least 9 November 2020 been under the strict control and direction of Armenia, which is therefore considered to be an occupying power under international law. "NKR," therefore, cannot be considered to be or to have been an independent entity that exercised any real control over the occupied territories under its de facto control in Karabakh, as confirmed by a few European Court of Human Rights (ECHR) judgments. There are multiple international legal consequences of such control that bear relevance to the issues below.

ARMENIA'S CONTINUING AGGRESSION

During the First Karabakh War, the UN Security Council adopted four resolutions[25] that, among other things, recognize Nagorno-Karabakh as a part of Azerbaijan, condemn the occupation of various districts and towns in Azerbaijan, and demand the withdrawal of "all occupying forces" from Azerbaijan. It avoided, however, ascribing responsibility for the occupation and the use of armed force directly to Armenia, mentioning instead either "local Armenian forces" or no particular agency at all. It seemed that Armenia could assert that the conflict is between Azerbaijan and "NKR" instead, with the possible involvement of third states such as Armenia or the Russian Federation.

In 2015, the ECHR issued a landmark judgement against Armenia that brought to legal light the occupation of Karabakh and "effective control" over "NKR" by Armenia. In the *Chiragov* case, the court held that Armenia was liable for breaches of international law on human rights grounds committed by "NKR" because

> Armenia, from the early days of the Nagorno-Karabakh conflict, has had a significant and decisive influence over the "NKR," that the two entities are highly integrated in virtually all important matters and that this situation persists to this day. In other words, the "NKR" and its administration survive by virtue of the military, political, financial and other support given to it by Armenia which, consequently, exercises effective control over Nagorno Karabakh and the surrounding territories.[26]

Thus it is this physical, "effective" control by Armenia that made the actions of "NKR" attributable to Armenia under international law governing the responsibility of states.[27] The puzzle, as it were, became complete. Armenia committed breaches of the fundamental rules of international law that prohibit aggressive war and was dodging responsibility for having done so. By directly deploying its armed forces in Azerbaijan,[28] but also through the "direction and control" of the "NKR" entity, Armenia committed a continuous breach of the international legal rule that prohibits the use of armed force against other states, which is reflected in Article 2.4 of the UN Charter and in international customary law.[29]

ARMENIA AS AN OCCUPYING POWER AND ITS LIABILITY

Another significant aspect of the *Chiragov* case was that it established the fact of occupation by Armenia of a part of Azerbaijan. Quoting again from the judgment:

> The requirement of actual authority is widely considered to be synonymous to that of effective control […]. Military occupation is considered to exist in a territory, or part of a territory, if the following elements can be demonstrated: the presence of foreign troops, which are in a position to exercise effective control without the consent of the sovereign.[30]

In the *Chiragov* case, therefore, the ECHR indicated that the rules of international humanitarian law, including the Fourth Geneva Convention,[31] are binding on Armenia as an occupying power, and that Armenia was prohibited from undertaking the forcible transfer and deportation of the population from the occupied territories, as well as to "deport or transfer parts of its own civilian population into the territory it occupies."[32]

As the International Court of Justice explained, it is the "physical control of a territory, and not sovereignty or legitimacy of title, [that] is the basis of State liability for acts affecting other States."[33] Thus Armenia has a duty not only to withdraw its forces from the occupied territories, it also incurs liability for violations of its international obligations regarding these territories as well as for any violations of the rights of its population.

The forcible alteration of the demographic composition of the occupied territories has further legal consequences. For one, the UN General Assembly not only recognizes Nagorno-Karabakh as a part of Azerbaijan,[34] but has also corroborated the extensive demographic alteration that took place during the occupation.[35] It is noteworthy that according to the International Court of Justice's opinion in the *Palestinian Wall* case, alterations to the demographic composition of the occupied territories also constitute a violation of the right to self-determination of the population of these same occupied territories.[36]

In a more gruesome aspect, the activities of the occupying administration in Karabakh did not only constitute deportations and transfers of population, but in some instances consisted of ethnic cleansing with ostensible genocidal elements. The Khojaly massacre is perhaps the most infamous of the acts of mass killing: it is in fact a particularly emblematic one, as it destroyed the largest Azerbaijani enclave in the former NKAO.[37] As the ICJ notes, a genocide takes place even "where the intent is to destroy the group within a geographically limited area," taking into account that the area is within the perpetrator's control.[38] Together with the destruction of cultural heritage and the virtually complete erasure of Azerbaijani towns, villages, and even cemeteries, the pattern of destruction of the Azerbaijani population of the former NKAO and other parts of Karabakh clearly emerges.

NON-RECOGNITION OF LEGAL CLAIMS ARISING FROM THE OCCUPATION

One of the legal consequences of the unlawful use of armed force by Armenia and its continued occupation of a part of Azerbaijan, as well as of ethnic cleansing and the forcible alteration of the demographic composition in Karabakh, is that third states and international organizations have a duty not to recognize the unlawful administration Yerevan maintains in the occupied territories. The general principle of law that "no right may be created by a wrong" (*ex injuria jus non oritur*) has found its expression in general rules of international law governing the legal responsibility of states and international organizations.

According to the International Law Commission, in cases of serious breaches of foundational norms of international law by states, "no State shall recognize as lawful a situation created by [such] breach […], nor render aid or assistance in maintaining that situation."[39] A similar duty is established regarding international organizations.[40]

The rule has customary character and was famously applied to the unlawful occupation of Namibia by South Africa. The ICJ held that not only South Africa had a duty to withdraw its administration from Namibia and incurred liability for violating its international obligations. It also held that third states, particularly UN member states, are "under obligation to recognize the illegality and invalidity" of South Africa's presence in Namibia, are under "obligation to refrain from lending any support or any form of assistance to" South Africa concerning the occupation, and are under an "obligation to abstain from entering into treaty relations with" South Africa when it acts on behalf of the population of its occupied territories.[41] In the *Palestinian Wall* opinion, the ICJ reconfirmed that "all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall in the Occupied Palestinian Territory."[42]

In its Kosovo opinion,[43] the ICJ referred to situations in which the UN Security Council called upon states not to recognize unlawfully created situations, such as the one that resulted from the formation of Southern Rhodesia's "illegal racist minority régime"[44] and calling on UN member states "not to entertain any diplomatic or other relations with it."[45] Following

the purported secession of the "Turkish Republic of Northern Cyprus" from the Republic of Cyprus, the Security Council also called upon states not to recognize it on the basis of an argument that it was created in breach of international law governing use of armed force.[46] In 1992, during the attempted secession of "Republika Srpska" from Bosnia and Herzegovina, the Security Council pointed out that "any entities unilaterally declared" in contravention to the territorial integrity of Bosnia and Herzegovina ought not to be recognized due to the practice of ethnic cleansings.[47]

A 2008 UN General Assembly resolution also confirmed the position that "no State shall recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan, nor render aid or assistance in maintaining this situation."[48]

In the *Chiragov* case, the European Court of Human Rights rejected the argument made by Armenia that the property rights of the applicants were extinguished by a law of the "NKR," because this entity "is not recognized as a State under international law" and therefore its laws "cannot be considered legally valid."[49]

It appears that serious breaches of peremptory rules of international law by Armenia that brought about the creation of "NKR" establish an obligation for states and international organizations not to recognize as lawful any[50] acts of the "NKR" administration, as well as refrain from dealing with Armenia when it acts on behalf of "NKR" and other occupied territories of Azerbaijan. In particular, any laws, property redistributions, and contracts concerning the exploitation of natural resources that were concluded under the grant of licenses and the promulgated laws of the occupation administration may not be recognized under international law.

THE SECOND KARABAKH WAR: SELF-DEFENSE AGAINST A CONTINUING ARMED ATTACK

It is important to observe, first of all, that Azerbaijan used armed force not to acquire any title to Karabakh for the simple reason that it holds said lawful title by virtue of the aforementioned *uti possidetis*

juris principle. The sole purpose of the use of armed force was to reestablish control over its territories that were unlawfully occupied by Armenia as a consequence of Armenia's use of armed force, in breach of the foundational rule reflected in Article 2(4) of the UN Charter. In other words, Azerbaijan was not aiming at the unlawful annexation of Karabakh, whereas the continuing occupation and use of armed force by Armenia was justified by presenting territorial claims to Azerbaijan.

It is therefore central to Azerbaijan's claim that its response to the ongoing Armenian occupation of Karabakh constitutes an exercise of the inherent right to self-defense under the UN Charter. Article 51 of the UN Charter and a corresponding customary rule allow states to use armed force "if an armed attack occurs" pursuant to the "inherent right" of self-defense.

Did the ongoing occupation of Karabakh by Armenia (that was brought about by an unlawful use of armed force against Azerbaijan) constitute a continuous armed attack within the meaning of the UN Charter? And was the use of armed force a necessary and proportionate response to such an armed attack? I argue that the answer to both questions is positive. Even putting aside the more than 26 years time lapse between the Bishkek Protocol and the start of the Second Karabakh War was not at all peaceful, as Armenia often presents (suffice it here to mention the April 2016 war and the July 2020 clashes between Azerbaijan and Armenia outside Karabakh), the occupation of Karabakh by Armenia that followed from unlawful use of armed force can be considered as a continuous armed attack against Azerbaijan.

According to the terms of the "Definition of Aggression" adopted by the UN General Assembly in 1974, certain uses of armed force by states constitute an act of aggression, including, as stated in Article 3(a),

> the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof.[51]

Armenia's occupation of Karabakh best fits a description of an occupation that resulted from, as per the definition above, an

"invasion or attack by the armed forces of a State of the territory of another State." Without any title to Karabakh, Armenia used armed force and occupied (as confirmed by the European Court of Human Rights) part of the territory of Azerbaijan. Moreover, this occupation was reinforced for decades, therefore making the armed attack a continuous one.

There is also the question of whether the "armed attack" under Article 51 of the UN Charter is synonymous with the UN General Assembly's resolution outlining its Definition of Aggression. As pointed by international law scholars, the International Court of Justice has adopted this approach in its case law.[52]

When discussing the existence of an "armed attack" in the *Nicaragua* case, for example, the ICJ not only remarked that the General Assembly's Definition of Aggression "may be taken to reflect customary international law," but also uses Article 3(g) of that definition as the basis for determining whether an "armed attack" within the meaning of Article 51 of the UN Charter took place.[53] In the *Armed Activities* case, the ICJ again used the Definition of Aggression to determine whether actions of the Democratic Republic of Congo constitute an "armed attack" that gave rise to the use of armed force in self-defence under the UN Charter.[54]

Under international customary law, self-defense against an armed attack must also be necessary and proportionate, whereas necessity is understood as "the requirement that no alternative response be possible."[55] Was there any alternative to end the occupation of Karabakh that resulted from the unlawful use of armed force by Armenia, and thus to repel the continuing armed attack? Throughout almost three decades, all peaceful alternatives had failed, and the suggested options by international mediators, such as the OSCE Minsk Group, had achieved no results—instead emboldening the aggressor to perceive the occupation as permanent. After the latest change of government in Yerevan, there were hopes that the new Armenian leadership would abandon territorial claims to Azerbaijan; instead, in summer 2019 the Armenian prime minister visited Karabakh and publicly stated that "Artsakh is Armenia. Period."[56]

In other words, even if the military provocation by Armenia on 27 September 2020 would not have taken place, the use of armed force by Azerbaijan in the Second Karabakh War would have constituted the necessary last resort to end the occupation that resulted from Armenian aggression. The passage of more than 26 years since the Bishkek Protocol ceasefire, together with public statements of the Armenian political leadership, show that Armenia did not regard the status quo as a kind of temporary demarcation but rather as a permanent occupation that would justify a territorial claim to Karabakh.

CONTINUOUS ARMED ATTACK

This chapter has argued that the occupation of Karabakh by Armenia constitutes a continuous armed attack against Azerbaijan according to international law. Azerbaijan and Armenia achieved independence within the boundaries of the respective SSRs, according to which Karabakh (including NKAO) was part of Azerbaijan SSR. Neither is there a basis for a claim that "NKR" was a state under international law before or after the Second Karabakh War, nor that international law affords it a right to secede unilaterally from Azerbaijan (or, for that matter, had such right under the USSR's constitutional arrangement). Furthermore, as confirmed by multiple decisions of the ECHR, "NKR" was in fact under the "effective control" and therefore occupation of Armenia. In fact, the trilateral statement that ended the Second Karabakh War once again confirmed that Armenia considers itself as a direct participant in an international armed conflict with Azerbaijan.

Against this background, Azerbaijan has an inherent right to use armed force in self-defense to liberate the Karabakh region from Armenia's occupation. Moreover, by the onset of the 2020 war, there was clearly no other possibility—no political or diplomatic solution—and no resort that was available as an alternative to such an exercise of the right to self-defense. Decades of occupation and the frustrations of peaceful negotiations that went nowhere due to assertions that the occupied territories belong to and must be united with Armenia show that no other alternative remained.

NOTES

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3. James Crawford and Ian Brownlie, *Brownlie's Principles of Public International Law* (Oxford: Oxford University Press, 2019), 224.
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5. Alexander Orakhelashvili, *Akehurst's Modern Introduction to International Law* (London: Routledge, 2018), 127; *Nicaragua v. Colombia*, International Court of Justice, 624, 651 (2012)
6. James Crawford, *The Creation of States in International Law* (Oxford: Oxford University Press, 2006), 403-411.
7. Restoration of State Independence of Azerbaijan, Supreme Council of Republic of Azerbaijan No.179 (1991), http://e-qanun.az/framework/6592.
8. State Sovereignty of the Republic of Azerbaijan Constitutional Act, No.222 (1991), www.e-qanun.az/framework/6693.
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13. USSR Constitution art. 73 and 78.
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15. "On the formation of the Autonomous Region of Nagorno-Karabakh Decree by Azerbaijan Central Executive Committee of the Soviets," July 7, 1923; "On Abolition of the Nagorno-Karabakh Autonomous Region of the Republic of Azerbaijan," Law of the Republic of Azerbaijan (1991), No.279, www.e-qanun.az/framework/6783).

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18. *Declaration Proclaiming the Nagorno-Karabakh Republic*, (September 1991), president.nkr.am/ru/nkr/nkr1.

19. *"Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo,"* Advisory Opinion, International Court of Justice, 403, 438 (2010).

20. James Crawford, *The Creation of States in International Law* (Oxford: Oxford University Press, 2006), 391.

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25. S/RES/822 (30 April 1993); S/RES/853 (29 July 1993); S/RES/874 (14 October 1993); S/RES/884 (12 November 1993).

26. *Chiragov and Others v. Armenia*, Grand Chamber Judgement App. no. 13216/05, ECHR 186 (2015).

27. *Responsibility of States for Internationally Wrongful Acts,* International Law Commission (United Nations, 2001), art. 8, legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf.

28. That Armenian regular armed forces serve in the occupied territories is not only acknowledged by the Armenian government but has been affirmed in such cases as *Muradyan v. Armenia*, ECHR Judgement App. no. 11275/07 (November 24, 2016) and *Zalyan and Others v. Armenia*, ECHR Judgement Apps. nos. 36894/04 and 3521/07. (March 17, 2016).

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41. *Namibia* Advisory Opinion, 54-55.

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43. *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo,* Advisory Opinion, International Court of Justice, p. 403 (2010).

44. S/RES/216 (November 12, 1965).

45. S/RES/217 (November 20, 1965).

46. S/RES/541 (November 18, 1983).

47. S/RES/787 (November 16, 1992).

48. A/RES/62/243.

49. *Chiragov and Others v. Armenia*, 148

50. Certain exceptions exist. These include marriage, birth and death certificates, and other civil status registration documents, as per *Namibia* Advisory Opinion, International Court of Justice 56 (1970).

51. A/RES/3314 (14 December 1974).

52. Dapo Akande and Antonios Tzanakopoulos, "The International Court of Justice and the Concept of Aggression," in *The Crime of Aggression: A Commentary*, eds. Claus

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54. *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, International Court of Justice 168, 222-223 (2005).

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3

Historical and Legal Aspects of the Karabakh Conflict

An Azerbaijani Perspective on A Shared Post-Conflict Future

Rovshan Ibrahimov and Murad Muradov

On 27 September 2020, a fierce new war between Azerbaijan and Armenia erupted over the region of Nagorno-Karabakh and seven adjacent districts that constitute the internationally recognized territory of Azerbaijan but had long been under Armenian occupation. A period of 44 days of uncompromised fighting ended with the Russian-negotiated tripartite ceasefire statement signed on 10 November 2020, by which time Azerbaijan had already restored its sovereignty over the Fizuli, Jabrayil, Zangilan, and Qubadly districts as well as the southern part of the former Nagorno-Karabakh Autonomous Oblast (NKAO) that had existed during the Soviet period, including its symbolic and strategic heartland—the city of Shusha.

The tripartite statement stipulated the complete withdrawal of Armenian forces from the remaining three occupied districts (Kalbajar, Lachin, and Aghdam), while some part of the former NKAO (about 3,000 km), together with the narrow, five-kilometer-wide corridor around Lachin that connects the former NKAO to Armenia, were to constitute

a special zone guarded by a 1,960-strong Russian peacekeeping force for an initial period of five years. Both Azerbaijani and Armenian refugees and IDPs are to be returned to the conflict zone under the supervision of the UNHCR, and all transport communications between the countries are supposed to be re-opened.

The armistice agreement is the first step, not the end of the journey: the deep conflict around Nagorno-Karabakh still remains unresolved. The Second Karabakh War may have come to an end, but a lasting, sustainable peace still remains to be secured.

This article aims to understand Armenian claims over Nagorno-Karabakh in light of both history and international law. It also aims to consider possible trajectories of the negotiation process to come and lays out proposals for building an alternative, non-conflict vision for the future of both peoples and countries. Engagement is hard, objectivity harder, introspection harder still. But both sides need to start doing more of each for lasting peace to take hold.

POLITICS AND HISTORY

The First Karabakh War (1991-1994) was fought in the shadow of the breakup of the Soviet Union. It started from an appeal by activists of the "Karabakh committee" (an Armenian protodemocratic nationalistic organization that had just emerged) to the Soviet leadership to conduct "reunification" of the NKAO (an autonomous region of Soviet Azerbaijan predominantly populated by ethnic-Armenians) with Armenia.[1]

From the very beginning, the historic aspect played a crucial role in the narrative the Armenian side was carefully building and using to justify its claims over territories belonging de jure to Azerbaijan. This narrative rested on the three major arguments: the ancient history and ethnography of Nagorno-Karabakh; the trauma of the 1915 Armenian "genocide" that took place on the territory of the Ottoman Empire; and the allegedly unfair inclusion of the region into the borders of the Azerbaijan SSR by the Soviet government.

The first argument stipulates that Karabakh—or "Artsakh," as the Armenian side would start to call it later (ironically, this very name is most

probably not of Armenian origin but is the aberration of the initial name "Orkhistena"[2])—is the historic cradle of the Armenian nation and the only place in which Armenian statehood flourished virtually uninterrupted.[3] These claims are predominantly based on the strong concentration of medieval Christian monuments in the former NKAO, as well as on several written sources (many of which turn out to be rather dubious after being closely scrutinized).

This argument has been instrumentalized by Armenians in order to claim "moral rights" over this land.[4] For most of its ancient history, however, Karabakh was populated by various tribes that trace their origins back to the Caucasian Albanian people that inhabited a continuous stretch of territory that included other parts of northern Azerbaijan. The peculiar and somewhat isolated development of Karabakh from the eighth century onwards is related to the fact that its mountainous parts remained mostly Christian for many centuries afterwards while the surrounding regions underwent deep Islamization.

However—and this is a crucial moment for dispelling the Armenian narrative—the Christians of Karabakh were predominantly of Caucasian Albanian origin.[5] As a matter of historical record, the Caucasian Albanian (or Aghvank) Church preserved its ecclesiastical distinctiveness from the Echmiadzin Catholicosate until 1836[6]—that is to say, decades into imperial Russian rule over the Caucasus; for some time, the two churches even had separate seats within the territory of the Gandzasar monastery—the best evidence that they had been clearly distinct from each other. However, growing theological similarity, as well as the gradual displacement of the original Caucasian Albanian script by the more widely used Armenian one, led to a creeping Armenization of the Christian population of Nagorno-Karabakh, which was finalized after Russia consolidated its conquest of the region. Afterwards, Caucasian Albanian heritage was mostly erased and forgotten, which paved the way for the general acceptance of the Armenian narrative as regards local history.

However, since claims based on ancient history are hardly enough to justify ethnic separatism in the twenty-first century, the proponents of Armenian irredentist claims (it has a special term, *miatzum*, in

the Armenian language) also eagerly pointed to the traumatic events of the twentieth century that, as they believe, constitute irrefutable evidence about the primordial and intractable character of the Armenian-Turkish/Azerbaijani conflict.

This narrative is based, first, on the 1915 events in the Ottoman Empire that are recognized as the "genocide" of Armenians by the parliaments of several dozen countries around the world. It must be noted that the "genocide" issue is viewed by official Yerevan largely through a political, not historical lens—one reason why Armenia has consistently referred to Turkey's offer to establish a joint fact-finding commission of historians as unacceptable.[7] The "genocide" issue is a "sacred cow" of contemporary Armenian statehood, which has defined its strategy and political orientation since its establishment. The cultivated memory of the "genocide" has also instilled a semi-official Turkophobia in Armenia, which is most vividly expressed in Armenia's unconcealed hostility to Azerbaijan and Azerbaijanis (the latter are often referred to derogatively as "Turks").

Thus, prior to and especially during the Second Karabakh War, Armenian state propagandists constantly referred not only to 1915 but also engaged in baseless and unfounded speculation about the imminent launch of an ethnic cleansing campaign against Armenians living in Azerbaijan-proper as well as in the former NKAO. The point, of course, was to claim that the independence of "Artsakh" represented the sine qua non for the security of Armenians.

At the same time, in order to delegitimize the Soviet period in the history of Karabakh, the Armenian side has claimed that Moscow—through a 1920 decision of the Caucasian Bureau of the Communist Party—*handed over* this region to Azerbaijan. However, the Russian original of the text unequivocally states, "Nagorno-Karabakh shall be *retained* within the borders of the Azerbaijan SSR,"[8] which reinforced the unbreakable political but also socioeconomic ties between this region and the rest of Azerbaijan. Based on this narrative, the irredentism advocates claim that Karabakh has never been part of an officially recognized independent state named Azerbaijan and hence had no obligation to respect the latter's territorial integrity.[9]

This view, while disguised in the parlance of international law, is in fact purely political—ideological, really—and simply tries to paint over a "moral right" claim that has no credence in the contemporary international system. However, the circumstances of the period when the conflict over Karabakh was simmering, must be properly contextualized. It was the time when the Soviet Union—which had been founded upon the ideology of internationalism and "friendship of peoples"—started to crack: the suddenly rising national movements in the Soviet republics badly needed an ideological core to uphold and gain legitimacy. Armenians back then tied the fate of their new identity to Karabakh; for Azerbaijanis, reaction to Armenian separatism and aggression triggered the rise of national feelings and a sense of self. The psychological significance of the conflict-related narratives made it so difficult to resolve, or at least to find a peaceful breakthrough.[10]

This historical-political narrative in favor of Armenian irredentism has had recourse to randomly-selected and sometimes misrepresented or downright false chunks of history to establish an artificial security dilemma that precludes the peaceful existence of an Armenian community within Azerbaijan (the fact that more than 30,000 ethnic-Armenians live in Azerbaijan—or, for that matter, more than 100,000 ethnic-Armenians and around the same number of Armenian citizens still live and work in Turkey—is conveniently ignored). With very few exceptions, Armenian politicians have consistently insisted that the security of Armenians is predicated on a grant of self-determination—understood in its extreme form as independence—for the "people of Karabakh," defined exclusively as ethnic-Armenians from Karabakh, thus excluding the Azerbaijani population from the narrative; one may add here that this is consistent with the awful fact that they were ethnically cleansed down to zero in the First Karabakh War by Armenian forces.

The issue of the cultural ownership and heritage of Nagorno-Karabakh and the seven surrounding territories is today subject to widespread debate—but not widespread appreciation of the historical facts. It cannot be disputed that both Azerbaijani and Armenian, Muslim and Christian, history and culture have run deep across this region for a millennia and a half. Naturally, the farther

back we delve into history, the more likely that it becomes subject to mythmaking. Unfortunately, unbiased scholarship and thinking have fallen prey to the politicians' desire to heavily load the discourse of Armenian nationalism with a narrative of a historic injustice and conspiracy, helping to radicalize and mobilize Armenians against numerous "enemies."

LEGALITY

The Armenian-Azerbaijani conflict has been historically so laden with bitter inter-ethnic and personal hostilities that its international law aspect has been inevitably pushed to the back burner. Since it was the Armenian side that, beginning in 1988, committed an actual aggression against the legally recognized status quo, this omission served to create the false impression of "equating" both sides—the aggressor and the victim—which suited Yerevan very well.

The current rules of interstate behavior that were elaborated during, and entered into force after, World War II prohibited the "use of force against the territorial integrity or political independence of any state"—to quote from Article 2 of the UN Charter—and excluded warmaking as a legitimate instrument of international politics. At the same time, to prevent possible future aggression against any member state, the "inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations" was clearly spelled out in Article 51 of the same document.

The legal justification for self-determination in the context of the contemporary international system was also first indicated in the UN Charter. Article 1 of the UN Charter states that one of the goals of the UN is "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." The main idea here is that the presence of dependent territories and colonies seriously complicates the achievement of this goal. Based on this Article, various UN organs, including the General Assembly and the Trusteeship Council, gave a clear interpretation of this concept,

according to which only former colonies have the right to achieve independent statehood through a process of what the UN Charter called "self-determination."

In addition, self-determination is addressed, directly or indirectly, in various other parts of the UN Charter, including Article 55 and from Article 73 to Article 91. An important agreement regarding self-determination is the General Assembly's 1960 resolution,[11] entitled Declaration on the Granting of Independence to Colonial Countries and Peoples and known colloquially as the "Declaration on Decolonization," which clearly states that this right can only be exercised by the colonies.[12]

Limiting the scope of self-determination was vitally important, because otherwise this process could not have been controlled, which would in turn have led to a systemic threat to global stability. Indeed, in the case of a broader interpretation of the principle of self-determination, only in Europe could there have resulted in the establishment of, say, 1,000 independent states. For comparison: in 1920 the number of states in Europe was 23, reaching 44 only in 1994. Considering that there were about 500 political structures in Europe in the 1500s, it can be argued that under favorable conditions this trend may continue.[13] Such a development of events would in no way serve to ensure one of the main goals of the United Nations, namely, international peace and security.

It is for this reason that Kosovo's February 2008 unilateral declaration of its independence, and its subsequent recognition by some UN member states, does not comply with international law and thus did not change the contemporary international system and the framework of the concept of self-determination. As a result, it did not provide a new opportunity for existing separatist regimes. The countries that recognized Kosovo as an independent state have repeatedly stated that this kind of procedure cannot be considered as the basis for the formation of new states in the future. To emphasize this aspect, a number of states, including the United States, in the act of recognizing Kosovo, openly stated that it could not become a precedent.[14]

Considering the issue in practical terms, it is unlikely that one of the countries that recognized Kosovo as an independent state will reuse it in similar conditions. Kosovo, in the interpretation of international law, will remain *sui generis*—and it seems unlikely that the recognition will become universal (and that Kosovo will become a UN member state) unless Serbia itself chooses to recognize the territory and Security Council permanent members Russia and China change their position on this question. Interestingly, Kosovo is presently recognized by a little under 100 UN member states, which makes it the global leader among "partially recognized" states, and not so long ago the number had been higher (it peaked at a little under 120 UN member states): so 20 or so UN member states have either withdrawn or have not completed their respective recognition processes. Unsurprisingly, Azerbaijan remains a stalwart non-recognizing country. Regarding representation, only 22 UN member states are represented by embassies in Priština.[15] Thus, although the idea of using the Kosovo case as a precedent for the independence of "Artsakh" is sometimes voiced in Armenia, what is called the "international community" does not subscribe to this view.

In fact, when it comes to understanding the principle of self-determination within the framework of international law, there is no disagreement regarding the question of which territories can be considered colonies. The UN even issued a list of territories that were supposed to enjoy this right, many of which went on to become independent states.[16] Therefore, the principle of self-determination existing in international law does not apply to the former NKAO or "Artsakh" since this region is not on that list, or any similar one. Thus, from the point of view of this cornerstone document of international law—namely the UN Charter—the territory under discussion does not have the right to independence, since it was not listed by the UN as ever having been a colony.

Moreover, international law does not provide for any other legal option for the emergence of new states. In present times, the emergence of new states can be possible only if such a possibility is provided by the state itself (within the framework of domestic law), as was the case of the Soviet Union and Yugoslavia with respect to their constituent

republics, or based on a state's consent to self-disintegration, as was in the case with such countries as Czechoslovakia and Sudan.

As this article concerns itself with the topic of the possible legality of the self-determination of the former NKAO within Azerbaijan SSR, the legal framework of the Soviet Union must be considered. According to Article 72 of the USSR Constitution, the right to self-determination was given only to the 15 Union Republics, including Azerbaijan SSR and Armenia SSR. Using this right, Azerbaijan and Armenia ultimately became independent and sovereign subjects of international law. They were recognized as independent states by the "international community" and became UN member states. It is a simple matter of legal fact that the former NKAO, which has been nothing more than an autonomous region (*oblast*) within Azerbaijan, did not enjoy such a right under the USSR Constitution.

The Armenian position runs contrary to this. According to such a narrative, the acquisition of independence by Nagorno-Karabakh was in fact achieved in accordance with the Law on Procedure for Resolving Questions Connected with a Union Republic's Secession from the USSR, which was adopted by the Supreme Soviet on 3 April 1990. Based on this Law, NKAO's ethnic-Armenian authorities announced that a referendum on independence would be held on 10 December 1991.

However, the holding of such a referendum at the *oblast* level was not envisaged either in the USSR Constitution or the Constitution of SSR Azerbaijan. Thus, the April 1990 Law was unconstitutional, and on more than one ground. For instance, Article 3 of the Law grants the right of autonomous entities within Union Republics to hold a referendum separately on "remaining [...] within the USSR or within the seceding Union Republic, and also to raise the question of their own legal status."[17] This directly contradicts Article 78 of the USSR Constitution, which states that the "territory of a Union Republic may not be altered without its consent" and thus made Article 3 of the aforementioned Law unconstitutional. If an appeal had been made to the Soviet Constitutional Court (formally called the Committee for Constitutional Supervision of the USSR), then it

would have determined the unconstitutionality of this Law. But no such appear was made, the Armenians point out.

On 26 November 1991, just two weeks before the referendum in NKAO was to be held, Azerbaijan's Supreme Council passed a law abolishing the NKAO as an administrative-territorial unit.[18] This legislative act was made in accordance with Article 79 of the USSR Constitution, which states that a Union Republic "shall determine its divisions into territories, regions, areas, and districts, and decide other matter relating to its administrative and territorial structure" (there are corresponding articles in the Constitution of the Azerbaijan SSR, as well). Thus, even if one interprets the April 1990 Law to have been compatible with the USSR Constitution (a dubious proposition, at best), no referendum could have been legally held on the territory of NKAO on 10 December 1991 for the simple reason that NKAO had legally ceased to exist a fortnight prior to that date.

After Azerbaijan and Armenia both regained their respective independence, each was recognized by the "international community" within the borders in which the countries existed as part of the Soviet Union because of the international law principle of *uti possidetis juris*, which provides that emerging sovereign states should retain the borders that their preceding dependent area had had before their independence. Today, a number of Armenian experts and politicians declare that Armenia did not recognize this principle: since the new status quo has been formed after the end of the Second Karabakh War and the return of the Azerbaijani territories, they are not satisfied with it. Hence postwar tension on the reestablished border between the two sovereign states and Armenia's refusal to participate in its delimitation and demarcation. However, in fact, Armenia, by the virtue of having signed the CIS Charter and the Almaty Protocol, fully recognizes the principle of *uti possidetis juris* and the borders of the USSR's constituent republics.[19]

That is why—notwithstanding the former NKAO's unilateral declaration of independence and the result of its illegal referendum—"Artsakh" has not been recognized by a single UN member-state, including its sponsor and defender Armenia.

Realizing that it would not be possible to gain independence by convention, Armenia and the "Artsakh" separatist regime put forward another thesis, according to which they believe the latter can become an independent state and will recognized by international community. In short, this principle is referred to as *separation for the sake of salvation*. This thesis was repeatedly voiced by the Armenian prime minister, Nikol Pashinyan, both during the Second Karabakh War and afterwards. According to Pashinyan's explanation, the principle is invocable "when certain regions and peoples gain independence on the grounds that they cannot survive under the rule of any other country."[20] It should be noted that despite Pashinyan's assurances that this principle is a "well-known international thesis,"[21] such a norm does not exist in international law. It is no coincidence that the Armenian side has put forward this postulate in conjunction with the example of Kosovo. But as explained earlier, Kosovo is not a precedent.

There is, therefore, only one legal route by which the former NKAO could become as an independent state, and that is by securing the consent of Azerbaijan. Given the bloody history of Armenian occupation over the past thirty years, it is hard to imagine a situation in which that consent could be forthcoming.

POST-CONFLICT TRAJECTORIES

Despite the economic, military, and demographic superiority of Azerbaijan, this country has been trying to resolve the conflict peacefully at the negotiating table for 26 years. However, the policy chosen by Armenia was to preserve the existing status quo, in the hope that in this way Karabakh could eventually become independent or just fall from the Azerbaijani agenda. At the same time, if we compare the theses of Azerbaijan and Armenia during the period of negotiations, we can see that for Armenia there was no scenario in which Azerbaijanis from Karabakh could return to their native lands.

In this case, it is useful to recapitulate the main points of disagreement between Azerbaijan and Armenia in the period before the onset of the Second Karabakh War. We have set this out in Table 1.

Table 1.
Main Points of Disagreement Between Azerbaijan and Armenia

	Azerbaijan	Armenia
The basis of claim over Karabakh:	Legal Aspect: In accordance with international law, Karabakh is recognized by the entire world as an integral part of Azerbaijan.	Historical Discourse Aspect: Armenians have lived in Karabakh since ancient times (a fact that is contested), which means Karabakh belongs to Armenians.
Conflict resolution bottom line:	Return of the seven occupied regions and granting an autonomous status to Karabakh within Azerbaijan (internal right to self-determination).	*Maximal position:* Preservation of the surrounding occupied regions as a buffer zone for security; recognition of the full independence of the former NKAO. In recent years, a discourse of "greater Artsakh," incorporating the surrounding regions and giving them Armenian place-names ("Akna" for Aghdam, "Varanda" for Fizuli etc.), creeped into the Armenian public space, radicalizing it to the point of exaltation and making any sort of understanding between the nations even less likely. *Minimalist position:* Returning some of the surrounding occupied

		regions, further discussion on the status of the Kajbajar and Lachin regions, and recognition of the full independence of the former NKAO (under the guise of a right to conduct a referendum only among the present Karabakh population)
View of Azerbaijanis and Armenians living in the occupied territories prior to the advent of the Second Karabakh War:	Karabakh Armenians are citizens of Azerbaijan; peaceful coexistence.	Although lip service was being paid to the rights of Azerbaijani IDPs to return to their homes, a possibility of restitution and compensation for their material losses and suffering was never on the table, and the idea of an independent "Artsakh" was based on exclusive ethnic nationalism in a way to make the return of Azerbaijanis unthinkable.

As illustrated by Table 1, the demands of Armenia contradicted international law and basic human rights, as well as the values of any liberal society. Before the Second Karabakh War, Azerbaijan had been ready to grant autonomy to the Karabakh Armenians within Azerbaijan. But due to its own intractability and refusal to compromise, Armenia's opportunities have profoundly withered. The 10 November 2020 Russia-brokered trilateral armistice agreement managed to effectively put a stop to the armed hostilities. While Azerbaijanis celebrated their military and diplomatic triumph, the mood in Armenia was understandably dour. Armenians were initially shocked by what they felt was a national humiliation, but now seem to be gradually coming to terms with the new situation.

Moreover, it is important to underline that the armistice agreement is neither a peace treaty nor a blueprint for reconciliation. It leaves open the major issue of peacebuilding and normalization between the two rival states. What, then, could be the further development of events in the Karabakh conflict? Various scenarios can be envisaged.

One option for maintaining a version of stability would be the continuation of the "renouncing relations with the other" policy, which has been the prevailing reality since the 1994 ceasefire that ended the First Karabakh War. Given both societies' deep trauma and mutual mistrust—and the fact they see each other almost exclusively as sworn enemies—this solution does appear attractive at first glance. It would enable both Yerevan and Baku to remain within their respective comfort zones whilst abstaining from hard peacebuilding work. Events taking place over the past year—since the armistice ending the Second Karabakh War was signed—could be interpreted as a confirmation of pessimistic expectations. For instance, a group of armed Armenian raiders entered an Azerbaijani-controlled area near Hadrut and were disarmed and imprisoned in December 2020. Since May 2021, the situation along the border has remained tense, with frequent violations of the ceasefire and various accidents in different parts of the borderline region, from Nakhchivan to Tovuz, as well as near Shusha and the line of contact with the Russian peacekeeping zone. In one case, these tensions ended with the tragic death of an Azerbaijani serviceman in the Kalbajar region. The Armenian side has been stubbornly rejecting the opening of communications through what Azerbaijan calls the Zangezur corridor on the basis of a claim that such a corridor would constitute an "occupation" by Azerbaijan—an evident misreading of the text of Article 9 of the ceasefire agreement. Hence, pessimists and hardliners of all kinds have received ample evidence in their favor.

However, objective circumstances make the "renouncing relations with the other" scenario hardly plausible. Should relations remain in deep freeze, Azerbaijan and Armenia would each feel compelled to fortify their1,000 kilometers' long border, which mostly runs across a high, mountainous, and rugged terrain.

In some places, one side or the other could even opt to build a wall like the one the Trump Administration began constructing along its border

with Mexico or Israel did with its security barrier. Enormous costs aside, total isolation would be impossible anyway because of the Lachin corridor issue. This strip of Azerbaijani land, located in the narrowest place between Armenia and the territory of the former NKAO, has always been a key issue in all peace-resolution plans and today has fallen within the Russian peacekeeping zone in order to ensure a stable connection between them. The corridor's long-term status will inevitably be one of the major topics in future talks. So, the option of burning all bridges is hardly viable. Similar arguments could be made with respect to the Zangezur corridor—the one envisioned to link Nakhchivan with the rest of Azerbaijan across Armenian territory along the Araz river, just north of Iran.

So, what is the alternative? Despite all the intransigence and bellicose statements by the Armenian side, Prime Minister Pashinyan seems to realize that in the long term, the recognition of the 2020 outcomes and the process of ultimate de-escalation is inevitable. During his latest visit to Tbilisi on 8 September 2021, he once more expressed his commitment to the restoration of communications with Azerbaijan (and Turkey) and Armenia's readiness to commence substantial peace talks.[22] Moreover, since signing the November 2020 agreement, Azerbaijan's President Ilham Aliyev has repeatedly stressed in interviews and public statements that sustainable peace with Armenia is both a desirable outcome and the best security guarantee for Azerbaijan in future. He has also underscored the point that Azerbaijan concentrated its fighting on the battlefield, neither intentionally striking Armenian civilian targets nor retaliating against population centers in the wake of repeated shelling by Armenian forces of Azerbaijani cities like Ganja and Barda, located far from the combat theater of operations. Aliyev also stressed that ethnic-Armenian citizens of Azerbaijan should be able to live peacefully in their places of residence, like all other citizens of the country.

The contrast between the actual conduct of the Azerbaijani military coupled with the public messaging of the country's leadership, on the one hand, and the baseless and often quite feverish predictions by some international media outlets and expert analysts of the "inevitability of ethnic cleansing" of the Karabakh Armenians, on the other hand, is quite striking. Baku consistently demonstrated strategic restraint and made a conscious choice to abstain from pursuing military operations beyond

those that involved the liberation of the symbolic city of Shusha. Unlike the hundreds of thousands of Azerbaijanis that remained refugees or IDPs as a result of the First Karabakh War for nearly 30 years, the Karabakh Armenians that left their homes during the Second Karabakh War are already returning without impediment. All this provides hope that a full-fledged peace process will be possible in the foreseeable future.

Of course, mutual material interest is most often the best element that helps to surpass deep enmities and guarantees the rejection of violence. The November 2020 agreement thus contains an important clause about the unblocking of all the regional communications, including the aforementioned overland corridor between mainland Azerbaijan and Nakhchivan through the territory of Armenia. This is without doubt a very significant declaration of intent that will need to be followed up with a detailed roadmap on restoring cooperation. For example, Armenia could finally become a part of lucrative regional energy and transport projects, or purchase natural gas from an alternative source at more affordable prices. This economic integration argument was extensively made by President Heydar Aliyev during his negotiations with Yerevan in the 1990s, when the Baku-Tbilisi-Jeyhan pipeline project was still under discussion; but back then, Armenian society was too overwhelmed with its military victory in the First Karabakh War to agree on compromises.

The resolution of the conflict can thus become the basis for opening two critical borders of Armenia: the one with Azerbaijan and the one with Turkey (Ankara closed borders with Armenia in April 1993, after the occupation of Kalbajar, falling just short of an agreement in 2009).

In order to develop peaceful neighborly relations, it will be necessary to conclude a longterm agreement. The agenda forming the basis of such an agreement will need to be determined, as the previous one—centered on the Madrid Principles established by the Co-chairs of the OSCE Minsk Group—has been largely overtaken by events and is thus no longer relevant. In other words, the outcome of the Second Karabakh War is such that the Madrid Principles have either already been implemented—whether through gains on the battlefield or by the terms of the trilateral agreement—or are no longer applicable. Thus, a new basis for negotiations will need to be conceived and a new roadmap to peace will need to be established. This

time, it will be impossible for Armenia to continue challenging the territorial integrity of Azerbaijan. Not only has the Azerbaijani side repeatedly continued to stress the inadmissibility of discussing the independence of the former NKAO in any negotiating context, but so has the guarantor of the November 2020 agreement, Russian president Vladimir Putin: "Karabakh is the internationally recognized territory of Azerbaijan," he stated in an interview in the wake of the armistice.[23] Moreover, it would be absurd now for Armenia to continue insisting on old solutions, since it was the Armenian foreign minister who, in April 2020, had refuted Russia's Sergey Lavrov by confessing that there was no real conflict-resolution plan on the table back then; or, to go back a little further, given that Pashinyan had explicitly rejected the "land for peace" formula by publicly proclaiming that "Artsakh is Armenia. Period."[24]

However, should the question of status for Karabakh again arise in the negotiations to come, Armenia will need to develop new proposals that may be attractive to Azerbaijan. Therefore, if Yerevan insists on championing enhanced political autonomy for the ethnic-Armenian citizens of Azerbaijan, what can Armenia offer in return?

A substantive proposal could include, for example, the offer of a symmetric status for Azerbaijani refugees from the Western Zangezur region of Armenia, which is administratively divided into two sparsely-inhabited provinces (Syunik and Vayots Dzor) that together separate mainland Azerbaijan and Nakhichevan. This would accord with one of the November 2020 agreement's principles guaranteeing the right of return of IDPs and refugees, and is also consistent with the Madrid Principles.

Consider in this context the fate of Azerbaijanis who were forcibly removed from Armenia in 1988 and thus became refugees at the very start of the conflict (this includes the aforementioned Western Zangezur region). Throughout the Minsk Group-led talks, their status was not considered in detail. Yet, until that year, 182,000 ethnic-Azerbaijanis, 18,000 ethnic-Kurds, and 1,000 ethnic-Russians lived in a territory of about 8,000 square kilometers in 261 settlements, of which 172 were exclusively populated by ethnic-Azerbaijanis. The number of Azerbaijani refugees from Armenia was, according to the most conservative estimate, 250,000. By 2015, that number, according to the same source, had grown to 350,000 (taking into account demographic growth). To

this day, many settlements in Zangezur are virtually empty as Armenia does not have sufficient human resources to populate these lands.

Thus, Azerbaijan could make it clear that a discussion on the status and level of autonomy for Armenians in Karabakh can be considered only in the context of the return of Azerbaijani refugees to Zangezur (coupled, perhaps, with a consideration of their status). Such a solution could stimulate the formation of vested interests in both countries for peaceful coexistence. It would also meet the interests of Armenia itself, as Azerbaijan would surely be ready to underwrite the restoration of the settlements where Azerbaijanis lived compactly before the conflict and decrease infrastructure costs by creating shared facilities, and so on. Finally, should such a self-reinforcing positive feedback cycle be established, the return of Armenian refugees to Azerbaijan could be guaranteed at a later stage.

Another important item on the agenda for peace is the issue of compensation and reparations from Armenia for the cities, towns, and villages that were destroyed during the occupation of Azerbaijani territories. The Armenian side left virtually no stone unturned in the occupied territories. A demonstration of peacemaking goodwill in the form of extending an offer to compensate Azerbaijan for damages incurred during thirty years of occupation would go a long way towards indicating Yerevan's true intentions of goodwill and contribute to broader reconciliation efforts.

The issue of reparations and compensation must also be considered both within the framework of international common law, at the interstate level, and through international private law: in the latter category, reference is made to the judgment of the European Court of Human Rights in *Chiragov and Others v. Armenia* (2015). The case involved the forced eviction of Azerbaijani Kurds from their places of residence, with the Strasbourg Court holding that Armenia "exercises effective control over Nagorno-Karabakh and the surrounding territories" and is thus responsible for the "flight of practically all Azerbaijani citizens, presumably most of them Muslims, from Nagorno-Karabakh and the surrounding territories, and their inability to return to these territories."[25] Naturally, the European Court of Rights thus ordered Armenia to pay pecuniary and nonpecuniary damages to cover legal costs and expenses to each plaintiff involved in the case. It should be noted that this demand of the Court has not yet been satisfied by Armenia.

Finally, for a conflict resolution process to succeed and reconciliation to take hold, a change of narrative must be pursued. In this article we have engaged with the major arguments to which the Armenian side has appealed in order to defend its claim over the territories of Azerbaijan, which built heavily on an allegedly perennial security dilemma, as we have seen. For a long time, Yerevan has been caught in a trap of a self-centered, maximalist view of its position and interests in its neighborhood. As recently stated by the reputable historian and former senior adviser to Armenia's thenPresident Levon Ter-Petrosyan, Gerard (Jirair) Libaridian:

> Our problem is the way we looked at the Karabakh conflict and the way we framed the questions related to its resolution: we started by the conclusion that corresponded to our dreams, and then asked only those questions that confirmed our conclusions and did not challenge our assumptions and logic. Our problem is our political culture that relies on dreams rather than hard facts; the way we strategize, the way we easily set aside what the outside world and our antagonists say and do if these disturb any of our prejudices and predetermined beliefs. We adjust political strategy to our wishes, to what will make us feel good about ourselves rather than take into consideration the simple facts that collectively make up the reality around us. Our problem is the way we allow our judgment to be obscured by the highest, noblest and ideal solutions of our problems, our illusions. Our problem is the way we insist on overestimating our capabilities so that we would not question our strategy and compromise our dreams. We thought that our strategy "not give an inch back" was the right one because our cause was just. And we believed we could bend the will of the enemy and of the international community and have them think and feel the way we do.[26]

We could add to Libaridian's bitter and sincere passage that the Armenian elites deliberately chose to stick to these unfounded beliefs and, frankly, dream-based thinking all-the-more as the gap between Yerevan and Baku gradually grew—in favor of the latter—as if hoping to conceal the realities on the ground.

In order to overcome the sort of harmful ways of thinking identified by Libaridian, new regional arrangements must be fixed in such a way that would bind the countries of the South Caucasus to the existing security order and promote an inclusive vision of their history and identity. Of course, the Armenian society should initiate a thorough historic-sociological analysis to recognize the roots of the conflict and the firm domination of conflict-nurturing attitudes and beliefs in the Armenian psyche. Probably the most important reevaluation should consist in taking on the imaginary security dilemma. This notion is constantly reaffirmed by the Armenian elite: it still constitutes the core of Armenian strategic thinking about its interests as a nation. This narrative tells the story of a nation surrounded by ontologically hostile Turks that had once already attempted to exterminate them as a nation and will not stop from using a second chance should it emerge. Hence, the only way of ensuring existential security for Armenians, according to this paradigm, is to constantly enlarge the nation's living space so as to improve its geographic position and gain more resources—even at the cost of violating international law and the human rights of non-Armenians.

That's how, in a nutshell, many Armenians substantiated their claims over Karabakh despite the obvious fact that control over the territory had been gained through a total campaign of ethnic cleansing that resulted in the death of thousands of Azerbaijanis and the expulsion of hundreds of thousands more. Armenian political scientist and peacebuilder Viken Cheterian emphasized how essential the narrative of the 1915 "genocide" had been for the leaders of the Karabakh movement in triggering larger masses to support the separatist cause. He states that by constantly superimposing the 1915 events onto the very different sociopolitical situation of the contemporary South Caucasus, nationalist leaders managed to build images of irreconcilable "eternal enemies" that contributed to the protracted and bitter character of the Azerbaijan-Armenia conflict.[27] However, the Armenians, while never getting tired of mourning over their victims from the distant past, have largely remained deaf to the tragedies and broken lives caused by their extremist "leaders." Definitely, overcoming a vicious circle of hatred will require, amongst other things, a more critical approach by Armenians to their historical narratives.

At the dawn of the independence of Azerbaijan, Armenia, and Georgia in the early twentieth century, each state was fortunate to have produced visionary leaders like Alimardan Topchubashov—who served as Ambassador to Armenia and Georgia, then foreign minister, and then speaker of the Azerbaijan Democratic Republic's parliament whilst championing the idea of a united Caucasus as the guarantee of its independent and successful development.

We could draw on positive examples in the two nations' history as well: stress the legacy of Armenian-Azerbaijani coexistence in Karabakh in the eighteenth and nineteenth centuries; emphasize the intensive cultural exchanges and intellectual enrichment that took place in Tbilisi (the traditional cultural capital of the Caucasus); and promote the thinking of prominent figures in Armenian history like Hovhannes Katchaznouni, the first prime minister of the first Republic of Armenia who, in his memoirs, warned his nation against waging conflicts with neighbors and underscored how this mistake had already cost the young nations of the South Caucasus their independence. Moreover, positive experiences are not limited to the distant past: it is a little-known fact that Turkey was the first state to officially recognize the independent Republic of Armenia in late 1991.[28] Back then, Ankara was willing to lend Yerevan a hand of support and assist the South Caucasus region in its independent development; unfortunately, the nationalistic aspirations of Armenia's leadership rejected this vision, opting for a policy of unconstrained hostility towards Azerbaijan, which entrenched the logic of a zero-sum game and pushed Armenians to view their small country as a besieged fortress surrounded by enemies.

Finally, another important factor must be taken into account when thinking about the roots of the conflict. As Tevan Poghosyan wrote in his analysis of conflict resolution, the loss of the central government's monopoly over violence and a certain degree of "privatization of manpower and equipment" in the early 1990s greatly contributed to the intensification and radicalization of hostilities.[29] The problem of the "missing state" was splendidly encapsulated by Michael Ignatieff, as explained by Behul Ozkan: "state collapse […] creates an unpredictable environment and 'Hobbesian fear,' [which] is followed by nationalist paranoia that creates communities of fear, groups held together by the conviction that their security depends on sticking together […]. People become 'nationalistic' when […] the only answer to the question 'Who will protect me now?' becomes 'my own people.'"[30]

However, unlike Azerbaijan, Armenia hasn't been able to build an effective, strong state since then. Various Armenian governments have always felt vulnerable against the radical—or simply opportunistic—opposition, at each moment ready to attack government leaders for their alleged "treason" should they propose the slightest compromise over Karabakh. The 2016 events, when the Sasna Tsrer paramilitaries managed to capture and hold for some time a military unit, underscored that the Armenian state didn't even fully hold monopoly over violence. This perennial state weakness can explain inconsistent and often provocative moves made by various governments chaired by Pashinyan; swinging from promising peaceful offers to absurd no-concession bravado has become his signature style, which has been greatly exacerbating tensions after the end of the Second Karabakh War, the result of which has almost paralyzed the opening of communications, dialogue over the future of Karabakh, and regional cooperation. Hence, contrary to the beliefs of Armenian alarmist nationalists, a future peace is contingent on the consolidation of Armenia's statehood.

Although conditions on the ground are obviously very different after more than thirty years of hostility—and much time will be needed to heal the wounds caused by conflict—the latest events in the region demonstrate convincingly that Armenia's aggressive nationalism has only brought war and destruction, ultimately failing to deliver on the promises made in a time no longer suited to present realities and future possibilities. Truly, it is time to start writing a new chapter in our common history.

NOTES

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4

Three Decades of Missed Opportunities

Lala Jumayeva

The first anniversary of Azerbaijan's victory in the Second Karabakh War provides an opportunity to reflect upon the question, at least in a preliminary way, of whether three decades of missed peace opportunities were necessary prolegomena to the armistice signed by the parties in early November 2020. After all, the conflict parties to the Nagorno-Karabakh disputes had been engaging in peace talks for nearly 30 years, with mediation roles initiated in the early 1990s prior to the end of the First Karabakh War.

At the time, a number of actors has volunteered to assume the function of potential peace-broker: Russia, Kazakhstan, Iran, Turkey, and finally, the Co-chairs of the OSCE Minsk Group, which in 1992 initiated and later became engaged in the peace process with the aim of helping the parties to draft a mutually-acceptable formula to reach a final settlement.

Taking into account both the political chaos and the economic burden that the First Karabakh War put on the shoulders of the parties involved, signing a ceasefire appeared to be the best possible trade-off for both Armenia and Azerbaijan at that time.

During the decades-long peace process, there were a number of times when Armenia and Azerbaijan came close to a breakthrough. However, each time a final peace settlement remained just out of reach, despite the existence of a potential rapprochement between the disputants. Consequently, each failed negotiation attempt perpetuated

the unresolved state of the conflict and ultimately led to the resumption of large-scale military operations that resulted in significant military gains by Azerbaijan and the onset of the Russian-brokered armistice (enshrined in the tripartite statement of 10 November 2020). Widely labeled a "frozen conflict," it suddenly but not unexpected became a "hot zone" on the map of the world before settling back into a state of affairs that all would agree did not result in the end of the conflict.

INEVITABLE?

It is noteworthy to begin by asking whether the Second Karabakh War was inevitable. In order to answer this question, there is a need first briefly to shed light on those failed moments of potential breakthrough and analyze a number of content and context factors that served as destabilizing elements in the negotiation process.

To start with, for the whole period of the Minsk Group-led process, a number of negotiation rounds that can objectively be labeled as missed peace opportunities. The first round of the negotiations, which took place in the 1992-1994 period, was, on the one hand, the most successful since the parties ended up signing a ceasefire agreement that established a line of contact and ended military hostilities; on the other hand, during this period Armenian forces not only occupied Nagorno-Karabakh but also seven adjacent territories in Azerbaijan-proper and successfully ethnically cleansed those territories of their Azerbaijani population. This was the only period when both Armenia and Azerbaijan felt a sense of urgency to end the violence and, in order to avoid further catastrophe, signed a ceasefire agreement that was supposed to pave the way for the conflict issues to be discussed at the negotiation table. Nevertheless, this period laid the foundation for the indeterminate future of the conflict's destiny and set the negotiation process into a deadlock.

Another round of missed opportunities is traceable back to the 1997-1998 period, when the Minsk Group came up with several proposals for a stable peace settlement to the conflict. To be precise, the Co-chairs of the Group (Russia, France, and the United States), operating under the institutional framework of the OSCE, offered three proposals: the "package" plan, the

"step-by-step" or "phased" plan, and, finally, the "common state" proposal. None of these were seen as mutually-satisfactory or mutually-acceptable by the parties to the conflict. The main factor that prevented a breakthrough in the peace process during this phase was the expressed concern of the parties with respect to the final status of Nagorno-Karabakh and the Lachin corridor.[1] Consequently, the parties chose to compromise and refused all three settlement proposals.

The Key West talks that took place in 2001 under the leadership of the George W. Bush Administration represented another opportunity to break the deadlock.[2] Expectations were high in the run-up to the start of these talks. The proposal put forward in this round was largely based on the Goble Plan that had been initially offered back in 1999 and contained provisions for territorial swaps between Armenia and Azerbaijan. This idea was initially considered by the leaders of both sides, but, due in part to internal disapproval of the respective elites of Armenia and Azerbaijan, ended up being rejected by both sides.

The face-to-face meetings between senior officials from Armenia and Azerbaijan that started in 1999 did not achieve expected results. The Prague Process that took place in 2003-2004 involved a new methodology whereby Armenia, Azerbaijan, and the Minsk Group Co-chairs agreed to engage in a free discussion on any issue without any preset agenda, commitment, or negotiation. It seemed that this new model might lead to some progress within the Minsk Process. Even though the parties failed to reach any positive outcome during this period of negotiations, the Prague Process nevertheless laid a foundation for the development of what came to be known as the Madrid Principles.

The year 2006 was viewed as a golden year for the negotiations due to the absence of elections in both countries, with many policymakers suggesting that the right time for an agreement was at hand.[3] The Co-chairs formally presented a set of Basic Principles for the Peaceful Settlement of the Nagorno-Karabakh conflict only in 2007, however. These Madrid Principles combined elements of both "step-by-step" and "package" methodologies, which helps to explain, in part, why they attracted significantly more attention than previous proposals. The Madrid formula initially fostered a hope that the proposal would be minimally acceptable to

both Armenia and Azerbaijan. Nevertheless, although initially supported by both conflict parties, the proposal was later ignored by the Armenian side, which refused to provide a concrete response to it and ultimately failed to formally respond to peace proposal.

Virtually from the moment the Madrid Principles were put forward by the Co-chairs, both sides (and both foreign ministries, in particular) engaged in rounds of destructive condemnation, blaming each other for wanting to unilaterally revise various parts of the document. By the end of 2008, the momentum had waned, and it once again became clear that a resolution to the Nagorno-Karabakh conflict remained out of reach. The standard line that began to be heard from both Baku and Yerevan was that they accepted the Madrid document "in principle" without ever clarifying what "in principle" actually meant in practice.

In 2010, high-level representatives from both sides anchored their hopes on the talks that took place on the margins of the OSCE Astana Summit under the aegis of the Kazakh Chairmanship-in-office, although this too came to be seen as a "vivid example of the fiasco of the peace talks," in the words of Fariz Ismailzade.[4] The Astana Summit talks brought to the surface the incompatibility of visions regarding the conflict, the unwillingness of the parties to compromise, and the absence of a catalytic moment that could have resulted in a breakthrough. Notwithstanding the Astana Summit's failure to achieve substantive progress, the parties continued to negotiate, meeting at the heads of state level in Sochi in March 2011 and again in Kazan in June 2011 under the leadership of Russian president Dmitry Medvedev, and with active engagement of the presidents of the other two Minsk Group Co-chairs. But it came to naught once more.

After the Kazan meeting, the Nagorno-Karabakh peace process entered a phase of turbulence. Armenia, in particular, projected confidence that its wartime gains were being consolidated by a lack of progress at the negotiating table. For instance, the country's 2012 and 2017 parliamentary elections demonstrated how the Nagorno-Karabakh factor has lost its place in domestic discourse.

A further attempt by the Minsk Group to get the conflict sides to renew dialogue in 2013-2014 also failed to bring any development to the peace process. Despite the continued lack of progress, the Madrid Principles

remained on the table as the basis for a comprehensive settlement and showed that the parties continued to be interested in arriving at a peaceful settlement to the conflict. Thus, various attempts to reach an agreement based on the Madrid Principles continued in the following years, albeit without much diplomatic achievement. During this period, the negotiation process was limited to a number of meetings between the heads of state and foreign ministers of Armenia and Azerbaijan that ended, predictably, with expressions of disappointment with regards to the failure to overcome the diplomatic logjam.

One consequence of the four-day war that took place in April 2016, which resulted in limited territorial gains by Azerbaijan, was that it again drew high-level attention—by the international community in general and the great powers in particular—to the unresolved nature of the Nagorno-Karabakh conflict. Still, little momentum was gained and substantive talks did not materialize. In fact, as an International Crisis Group report argued, the April 2016 war showed that both Armenia and Azerbaijan seemed ready to have recourse to arms for the first time since the 1990s—that, in other words, both countries were willing to consider the military option as a way forward to break free from the status quo.[5] After the 2016 escalation, tension in the region constantly increased even though there was no clear sign of an approaching full-scale war.

Despite the lack of momentum to negotiate a peace deal in 2016, a number of positive improvements between the conflict sides were registered. In 2018, Baku and Yerevan launched a military hotline to manage more effectively ceasefire arrangements on the line of contact. Furthermore, Armenia and Azerbaijan managed to issue a joint statement in 2019 whereby the parties agreed to prepare their respective populations for peace.[6] And in the wake of a colored revolution in Armenia that brought Nikol Pashinyan to power in the country, Azerbaijan seemed to exhibit high hopes that the deadlock could be broken—in part because the newly-elected prime minister did not belong to the country's "Karabakh Clan" and was thus seen as a potentially more constructive leader in the quest to attain peace. Yet, the situation started to deteriorate in 2019 when a number of provocative statements and actions taken by the Armenian leadership led to the resumption of not only a new military operation in July 2020 but also the onset of a full-scale war in September 2020.

Right up until the start of the Second Karabakh War, the expectation that the conflict parties would remain committed to the ongoing peace process was high—not only among representatives of what some call the international community but also among the publics of both countries as well as their respective political elites. Ironically, this expectation was maintained notwithstanding the increasingly bellicose rhetoric emanating from both Baku and Yerevan. Azerbaijan's leadership, in particular, quite transparently stated that in case mediation efforts remained ineffective, the Azerbaijani side would consider the military option for settling the dispute, thus taking upon itself the task of implement the four UN Security Council resolutions that had called for the withdrawal of Armenian troops from the area.

Bearing in mind all of the aforementioned instances of ineffective mediation and the demonstrably provocative attitude of Armenia, for Azerbaijan the Second Karabakh War was consequential. However, it could have been avoided by a more constructive approach of the parties to the dispute as well as by a demonstration of greater impartiality and problem-solving attitude on the part of the Minsk Group Co-chairs. The post-April 2016 war period could have served as a catalyst for generating momentum for the renewal of serious negotiations. But it didn't. Instead, the results of the Second Karabakh War are such that to dictate a new set of geopolitical realities that have come about since the end of the war.

This brings us to being able to shed light on the substantial reasons that account for the failure of diplomatic efforts over the past thirty years. Once the peace talks resume, it will be important to ensure the mistakes made in the past are avoided by all concerned.

INTRA- OR INTER-STATE CONFLICT?

After Armenia's occupation of Azerbaijani territory in the early 1990s, the UN Security Council adopted four resolutions—822, 853, 874, and 884—that demanded the immediate and unconditional withdrawal of Armenian armed forces from Azerbaijan as well as the return of refugees and internally displaced persons to their homes. Notwithstanding the binding nature of these resolutions on the conflicting parties, the Armenian side consistently ignored them (with the tacit approval of the Co-chairs), which ensured that

none of the demands they contained were able to be fulfilled. Until the onset of the Second Karabakh War, almost 20 percent of Azerbaijani sovereign territory remained under Armenian occupation, with approximately one million Azerbaijanis remaining the victims of ethnic cleansing and officially classified as internally displaced persons or refugees.

Armenia escaped the implementation of the Security Council's four resolutions on the basis of a legal argument that it did not recognize itself as a party to the Nagorno-Karabakh conflict. Armenia, in other words, viewed the dispute as an intra-state conflict—that is to say, as an internal affair of Azerbaijan and a secessionist entity. Azerbaijan, of course, held the oppositive view, maintaining since the onset of hostilities that it had been in a state of war with Armenia.

Even though Armenia denied its direct involvement into the Nagorno-Karabakh conflict, in the wake of the abolishment of Soviet direct command, the Armenian Supreme Soviet took what Svante Cornell called the "historical decision to promulgate the incorporation of Nagorno-Karabakh into the Armenian Republic."[7] It was thus Armenian irredentist "Karabakh" forces that occupied the whole territory of Nagorno-Karabakh as well as the seven surrounding territories of Azerbaijan-proper. And it was Armenia that had engaged in a campaign to fully ethnically cleanse the Azerbaijani population.[8]

Today, not a single ethnic-Azerbaijani is to be found on the territory of Armenia, and prior to the November 2020 armistice not a single ethnic-Azerbaijani was to be found on the territory controlled by the self-proclaimed "Nagorno-Karabakh Republic." This stands in stark contrast to the fate of ethnic-Armenians in Azerbaijan, where, as of today, something like 30,000 of them live in areas under the sovereign control of the authorities in Baku as it was understood prior to the end of the Second Karabakh War.[9]

In the early 1990s, Armenia's economic instability was a result of its direct humanitarian and financial support to secessionist entity. Through the occupied Lachin corridor, Armenia not only sent massive shipments of food and other materials, but also covered virtually all of what came to be known as the so-called Nagorno-Karabakh Republic's budget deficits.[10] During the Second Karabakh War, notwithstanding the fact that the de-facto "Nagorno-Karabakh Republic" had its own army, troops from

Armenia were the ones that were largely fighting the Azerbaijani military in the occupied lands. To this we can add, at a minimum, the shelling of Azerbaijani areas outside of the conflict zone from positions within Armenia during the Second Karabakh War.

Hence, the untenability of Armenia's position of neither being a conflict party nor of taking responsibility for decades of violations of the sovereignty and territorial integrity of Azerbaijan. Otherwise, Armenia's pre-Second Karabakh War demand to Azerbaijan to recognize the so-called Republic of Karabakh made no sense, notwithstanding the fact that Yerevan itself had not extended recognition to it.

However that may be, the fundamental point is that the period between the end of the First Karabakh War in 1994 and the end of the Second Karabakh War in 2020, no one had come up with a winning compromise formula for peace through diplomacy. This represented a main aspect hindering a potential rapprochement between the parties.

APPLE OF DISCORD

As a result of a population exchange carried out by the Russian empire in the nineteenth century, a huge number of Armenians that had lived in the Persian and Ottoman empires were settled in Russia's newly-conquered Caucasian territories, especially in the western territories of what is now known as the South Caucasus.[11] According to Russian census data as researched by Svante Cornell, before the onset of St. Petersburg's population exchange policy in 1823, 9 percent of Nagorno-Karabakh's population was Armenian whilst the remaining 91 percent was registered as Muslim. By 1932, the Armenian population had increased to 32 percent and by 1880 it had reached a majority of 53 percent.[12] By 1987, Armenians in Nagorno-Karabakh made up 74 percent of Nagorno-Karabakh's population.[13]

This demographic argument was emphasized by the communist authorities in Yerevan in 1989 when they attempted to illegally annex Nagorno-Karabakh to the Armenian Soviet Socialist Republic, as it was then known. After this failure, their strategy changed. In the early 1990s, their main argument shifted to extending support to Nagorno-Karabakh's

ethnic-Armenian population in their struggle for self-determination on territory that Armenia itself, together with the rest of the world, recognized as belonging to Azerbaijan from the point of view of international law.

The beginnings of a shift in position came to be seen in August 2019 when Armenian prime minister Nikol Pashinyan called for the unification of Nagorno-Karabakh with Armenia. It is important to note here that this represented a fundamental shift in Yerevan's position in a number of senses, including the fact this implied an Armenian admission that it now was, in fact, a direct party to the conflict.

From the onset, Azerbaijan has understood the conflict to be about the occupation of its internationally recognized sovereign territory—Nagorno-Karabakh and the seven surrounding regions—by Armenian military forces. According to Baku, Armenian support for the establishment of a second Armenian state (or its annexation and subsequent incorporation into Armenia) at the expense of the violation of territorial integrity of Azerbaijan is against the norms of international law and can never be supported by any lawful political regime. Indeed, if this would not have been the case, many UN member states would have felt free to recognize the existing regime of the so-called "Nagorno-Karabakh Republic."

Hence, the conflict issue for Armenia does not seem to be centered on the self-determination of the ethnic-Armenians of Nagorno-Karabakh because the Azerbaijani leadership has always emphasized its readiness to grant the highest degree of autonomy to Nagorno-Karabakh. Rather, it is about claiming the sovereign territories of Azerbaijan and an insistence on recognition of the so-called "Nagorno-Karabakh Republic."

Prior to the armistice that ended the Second Karabakh War, the apple of discord between the conflict parties was presented within the framework of the two basic principles of the UN Charter, namely the principle of self-determination and the principle of territorial integrity. Consequently, the determination of the status of Nagorno-Karabakh, which has been the most defining part of the peace talks between Armenia and Azerbaijan, can be solved either based on the principle of self-determination understood as being equivalent to an avowed right of secession, or the principle of territorial integrity.

In general, the aim of all universal principles is to maintain peace and security in the world; however, the degree of prevailing importance of the aforementioned principles has been subject to extensive debate. The principle of territorial integrity is an important objective of international law that has played a tremendous role in maintaining stability and security at the global level. Meanwhile, the principle of self-determination has come to be seen in some quarters as constituting a fundamental collective human right.

Now, since Armenian support for the establishment and recognition of the so-called "Nagorno-Karabakh Republic" represents a clear claim on sovereign Azerbaijani territory, this brings to light the concept of what Italian legal scholar Salvatore Senese and others called "external self-determination." Senese defined this as the "recognition that *each people* has the right to constitute itself as a nation-state or to integrate into, or federate with, an existing state." Thus, Senese argues, any case of a claim to external self-determination involves a simultaneous claim to territory.[14]

To guide us in understanding these two principles we can turn to 1960's UN General Assembly resolution 1514 (XV) entitled Declaration on the Granting of Independence to Colonial Countries and Peoples. While it does stipulate that "all peoples have the right of self-determination," resolution 2625 (XXV) from 1970 also indicates that "any attempt at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations."

The unambiguous conclusion to be drawn from this seminal text of international law is that the principle of territorial integrity denotes that no claim to secession can be justified by referring to the principle of self-determination.[15] Furthermore, we know from the practice of international relations that, as a general rule, neither states nor international organizations favor the establishment of new states from territories of already existing sovereign entities. The key point here is that the doctrine of classical self-determination, which is misinterpreted today by partisans of secession, was extremely narrow: namely, to allow for the establishment of new sovereign entities within the context of decolonization.[16] (The UN even made a list of colonial possessions that were understood to quality for independence

on the basis of self-determination. It goes without saying that Nagorno-Karabakh was not on it.) Thus, a sovereign state may consider the principle of self-determination of a people to supersede the cornerstone principle of territorial integrity only if the term "people" means the entire population of that state.[17] This is evidently not the case in the context of Nagorno-Karabakh, for the legitimization through recognition of the so-called "Nagorno-Karabakh Republic" would in fact constitute the establishment of a second nation-state of the Armenian people, which already has a sovereign home in the Republic of Armenia.

Azerbaijan's position, which it had maintained throughout the period of Minsk Group-led peace talks, was centered on a recognition of the Armenians of Nagorno-Karabakh as citizens of Azerbaijan enjoying equal rights and obligations as any other citizens of the country, and had responded to irredentist Armenian claims by indicating a readiness to grant the highest level of autonomy to Nagorno-Karabakh within Azerbaijan.

From this we can conclude the following: Armenia's real goal was not to secure the self-determination of Nagorno-Karabakh's ethnic-Armenians but rather to legitimize Nagorno-Karabakh as a territory and thus to establish a second Armenian state carved out from the sovereign territory of Azerbaijan, in violation of international norms.

These diametrically opposite views go a long way towards explaining why for close to 30 years no mediator had been able to come up with a winning compromise formula for peace through diplomacy.

WITHER THE MADRID PRINCIPLES?

From 2007 up until the start of the Second Karabakh War, the negotiations had been based on the formula contained in the Madrid Principles, according to which the sides agreed to solve the dispute based on their implementation. Ironically, as Thomas De Waal has pointed out, this formula was, in its essence, an updated version of the peace plan that Armenia's founding president Levon Ter-Petrosyan had supported in 1997—principles that had led to his ouster.[18] As political scientist Thomas Ambrosio has pointed out, this explains why Ter-Petrosyan's successors

were "far less enthusiastic [about the Madrid Principles], largely because these principles reportedly envisage the province [Nagorno-Karabakh] remaining at least de jure within Azerbaijan."[19]

One main problem with the Madrid Principles, as indeed with other possible deals that had been put on the table prior to the Second Karabakh War, were the mutually-incompatible perceptions by the conflict sides regarding the final status of Nagorno-Karabakh and the Lachin corridor, which is located in Azerbaijan-proper and provides the only road link between the territory and Armenia.

Another was the failure to overcome the longstanding disagreement between the Armenian and Azerbaijani sides on the sequence of the implementation of proposed principles, notwithstanding the fact that the parties had initially accepted it. Up until the start of the Second Karabakh War, Armenia was reticent to acknowledge the need to withdraw in the first stage from five of the seven occupied territories surrounding Nagorno-Karabakh as it would have meant relinquishing its main bargain point, notwithstanding that it would not have had to immediately relinquish the northwest territory of Kelbajar or the western territory of Lachin—two buffer lands sandwiched between Armenia and Nagorno-Karabakh. One reason for this is that had negotiations on the basis of the Madrid Principles failed at a later stage, Armenia would have been unable to reclaim these same five territories, having returned them initially to Azerbaijan. Thus, a later-stage failure of talks would have been interpreted as a defeat by Yerevan. The risk, in other words, was too high, from the Armenian perspective, for the immediate return of the five territories would have granted Azerbaijan a great tactical advantage in the sense that it would have received direct access to Nagorno-Karabakh itself, which would have, in turn, made it easier to retake the rest of the occupied territories by force.

And yet the outcome of the Second Karabakh War has rendered many of the Madrid Principles moot. The seven surrounding areas are now firmly under the control of Azerbaijan again. Some were liberated by military means, others without a shot being fired. Russian peacekeeping troops, under the terms of the armistice, provide a perimeter around parts of Nagorno-Karabakh and ensure a 5-kilometer-wide corridor linking Armenia to Nagorno-Karabakh via Lachin. The same armistice provides

for the establishment of a land corridor across Armenia—also guaranteed by Russia—along its border with Iran, which will provide for a link between Azerbaijan and its Nakhichevan exclave. Azerbaijan also managed to return to its control a number of villages located in the Tovuz district—located far away from the Karabakh region, along the Armenian-Azerbaijani border—that were also occupied by Armenian forces in the early 1990s.

This is now the new status quo, and it seems to have changed the rules of the game. The political setting in the South Caucasus has been updated. In a nutshell, this translates into the following.

First, Russia proved that it still remains the host of the region. *Second*, Turkey proved that regardless of existing deep contradictions between itself and Russia on many political issues, Ankara and Moscow can still bargain and act together when needed. *Third*, both the European Union and the United States have lost much of their substantial political influence in the region. *Fourth*, Armenia has lost the game. At least three important points derive from this point. One, it seems that neither internal nor external conditions are likely to serve its political or economic recovery for the foreseeable future. Two, the trauma of the Armenian nation caused by its defeat on the battlefield in the Second Karabakh War and enshrined in the armistice agreement drafted by Russia will take a long time to heal, if this ever happens. Three, having in mind the collective historical memory of the Armenian nation, its destructive stance towards "Turks" will deepen even further. And *fifth*, Azerbaijan has emerged as the victor of a three decades' old dispute whilst demonstrating its strong commitment to international norms, which brought about the restoration of just claims for both its nationhood and statehood.

RUSSIA'S TRUMP CARD

Thomas De Waal's description of the Nagorno-Karabakh conflict as "nobody's front yard, but everybody's backyard" perfectly depicted the attitude of the mediators towards the peace process. Although the Nagorno-Karabakh conflict has been intensively meditated since 1992, the self-oriented character of each of the go-betweens represented a hurdle to the achievement of a breakthrough in the peace process. The composition of the

Minsk Group has always been a topic for debate in the disputing countries, since it was believed that the U.S., the EU, and Russia had chosen to enter into in the process for the sake of advancing their own (mainly geostrategic and energy-related) interests.[20] The mediators were accused either of not being interested in peace in the region or of being interested in a particular type of settlement. Obviously, such accusations did not represent the sole obstacle to peace, yet they did play a significant role in what had been observed in the region for the past three decades.

The environment in which the Karabakh conflict was embedded for the last three decades had not only determined the state of the problem but also set the conditions under which this problem got to be addressed during the Second Karabakh War. These factors were mainly a product of dynamics particular to the region itself: the geopolitical and strategic interests of the major powers with interests and ambitions in the South Caucasus: Russia, the United States, the EU, Turkey, and Iran.

The ignorant attitude of the mediators along with the constraints imposed by Russia, in particular, set the rules of the peace talks game. Russia has undoubtedly been playing the main role in the region of the South Caucasus: by keeping Armenia under its control, Moscow could use the Karabakh conflict as a leverage towards both Armenia and Azerbaijan. The existence of the Karabakh conflict in the region has always managed to benefit Russia. Moscow managed to preserve its regional oversight function while benefitting from the sale of military equipment to both parties to the conflict.

For instance, according to the Stockholm International Peace Research Institute (SIPRI), during the period of 2010-2015, 85 percent of Azerbaijan's arms purchase were imported from Russia.[21] It is also a fact that since the early 1990s, military supplies of Russian arms and equipment to Armenia facilitated military action between the parties to a large extent. Russia wants all three South Caucasus states to acknowledge it as the region's powerbroker and, hence, accept its supremacy. War in the region is only possible if Russia does not object to it. Only because of Russia's green light did the April 2016 war broke out; and only because of Russia's rejection of Armenia's leadership and its consequent non-interference in the resumption of hostilities was the Second Karabakh War allowed to continue until one of the dispute sides win the war. A number of international events—along

with the internal developments in both Armenia and Azerbaijan—may have influenced the timing of Azerbaijan's successful launch of defensive military operations on 27 September 2020, but not decisively so.

Russia's stance towards the Second Karabakh War—which is regarded, rightly or wrongly, as support in Azerbaijan and betrayal in Armenia—served foremost to protect and promote its national interests. One of the provisions of the tripartite statement drafted personally by Vladimir Putin—the deployment of Russian peacekeepers in the liberated territories—was of a particular concern for Azerbaijani public, an example of less than full trust in the Kremlin's intentions.

It is worth noting that it was with Russian support that the Armenians were able at first to settle and then to claim for the Nagorno-Karabakh region. And it was Russia that has been consistently supporting Armenia since the 1990s in the form of free armaments deliveries, loans, and free training of Armenia's military.[22] For instance, in 1997, Russia delivered to Armenia $1 billion worth of weapons, including tanks and missiles;[23] at the beginning of the 2000s, Russia was openly allocating loans to Armenia, which made up more than 60 percent of Armenia's budget.[24] Russia still has two military bases in Armenia and Russia's military troops guard Armenia's borders with Turkey and Iran. Consequently, in the past Yerevan perceived such support by the Kremlin as a guarantee of its security against Turkey and Azerbaijan in case war with the latter resumes.

Russia's unconditional support to Armenia since the collapse of the Soviet Union was understood—wrongly, as it turned out—by the current Armenian leadership as a constant instead of a variable. The stance Russia took during the Second Karabakh War disappointed Armenia and was regarded by the Armenian public as its strategic partner's betrayal. Pashinyan's strategically irrational steps in both domestic and foreign policy cost the Armenian nation thousands of lives and resulted in its military and diplomatic defeat.

Once a new war erupted, Russia made it clear that it would only intervene on the side of Armenia against Azerbaijan on the basis of its commitments under the terms of the Collective Security Treaty Organization unless Azerbaijan attacked Armenia. Armenia attempted to bait Azerbaijan a number of times during the war, to no avail, by indiscriminately shelling a

number of Azerbaijani cities located outside the conflict zone—as a result of which around 100 Azerbaijani civilians were killed, including women, children, and elderly people.

Even though Armenia lacked Russia's support in the Second Karabakh War, it nevertheless welcomed the deployment of Russian peacekeepers to the region in its aftermath—regarding it as a security guarantee for the Armenians willing to return to the region. Taken into account the role of Kremlin in drafting the armistice and the terms that were agreed (particularly those authorizing the presence of Russian peacekeepers), even a *resolved* Nagorno-Karabakh conflict could still remain one of Russia's trump cards in the region.

WHY IT BECAME POSSIBLE?

In addition to the Russia variable that made this large-scale military operation possible in the first place, one other important variable needs to be taken into account in order to explain how Baku turned this possibility into a long-awaited victory: the strengthening presence of a popular urge in Azerbaijan to settle the Karabakh conflict

Until recently, the absence of an urge to settle the conflict in both Armenia and Azerbaijan had also contributed to the failure to achieve a breakthrough in peace process. For decades, the status quo seemed to have benefitted both sides.

Armenia, as the winner of the First Karabakh War, had managed to occupy not only Nagorno Karabakh itself but also the seven adjacent territories. It was sitting pretty: its strategic posture was not predicated on the imperative for compromise. Prior to the Second Karabakh War, Armenia was not much interested in pursuing a solution that did not presuppose Azerbaijan's recognition of the independence of the so-called "Nagorno-Karabakh Republic."

As for Azerbaijan, it used the post-First Karabakh War period to improve its smart power, without which it would not have been possible to make strides in achieving a just outcome to an unjust situation characterized by the occupation of 20 percent of its territory and the presence of one million

refugees and IDPs within its free borders. The urge was naturally created for Azerbaijan when, after three decades of ineffective mediation efforts, the Armenian leadership started openly demonstrating a provocative attitude regarding the Karabakh conflict and disregarded Azerbaijan's political willingness and ability to force the issue by military means. Russia's non-interference policy coupled with a Turkish commitment to unconditionally support Azerbaijan in its liberation effort contributed to an already ripe moment for Azerbaijan.

It is still not clear which side struck first in both July and September 2020: each side blames the other. It does not much matter. What is more important is that—notwithstanding the predictions of a few analysts—the resumption of hostilities was quite an unexpected development for both publics. To this should be added that the popularity of the military option had been growing steadily for the past few years, among both the political elite and the public in Azerbaijan. Both the "urgency" factor and the "military option" factor can be explained by recourse to a number of developments manifested by Armenia such as Pashinyan's unprecedentedly aggressive rhetoric and various recent decisions taken by the Armenian leadership.

Pashinyan's call for unification of Karabakh with Armenia in 2019 during his visit to the occupied territory caused a huge discontent in Azerbaijan.[25] The inauguration of the president of the so-called "Nagorno-Karabakh Republic" in Shusha,[26] as well as the announcement of the transfer of its parliament to the same city,[27] were met with anger in Azerbaijan, for it represented a unilateral change in the status quo perpetuated by the Minsk Progress, which did not react in any serious way to any of this. Naturally, this was disappointing to the people of Azerbaijan as well as to its government.

To this can be added the start of construction of a new highway connecting Armenia and the occupied lands,[28] but also the resettlement of Lebanese Armenians that began in August 2020.[29] Both were strongly condemned by Azerbaijan and less forcefully by the international community, although there seemed to be a general agreement that these constituted violations of international law.

These developments, when put alongside stagnation or even reversal with regards to the peace process, as well as the apathetic attitude of the international community to violations of international norms all served

as triggers for the start of the Second Karabakh War. This was not all. Presidential elections in the United States, a growing discontent directed at Russia's foreign policy, and the possibility of Moscow-Ankara cooperation in the South Caucasus made the Second Karabakh War feasible.

Azerbaijan regarded its military counterattack to take back its own territories as a peace enforcement operation through which it was fulfilling four Security Council resolutions that have been ignored by both Armenia and the international community for almost three decades. For its part, the Armenian leadership rejected to return to the negotiation table and implement those same resolutions, thereby leaving Azerbaijan with no other reasonable choice but to continue its peace enforcement operation until Yerevan was ready to accept full defeat. Had a settlement to this conflict been achieved by different means, it would have been easier to imagine a moment in time in which reconciliation between Armenians and Azerbaijanis would be at hand.

WHAT NEXT?

After 30 years of ineffective peace talks and a number of missed opportunities to settle the conflict without having recourse to arms, Armenia and Azerbaijan once again signed a Russian-brokered document that this time not only put an end to military operations but also drew very close to the final settlement of the dispute itself.

For Armenia, this tripartite statement amounted to a complete capitulation that seemed to be unexpected for the Armenian public, having been fed with false information and spurious updates from the battlefield. The political situation in the country remained tense, with continued street protests and demands for Pashinyan to resign until the same disgruntled public voted for the same Pashinyan's Civil Contract party that won an early parliamentary election in June 2021. It should be noted that Pashinyan turned out to be quite a brave politician for he, along with his colleagues, agreed yet again to take on all the burdens the defeat put on Armenia. The means by which this conflict has been resolved will deepen the existing animosity between the two nations. In particular, in the Armenian collective memory there exists a historic animosity that creates a hostile attitude on the part of Armenians

towards Azerbaijanis, who are equated with and disparagingly called Turks. This racist attitude points to two things: that both the support provided to Azerbaijan by Turkey in the Second Karabakh War and the participation of Turkish soldiers in the activities of the peacekeeping center established as part of the armistice agreement underpin Armenians' already deeply-rooted mistrust of "Turks." Under such conditions it would be exceedingly naïve to hope for a quick reconciliation of the two nations. That being said, on a diplomatic level the presidents of Azerbaijan and Turkey both expressed their readiness to reopen their respective borders with Armenia and to engage in regional economic cooperation in case Yerevan signs a peace agreement with Azerbaijan and both countries mutually recognize each other's territorial integrity and state borders.[30] Yet it does not seem that Armenia is willing to change the newly established status quo in the region and reach a sustainable peace, which once again reveals the antagonist and occupant image of Armenia.

For Azerbaijan, this was a long-awaited glorious victory that overturned a fundamental injustice, restored the nation's territorial integrity, and provided an opportunity for the return of about 750,000 IDPs to their homes. Under those conditions, there could not have been a better peace deal for Azerbaijan. On the one hand, the public looks askance at the deployment of Russian peacekeepers to the region; on the other hand, the presence of Turkish peacekeepers on the ground seeds hope in the fairness and balanced approach of the present peacekeeping operation. In the aforementioned tripartite statement, Azerbaijan also managed to secure a corridor (Zangezur Corridor) uniting its mainland with the Nakhichevan exclave, which shares a land border with Turkey.

As a result of the Second Karabakh War, Turkey has managed to claim its soft influence in the region. More importantly, Russia seemed to make a conscious choice not to try to eliminate Turkey's role in the theater of operations either during the war or since the armistice statement was signed. Hence, the influence of Turkey in the region has relatively strengthened, which is likely to benefit Azerbaijan to a great extent. It is unlikely that Russia will ever willingly make room for Turkey to fully stand alongside Russia in determining the geopolitical rules of the game in the South Caucasus.

Postwar developments in the region have been primarily controlled by Russia. This fact, automatically, abolishes the involvement of any other *interested* party in determining the region's post-conflict destiny. It seems likely, therefore, that the Minsk Group will no longer be a factor. For it has clearly proven its ineffectiveness in times of both peace and war for nearly long thirty years.

Notwithstanding the signed tripartite statement, emerging regional economic and diplomatic opportunities, and the reconstruction projects being implemented in the liberated territories by Azerbaijan, Armenia's refusal to enter into peace negotiations as well as indications that it continues to transfer military personnel and equipment through the Lachin Corridor into the Karabakh region, coupled with regular exchanges of fire along the state borders and the death of soldiers from both sides in the summer of 2021 are frustratingly illustrative facts that diminish the effectiveness of the changed status-quo.

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5

Can the Two Nations Reconcile?

Kavus Abushov

The answer to the question "can the two nations can reconcile?" is obviously in the affirmative. Equally obvious is that the pace, scale, and scope of this ultimately affirmative answer depends on the transformation of a number of conditions and approaches by the two communities and their respective leaders. To start with, it should be noted that the historical record contains lengthy periods of genuinely peaceful coexistence between Armenians and Azerbaijanis. And overall, any tension that is borne out of nationalism or "ancient hatreds" is largely socially constructed and thus subject to change. Although the scholarly literature on ethnic civil wars is not uniform on the root causes of ethnic conflict, a considerable amount of it puts emphasis on the role of elites in the instigation of war, tension, or peace between groups.[1] Thus, according to this view, hatred at the societal level is not born or given by nature; it is socially constructed by the forerunners of the nation and, in that regard, elites play a large role in not only directing such hatred or tension in dangerous directions, but also in its very generation—and, of course, in its termination. If such a theoretical approach to ethnic conflict is accepted, then any ethnic tension can be deconstructed and reconstructed—the process being subject to the severity of the previous level of violence, and both the pragmatism of leaders and their relevant political positions (and strengths) within the particular political system in which they operate and the society to which they belong. Last, but not least, reconciliation may start with smaller steps, leave out the big political issues to the end, and proceed.

IS RECONCILIATION POSSIBLE WITHOUT RESOLVING THE CONFLICT'S ROOT CAUSES?

It is important to note that any conflict resolution process requires addressing the grievances raised by the conflict parties at the onset of the conflict: the normalization of relations between Armenians and Azerbaijanis, especially the achievement of sustainable peace, may also be subject to such a process. In certain circumstances, such a process (along with the issue of the commitment of the conflict parties to the agreed peace) is guaranteed by third parties like great powers or interstate organizations.

However, the key role is still played by the conflict parties themselves, and when a genuine intention is absent, then no third party can make a peace treaty work in anything resembling a sustainable manner.[2] On such occasions, peace prevails between the conflict parties only so long as the third party is present and fails as soon as it withdraws. It is therefore important that the conflict parties genuinely accept, see no alternative to, and express their practical desire for peace. When this context is absent, then the peace will simply be a replication of a model: the peace will be, for all intents and purposes, all text and no context. And for such a genuine peace to result, the conflict parties (with or without the participation of third parties) need to address the underlying grievances, usually stage-by stage: for example, first achieving a negative peace, then moving to some sort of transitional justice framework, and, finally, the achievement of a positive peace.[3]

In this particular case, the Armenia-Azerbaijan conflict owes its causes to a number of factors. These include nationalism and the attempt to recuperate a "historic homeland," the recovery of hurt national pride (especially after the 1915 massacre, which took place in another geography and did not involve Azerbaijanis), and security concerns, which, however, became marginalized over time in favor of the aforementioned factors. Although security became an issue at a later stage of the conflict, at its onset (back in 1987) when an appeal was made by the Armenian communist authorities to the Central Committee in Moscow for the transfer of the Nagorno-Karabakh Autonomous Oblast (NKAO) and the Nakhichevan Autonomous Soviet Socialist Republic within Azerbaijan to the Armenian Soviet Socialist Republic, the focus on the formal justification was more

on historic grounds (it should be noted that Nakhchivan, at the time of the aforementioned petition, had a very small Armenian population). This point was later reiterated by numerous Armenian politicians, including Robert Kocharyan, that the conflict over Karabakh was less about security or socio-economic grievances than the restoration of historical injustice.[4] A key trigger was therefore the Armenian conviction that NKAO had never been Azerbaijani land and had forcibly been made a part of Azerbaijan by the Soviet authorities; and now that the Soviet Union no longer exists, this reality no longer holds, either.

IMMEDIATE CAUSES OF THE CONFLICT: IDENTITY-RELATED PERCEPTIONS

The primary cause of the outbreak of the conflict in late 1980s was thus identity-related perceptions rather than socio-economic or security-related grievances. Although there were certain grievances, most of these were actually perceptual and could be substantiated primarily in the context of identity-related perceptions. As such, Karabakh's Armenian community was unhappy about the level of the region's integration with Armenia and its political subordination to Baku.

The objective reality was different: Karabakh Armenians in fact had a lot of privileges at the time, as established by various academic studies.[5] Although living standards in Azerbaijan were lower than those in Armenia, living standards within NKAO were higher than the rest of Azerbaijan. The appeal to transfer NKAO to the Armenian SSR in the 1980s was therefore more related to identity, less to security or socio-economic concerns. For example, every time the central authorities in Baku referred to Karabakh as Azerbaijani land, discontent in Karabakh's Armenian community would result.[6] Therefore, although there were certain grievances within the Armenian community, it was largely other, more complex factors that had turned these into an armed ethnic conflict. In other words, the Karabakh conflict was to a large extent disputed on historic grounds, and only to a lesser extent on alleged grievances; when these last are examined in detail, it becomes clear that they were more a result of identity-related perceptions.

The bottom line is that such grievances would not have had much substance without those perceptions. As the Karabakh Armenian politician who later served as President of Armenia, Robert Kocharyan, put it: "even if it had been good in Azerbaijan, then these problems would have risen all the same. There is something more than good or bad life that people understand and that pushes those people towards independence."[7]

It should also be noted that the unhappiness of the Karabakh Armenians about NKAO being a part of Azerbaijan was not new in 1980s; what was new, was the platform of expression. In other words, despite the decision by Moscow for Karabakh to remain within Azerbaijan in 1923, the Armenians living in Karabakh, Armenia, and the diaspora never accepted this perceived "loss." Therefore, starting in the 1950s and in nearly every subsequent decade, there was an appeal to Moscow for the transfer of the region to the Armenian SSR. The idea that Karabakh was a part of a republic that was run by "Turks" or that the region was ruled by non-Armenians generated hardship in Armenia's collective identity. This is partly because the massacre of Armenians living in the Ottoman Empire in 1915 had left a deep trace on Armenian collective self-consciousness, which has had implications for relations with Azerbaijan.

The inability of the Soviet Union to facilitate any direct negotiations between Armenians and Azerbaijanis regarding the airing and eventual resolution of their respective grievances towards each other, on the one hand, and the lack of politically mature leaders in both countries, on the other hand, greatly contributed to the start and escalation of the conflict. All claims had to be channeled through Moscow; communication between Armenia and Azerbaijan on the status of NKAO went through the center as well. This resulted in a unilateral interpretation of events by the authorities, intellectual elites, and societies of both republics. As Marina Kurkchiyan puts it, "poor reporting and inadequate mass communication forced people to rely on hearsay, while the lack of democratic means of public debate facilitated the rapid growth of stereotypes, prejudice, narrow vision, and hostility."[8]

Furthermore, it was during the period of political liberalization characteristic of perestroika that a favorable moment appeared for the resolution of frozen problems and for raising frozen claims. The emergence

of the conflict was therefore closely linked to liberalization; had the loosening of the center's control over the periphery occurred in 1970s, the conflict likely would have been sparked then.[9] The point is that the conflict was largely a result of self-perceptions and the need to correct a "historic injustice" rather than an attempt to improve socio-economic grievances in the region.

ROLE OF PERCEPTIONS

Various studies have attempted to categorize and explain the outbreak of violence between Armenians and Azerbaijanis after 70 years of basically peaceful coexistence.[10] These explanations have included, but were not limited to, ancient hatreds and mass nationalism, elite entrepreneurship, reviving historic enmities in light of the collapse of the central state or empire, and nationalist narratives or promotion of a form of ultra-exclusionary self-perception by the elites. Most such studies have been complimentary to each other and offered plausible explanations to the question of why ethnic relations between Armenians and Azerbaijanis deteriorated so severely after the collapse of the Soviet Union.

One explanation that is all encompassing, perhaps, is the one that emphasizes the role of perceptions and narratives.[11] Self-perception played a key role in the instigation of nationalism and the formation of an enemy image. For example, on the Armenian side, one could observe the rise of a self-perception of a great nation: a cradle of Christianity that had been resented by non-Christians for centuries but that was now presented with a historic opportunity to correct this putative injustice—to take back what "belongs" to them. Thus, many Armenians had developed a self-perception of some form of victimhood.[12] The self-perception as a great nation and the narratives borne out of it became the basis of a nationalistic rhetoric that basically led the course of events in the conflict. That said, as mentioned elsewhere in this chapter, the elites in Armenia played a big role in defining the content and direction of the movement on Karabakh.

The self-perception of a great nation that has maintained an existence for centuries despite harshly oppressive circumstances was further strengthened by its relationship to the significant other, namely the Azerbaijanis, which were perceived to be a group of people whose

nationhood was very much brought into question by the Armenian society.[13] Things have been further complicated by the fact that Armenian society typically equated Azerbaijanis with Turks, projecting onto the former all their negative feelings towards the latter. This association partly explains the special cruelty of the massacre of Azerbaijani civilians in Khojaly and other places, and its justification on the grounds of it constituting some sort of local revenge for the 1915 events; on the other hand, such massacres were also understood as justified on the grounds of a "who are you as an inferior tribal group to raise any claim to an historic nation?" argument. Thus, what could be observed on the Armenian side—especially during the Second Karabakh War—included a certain level of surprise about the adversary's high level of societal sophistication as well as anger that these "illegitimate tribal people" are able to take back what should belong to the Armenian nation.

In the light of these factors, combined with a 30-year complacency resulting from its victory in the First Karabakh War and the resulting occupation, Armenia failed to develop any form of empathy towards those people that had been expelled from their homes, who had lost their loved ones and buried them in the yards of their own houses, and so on. Thus, in neither of the two societies, but especially not in Armenia—since it was the occupier and perpetrator of the injustice—was there a critical debate on trying to understand each other's wounds and trauma. Things got worse when successive Armenian leaderships refused to apologize for Khojaly or even accept responsibility for the massacre, and even kept adding fuel to the fire by making statements that the "liberated territories" constitute only one portion of the overall territories that need to be liberated: hence, for example, the calling for commencing preparations for a "new war for new territories" in late March 2019 by Armenia's then defense minister, David Tonoyan.[14]

Thus, the enmity and rivalry between the two nations continued to rise throughout the last 30 years and culminated in the Second Karabakh War. Hence the fact of Armenia's ongoing occupation and confusing statements on Yerevan's commitment to return the occupied regions outside the former NKAO, and various provocative statements as well as political decisions like moving the capital of the "Republic of Artsakh" (the Armenian secessionist entity encompassing the territories occupied during the First

Karabakh War) to Shusha, which exacerbated feelings of injustice and hurt pride within Azerbaijani society, and so on. Therefore, Baku's high level of preparedness to fight and die in a campaign to regain the occupied lands coupled with an overall political and social unity in Azerbaijan during the Second Karabakh War showed that Azerbaijani society had unanimously committed itself to a war that would reverse a period characterized by severe injustice and national humiliation.

WERE THE TWO WARS AVOIDABLE?

There is no direct sequence between the emergence of an ethno-territorial dispute and its evolution to a violent ethnic civil war—in other words, not every ethnic dispute ends up becoming a violent confrontation. In that regard, the question as to whether the two Karabakh Wars could have been avoided can be answered in the affirmative.

Both wars could indeed have been avoided: the conflict over Karabakh might have moved to a political context and might have been soothed overall. So, why did these processes fail to happen, and instead two tragic wars were fought that resulted in a large number of deaths?

The First Karabakh War was largely the result of increased nationalistic sentiment in Armenia that had emerged in the perestroika period, compounded by the presence of political immaturity in both countries. As indicated above, calls for the unification of Karabakh with Armenia had been present in Armenia's political discourse in the past but had become latent until activated with the loosening of the nationalities question in the final years of the Soviet Union. That said, the Karabakh movement in Armenia could have evolved into a more peaceful and inclusive form of nationalism—had mature political elites been present on the scene and in power. In other words, as Erik Melander indicates, the violent phase of the conflict was rather the result of certain social processes, and in that regard conflict should be considered coincidental rather than inevitable.[15] For example, in June 1991, immediately after an operation by Azerbaijani and Soviet police forces to disarm Armenian armed groups, a high level delegation of Armenian leaders from NKAO travelled to Baku from Khankendi (then still called Stepanakert) and agreed on a higher level of

autonomy for the territory as a solution. However, upon their return, the chief of the NKAO communist party was shot dead, and all the peace plans dissipated.[16] Thus, the presence of firm and pragmatic leadership on both sides in the early 1990s could have resulted in a more pragmatic rather than an exclusively nationalistic agenda in Armenia, and the First Karabakh War could have been avoided, in this way saving over 20,000 lives.

The Second Karabakh War could also have been avoided. Indeed, Azerbaijan's president had made many attempts to achieve a mutually-acceptable agreement through peaceful means (negotiations). There is no doubt that Azerbaijan's ruling elite (and Azerbaijani society in general) was pushed to war by Armenia's intransigence in the peace process, which had become structural (as opposed to substantive) in the past few years. The OSCE Minsk Group-led peace process had reached an impasse; there were various calls within Armenian political and social circles that even the occupied regions outside the former NKAO should not be returned; there was no firm commitment by Yerevan to return even the Kalbajar and Lachin districts, which had been heavily populated by ethnic-Azerbaijanis prior to the First Karabakh War and heavily settled by ethnic-Armenians in its wake. Moreover, numerous statements had been made by senior Armenian politicians that had undermined the genuine commitment of Armenia to the peace process. A series of provocative statements and decisions (such as the one that moved the capital of the Karabakh Armenian occupation authority to Shusha, a city widely considered to be the cradle of Azerbaijani culture) added fuel to the fire, very much disturbed the pride of the Azerbaijani people, and demonstrated a lack of empathy towards Azerbaijanis. Taken together, such moves led to the outbreak of a full-scale war in Karabakh for the second time—a war that again produced thousands of losses for both sides. Thus, the Second Karabakh War could have been avoided had Armenia truly given its consent to the Madrid Principles in the years preceding the onset of the war: had it agreed to withdraw from the all the occupied regions outside the former NKAO. To be clear: the key issue at stake in the context of the Minsk Group-led negotiations was Armenia's willingness to unilaterally withdraw from the occupied regions outside the former NKAO. Here it is important to underline the original thinking of Armenian decisionmakers at the time of the First Karabakh War: the occupation of the regions surrounding

the former NKAO was treated as a security buffer and was understood to be a bargaining chip in the peace process that would revolve around the status of the former NKAO. By the onset of the Second Karabakh War, the Armenian perception of the value of these surrounding regions had changed: they had become a key knot in the conflict.

The reasons why Armenia came to demonstrate a certain level of intransigence in the peace process and defying all international calls to agree to the Madrid Principles lie in a number of factors that are explored briefly below.

First, an unnecessarily high level of self-satisfaction could be observed in Armenia, premised on the conviction that Azerbaijan will not wage a war to recover its territories, or that it will be prevented from doing so by the "international community" (notwithstanding the fact that international law was clearly on Azerbaijan's side), or, even if Baku chose war and this was not prevented, Armenia would defeat Azerbaijan on the battlefield. Second, there was a firm belief in Armenian decision-making circles that Russia, Yerevan's key ally, would not leave it to fight alone in the event of a war breaking out. Such considerations strengthened nationalistic sentiments in Armenian society, which in turn contributed to its intransigence in the peace process. One could also observe in Armenia some form of a failure to properly assess geopolitical realities, which led to miscalculations of both its own and Azerbaijan's military potential. A cursory examination of various postwar videos featuring, inter alia, the parents of Armenian soldiers killed in action demonstrates at least some level of confusion in certain swathes of the Armenian population that began to ask the question of whether the outcome of the Second Karabakh War could have been achieved peacefully instead of through war, with its high casualty figures.[17]

OVERCOMING THE EMOTIONAL LEVEL: THE TOUGHEST CHALLENGE

We can now return to addressing more directly the question as to whether the two nations can reconcile. Again, the basic answer is yes, but we need immediately to add that reconciliation is a long-term process that will require pragmatic steps at every stage. There are currently both opportunities and

challenges for this on the table: the biggest opportunity is predicated on the fact that the military phase of the conflict is over, that a new large-scale military phase is unlikely (especially as long as the Russian peacekeepers are present in the region), and that Russia is supportive of reconciliation between the two nations and the opening of communication. Moscow is also, seemingly, interested in the establishment of long-term peace in the region insofar as such a peace contains a firm Russian element, such as a continued military presence. That being said, there are still many challenges. First and foremost, the wounds are very fresh on both sides. There is also anger over what has happened in the past thirty years (the high level of atrocities for which, by and large, no one has been held accountable): a lot of effort has been spent on maintaining the justification for a high level of animus and hatred.

Thus, it would be naive to expect any of this to change within a short period of time. Moreover, there is still resistance in Armenian society to accept the new reality on the ground and there are various calls for a military consolidation for the sake of a campaign of revanchism—although some of these calls may be largely for domestic political purposes. The nationalistic sentiment within Armenian society and on the political scene is further exacerbated by calls in Azerbaijan for the right to return to Zangezur, which is the strip of land (and an ancestral home for many Azerbaijanis) that separates Nakhchivan from the rest of Azerbaijan. This stands despite numerous statements by President Ilham Aliyev that Azerbaijan has no territorial claims to any part of Armenia, irrespective of historic population patterns. However, the latter issue is not the major cause of the resistance towards the restoration of Azerbaijan's territorial sovereignty over the formerly occupied regions: the real problem lies in the Armenian resistance to the "loss" of Karabakh and Yerevan's acceptance of the status-quo.

WHAT IS THE WAY FORWARD? CAN THE TWO COEXIST DESPITE EVERYTHING?

What then is the way forward? Is the conflict really settled, as President Aliyev indicates? Is there room for peacebuilding?

The phase of the conflict that would pave the way for the parties to build a long-term peace was commonly understood to be predicated on one that would free the occupied regions outside the former NKAO; the Second Karabakh War produced such an outcome, which means that this phase is now over. So is the military phase of the conflict—and the renewal of military hostilities is unlikely so long as Russian peacekeepers remain present in the region. Moreover, as mentioned above, Russia also seems to be interested in stabilizing the situation in the region and taking gradual steps towards building a genuine peace. These are important factors that could contribute to peacebuilding between the two countries. In addition, it is envisaged that, at some point, the opening of transport communication between Armenia and Azerbaijan, and between Armenia and Turkey, will happen, which would further contribute to peace in the region.

A comprehensive peace treaty will need to be prepared between Armenia and Azerbaijan. In such a document, Yerevan and Baku would need to recognize each other's territorial sovereignty, include security guarantees for Karabakh Armenians, resolve current issues such as the provision of all landmine maps, provide a mechanism to release Armenian detainees that are not entitled to POW status, and so on. Accomplishing this is obviously easier said than done, especially taking into consideration that the wounds are still fresh. Moreover, the intransigence demonstrated by Armenia in the peace process prior to the start of the Second Karabakh War and the fact that what could have been achieved peacefully has now been achieved by human losses has changed Azerbaijan's position in the peace process. Baku no longer offers territorial autonomy to the Karabakh Armenians: the only form of autonomy that could now be offered would be cultural: extending territorial autonomy to Karabakh Armenians after all this loss of life and the now-visible destruction of the formerly occupied lands would in no way be acceptable to Azerbaijani society. Taking into account all of these sensitivities, a peace treaty could explicitly address the issue of delimitation of borders, the detainees, and the landmine maps whilst only vaguely address political issues related to Karabakh Armenians. Such an approach—which envisages the restoration of communication and trust, the onset of political dialogue and the restoration of economic relations—would, over time, melt down or relativize the question of the former NKAO's status. Such a way forward has also repeatedly been emphasized by the Russian foreign minister. Thus, this envisages starting the

reconciliation process by smaller steps, such as opening airspace for flights, cooperating on reducing pollution in trans-border rivers, the provision of landmine maps and the release of Armenian detainees in Azerbaijan, the opening of Armenian communication with Azerbaijan and Turkey, and then move to a discussion of moderate issues such as working out a scheme for mutual relations between Karabakh Armenians and Azerbaijanis, and finally settling all political issues between Armenia and Azerbaijan.

It bears repeating: the reconciliation process is going to be lengthy, for a number of reasons. This is so because, firstly, the conflict parties are still distanced from each other; they are also far from being able to engage in genuine dialogue, be it at a political level or a civil society level. This is partly understandable because the enemy image of the other has not faded away. Armenia and the Karabakh Armenians still have a hard time coming to terms with their defeat in the Second Karabakh War and everything that goes along with that, especially at the psychological level. It should be noted that the former NKAO was perceived by the Armenian community, especially its diaspora, as a step towards the recovery of the borders of Greater Armenia that existed 2,500 years ago, as a revendication of the injustice done to their ancient nation by Muslims, and as a form of compensation for the 1915 tragedy that took place in another geography. Now all that is gone and has been replaced by the difficult task of having to accept the new reality and, in addition, in one form or another apologize for the destruction of the past thirty years.

This is expected by Azerbaijan, now that all the destruction that Armenia wrought in the former NKAO and the surrounding regions has become visible. Untold numbers of Azerbaijanis cannot find the graves or the remains of their deceased loved ones in different parts of Karabakh, they have seen their homes, cemeteries, and mosques completely destroyed, and so on. Added to these wounds are the fresh memories of the fallen soldiers, the large majority of which were very young people—this of course applies to both sides; and the Armenians also seem to expect some sort of apology from Azerbaijan. Thus, both at the political and societal level, there are structural factors that would seem to impede a rapid process of reconciliation.

It should also be noted that political dialogue is nearly completely absent: Armenia still does not seem to be prepared to accept the finality of the changes that have taken place over the past year: Yerevan remains puzzled about how

to go about accepting them. There are still various military and political maneuvers and accusations going on, all of which suggests that Armenia does not seem to be reconciled with the restoration of Azerbaijan's sovereignty over Karabakh. On the other hand, messages sent by Azerbaijan on the potential return of Azerbaijani people to Zangezur have been manipulated by certain political forces within Armenia, although President Aliyev has made it repeatedly clear that Azerbaijan has no territorial claims on this region or any other part of Armenia.

All this may point to a genuine security dilemma scenario, whereby Azerbaijan sends such and similar messages with the intention of pushing Armenia to sign a peace treaty and accelerate the opening of transport communication, as per the 10 November 2020 tripartite statement; whereas Armenia may be raising issues and voicing accusations against Azerbaijan (such as the destruction of churches built during the occupation) to secure some form of status for the Karabakh Armenians or with the hope of strengthening its claim to the areas of the former NKAO within the Russian peacekeeping zone. What is quite clear is that Azerbaijan is fully prepared to start the lengthy process of reconciliation, despite the injustice done to the country and its people through the thirty years of occupation and the loss of life in both wars. Such a pragmatic approach seems to prevail within the Azerbaijani ruling elite, which may succeed in bringing about reciprocity from the Armenian side.

NOTES

1. Paul Brass, *Ethnicity and Nationalism: Theory and Comparison* (New Delhi: Sage Publications, 1991); Valery Philipp Gagnon "Ethnic Nationalism and International Conflict: The Case of Serbia," *International Security* 19, no. 3 (1995), 130-166; John Mueller, "The Banality of 'Ethnic' War," *International Security* 25, no. 1 (2000), 42-70.

2. Kyle Beardsley, *The Mediation Dilemma*, (Ithaka: Cornell University Press, 2011), 1-18.

3. Johan Galtung, "Violence, Peace and Peace Research," *Journal of Peace Research* 6, no.3 (1969), 167-191.

4. Thomas De Waal, *Black Garden* (New York: New York University Press, 2003), 139-140.

5. Anatol Yamskov, "Ethnic Conflict in the Transcaucasus: The Case of Mountainous-Karabakh," *Theory and Society* 20, no.5 (1991), 631-660.

6. Kavus Abushov, "Refining the Line of Distinction between Ethnic Conflict and Security Dilemma: Towards a Theory of Identity Driven Ethnic Conflict," *Civil Wars* 21, no 3 (2019), 329-361.

7. De Waal, *Black Garden*, 139-140.

8. Marina Kurkchiyan, "The Karabakh Conflict" in Edmund Herzig and Marina Kurkchiyan, eds., *The Armenians: Past and Present in the Making of National Identity*, (London: Routledge Curzon, 2005), 153

9. Perestroika activated various frozen and suppressed self-determination campaigns disguised under Soviet nationalities policies. Interestingly, it was only during the period of perestroika that the long-established ethno-federal institutional structure came into full practice. See Carol Skalnik Leff, "Democratization and Disintegration in Multinational States: The Breakup of the Communist Federations," *World Politics* 51, no.2 (January 1999), 210. For Gorbachev's reforms vis-à-vis the nationalities, see Richard Sakwa, *Gorbachev and his Reforms, 1985-1990* (New York: Prentice Hall, 1991).

10. Barry Posen, "The Security Dilemma and Ethnic Conflict," *Survival* 35, no. 1 (1993), 27-47; Stuart Kaufman, *Modern Hatred: The Symbolic Politics of Ethnic War* (Ithaca: Cornell University Press, 2001); Erik Melander, "The Nagorno-Karabakh Conflict Revisited: Was the War Inevitable?," *Journal of Cold War Studies* 3, no 2 (Spring 2001), 48-75.

11. See Kaufmann, *Modern Hatred*.

12. Ibid.

13. The idea that Azerbaijanis are either a young nation or a Soviet phenomenon, and as such should not have the right to claim anything, has consistently been entertained in Armenian political and social discourse. For example, Armenian activist Zori Balayan stated in an interview that "we can understand the terms Georgia, Russia, Armenia, but not Azerbaijan. By using such a term, we confirm the existence of such country," as quoted in De Waal, *Black Garden*, 150.

14. "David Tonoyan. 'Territories for Security' format will no longer exist" (translated from Armenian), Aravot.am, March 30, 2019, https://www.aravot.am/2019/03/30/1032523.

15. See Melander, "The Nagorno-Karabakh Conflict Revisited."

16. De Waal, *Black Garden*, 118.

17. Daisy Walsh and Gabriel Chaim, "Nagorno-Karabakh: We Have Lost an Entire Generation." *BBC News*, November 15, 2020, https://www.bbc.com/news/av/world-europe-54942864.

6

Strategic Implications of the Liberation of Karabakh

Fariz Ismailzade

If there is one topic that has been tied together consistently with Azerbaijan's three-decades' long period of renewed independence, then it is the conflict over Karabakh. Moreover, this same territorial conflict contributed, in many ways, to the collapse of the Soviet Union and the birth (or rebirth, as the case may be) of 15 independent states. It has also been a driving force of Azerbaijan's national agenda, both in terms of domestic and foreign policy.

The brutal and illegal occupation of around 20 percent of Azerbaijan's internationally-recognized lands, in clear violation of the UN Charter and UN Security Council resolutions, the ethnic cleansing of some 900,000 Azerbaijani civilians from their homes, the wanton looting and destruction of their private property, their subsequent displacement to refugee and IDP camps, the organization and implementation of the Khojaly massacre (and a number of other such crimes) by Armenian troops, and, finally, the great damage to Azerbaijan's economy have all had a massive, traumatic impact on the national consciousness of the citizens of Azerbaijan.

Azerbaijanis felt betrayed by the international community, which did nothing to stop the occupation, prevent the humanitarian catastrophe,

and help to implement UN Security Council resolutions. A sustained and comprehensive reform effort—modernization, increased defense capabilities, economic overhaul, and investment in human resources—was seen as the only plausible way to overcome what amounted to a national humiliation.[1] The country's principal ideology came to revolve around an active diplomatic and political posture to end the occupation, return its lands and displaced persons, restore its territorial integrity, and seek international justice.

Despite nearly 30 years of both mediated and direct negotiations, efforts to achieve a peaceful resolution to the conflict, that presupposed ending the Armenian occupation, produced no fruitful result.[2] The Second Karabakh War, which started as a result of Armenian military attacks in the Tovuz region and ended with an embarrassing military defeat in Karabakh, clearly showed the different trajectories that Armenia and Azerbaijan pursued since both countries regained their respective independence due to the implosion of the Soviet Union.[3] While Azerbaijan engaged in an active foreign policy that consisted in seeking out new allies, engaging in regional cooperation, and cultivating economic and military might, Armenia further and deeper isolated itself and essentially chose to live in a self-created utopia of "Greater Armenia."

The war that resulted thus provided a paradigmatic example of the consequences of two countries' increasingly divergent economic, demographic, and military potentials. In the hearts and minds of many Azerbaijanis, it was also a war for the restoration of national pride: thus, the Second Karabakh War was not only about restoring the country's territorial integrity, but also encompassed issues of justice, international law, and collective dignity and core values.[4]

Now that the territories have been liberated from the Armenian occupation and the Azerbaijani government has started massive reconstruction works in the freed areas, in partnership with foreign companies and international organizations, questions have arisen about the strategic implications and benefits of the Second Karabakh War (or, as many in Azerbaijan call it, the "Great Patriotic War") for the country and for the region. This chapter will attempt to address some of these issues.

IMPLICATIONS FOR THE NATION-BUILDING PROCESS

First, one should not overlook the strategic importance of the war and its outcome for Azerbaijan's domestic politics, alongside, obviously, its geopolitical and regional economic implications, as well as for the reconstruction of Karabakh and the return of IDPs and refugees.

The country is a melting pot of many ethnic and religious groups.[5] Ever since the restoration of its independence in 1991, Azerbaijani politicians and public opinion leaders have struggled to find a unified ideological message. Especially in the early years, some in the country advocated emphasizing the titular nation's Turkic roots while others pushed for more a pro-Iranian or a pro-Moscow orientation. Small marginal groups even advocated for an Islamic model of governance, including the imposition of Sharia. Unifying and integrating all these groups and segments of the population has been a very challenging process.

Azerbaijan is also home to more than 40 registered political parties and 3,000 NGOs pursuing a wide range of foreign policy preferences that range from advocacy for Euro-Atlantic integration and a fully liberalized economy to democratization and anti-Western values. All this diversity also significantly complicated the political situation: in the early 1990s, the country experienced several coups, witnessed the overthrow of presidents, fought a civil war, and was forced to confront various radical and extremist domestic groups.

While some analysts had evaluated Azerbaijan's domestic situation as fragile and potentially unstable, the Second Karabakh War firmly brought the veracity of such assertions to an end: both during the war and in its wake, immense unity and patriotism was demonstrated on the part of all segments of population.[6] In the early days of the war, Armenia had tried to play the ethnic minority card through a targeted public messaging campaign to ethnic minorities in Azerbaijan, urging them to rise up against the state. To no informed observer's surprise, this attempt failed miserably, as representatives of Talysh, Lezgin, Tat, Avar, Russian, and many other ethnic minorities not only lined up in front of military recruitment offices to volunteer for the army and fight for their country, they also actively engaged through social media channels to advocate and lobby for national unity.

The unity message was also strongly supported by various political players, including even the most radical opposition groups. The war for the liberation of Karabakh, in other words, stood far removed from the vicissitudes of everyday politics. Social media was full of patriotic messages, letters, posts, posters, and videos from young people, women, religious leaders, NGO activists, students, professors, and many other segments of the populace. Even the Azerbaijani diaspora was very actively engaged in the groundswell of support.

The war, the victory, and the successful implementation of the Karabakh reconstruction campaign in many ways put an end to many domestic disputes by demonstrating the prudence of the government's foreign policy course of strategic patience. Its pursuit with unmitigated focus and ultimately exceptional aptitude produced a historic outcome that has remade the regional order and challenged long-held inaccurate assumptions about Azerbaijan's determination and ability to shape its own destiny. Many geopolitical masks were uncovered during the Second Karabakh War as well, with foreign allies and opponents revealing their true nature and intentions.[7]

Even the harshest critics of the government—both at home and abroad—could not help but be impressed by the rapidity of Azerbaijan's wartime gains, augmented with swift diplomatic moves that together resulted in a remarkable victory. Many of these sceptics have now become convinced that the country's governance processes are moving in the right direction and that the state's moves that had built up the military as much as the country's economic and social potential had been planned and executed correctly. This, in turn, diminished pressures and squabbles originating in various domestic quarters, consolidated the support of all ethnic and religious groups under one national unity umbrella, showed that peaceful coexistence and tolerance among all groups works in Azerbaijan, and also sent a positive message to Karabakh Armenians that their peaceful reintegration with the rest of the country is both possible and advantageous for them and all other citizens of Azerbaijan. This harmonious coexistence and unity proved to be a successful model for a fully sovereign, firmly secular Azerbaijan—something that is very hard to successfully nurture (much less achieve) in a rather tumultuous part of the world.

This strategic cementing of national unity—a trend that predated the onset of the war but that its outcome certainly helped to entrench—has had great implications for perpetuating the independence of Azerbaijan. This is still largely an underappreciated aspect of the war's outcome: in the past, various foreign powers tried to harness internal dissent to demoralize and weaken the country, produce internal fragmentation and fracturing, and bring an end to its independent foreign policy and even its statehood. From a long-term, strategic perspective, Azerbaijan's victory in the Second Karabakh War has consolidated the nation, improved and strengthened Baku's nation- and state-building processes, restored the country's faith and pride in itself and its achievements, deepened national confidence in an even brighter future, and lifted three decades of humiliation from the minds of Azerbaijanis that had seen themselves as a defeated nation.[8] As one economist in Baku said to me during a private conversation; "it is a special, indescribable feeling to be the son of a victorious nation."

That being said, Baku now faces a special and strategic task: to find the right model for the reintegration of Karabakh Armenians into the fabric of Azerbaijan's constitutional order. The country must develop a positive and forward-looking stimulus package that include both economic and security arrangements, preparations for which seems to be nearing their end. This is especially important as deliberations begin on the period after the departure of Russian peacekeepers from the region—a moment that may come as early as November 2025, in accordance with the procedure set out in Article 4 of the 10 November 2020 tripartite statement that ended the Second Karabakh War.

Azerbaijan's president, Ilham Aliyev, has made numerous offers to Armenia to work together on a peace plan that would include provisions on border demarcation and the mutual recognition of territorial integrity. The 15 October 2021 speech by Armenia's prime minister, Nikol Pashinyan, which was delivered at a virtual meeting of the Commonwealth of Independent States Council of Heads of State or Government, might indicate a preliminary readiness on the part of Yerevan to move forward along these lines. Working with Azerbaijani authorities, the Karabakh Armenians will also need to develop ways to establish conditions for peaceful coexistence and mutual respect. The protection of cultural and religious sites, ensuring the free movement of people, providing for

educational opportunities, and instituting mechanisms to protect private property are important pillars of such a future peace agreement.

CHANGE OF THE GEOPOLITICAL LANDSCAPE

The Second Karabakh War and its outcome also brought deep and lasting changes to the geopolitical landscape of the South Caucasus. Some (if not most) of these changes advance the strategic interests of Azerbaijan, while a few others pose challenges to its future national security.

Since the 1990s, the Silk Road region (including the South Caucasus), has been a pivotal playground for classical geopolitical East-West rivalry. Back in those days, the West (in general) and a more actively engaged than now United States (in particular) pushed concertedly for virtually all of the former constituent Soviet republics to adopt a Euro-Atlantic orientation. In the context of the South Caucasus, this resulted in the profession of perhaps decisive encouragement to both Azerbaijan and Georgia to build the strategically important Baku-Tbilisi-Ceyhan oil and the Baku-Tbilisi-Erzurum gas pipelines—the first such pieces of hydrocarbon infrastructure in the former Soviet Union to bypass Russian territory, one effect of which was to break the monopoly of Moscow-based energy players in the region.[9] These flagship pipelines were aimed not only at diminishing Russia's geopolitical and geo-economic primacy in the region, but also at connecting the region to Turkey, a NATO member state. As a result, the South Caucasus effectively became a region of strategic interest for the Atlantic Alliance in general and for Turkey and the United States in particular. Since then, this supportive policy has also been pursued by the European Union and its member states through various forms of advocacy and the provision of some financing capital in the construction of the Southern Gas Corridor. The subsequent building of the Baku-Tbilisi-Kars railway, as well as other more recent regional infrastructure projects, was a byproduct of these initial strategic investments.

While the aforementioned projects did indeed open the door for Turkey to enter the region both economically and commercially, it was really the Second Karabakh War that brought Turkey into the South Caucasus militarily.[10] Turkey's strong and decisive support to the Azerbaijani war

effort significantly boosted both Turkey's image in the region and its future responsibility as a security guarantor of Azerbaijan. While the 10 November 2020 tripartite statement that ended the Second Karabakh War did not envision a role for Turkey, only days later formal arrangements were made with Russia and Azerbaijan to ensure a Turkish presence in a newly-established Joint Center for Monitoring the Ceasefire in Karabakh. As a result, and by common consent, Turkey now has boots on the ground in Azerbaijan. One Azerbaijani scientist remarked to me in private conversation that "during Soviet times we could not dare to pronounce the word 'Turkey.' Now Turkey has troops in the Caucasus. Look how much the world has changed!"

Turkey's increased role in the region plays well into the strategic interests of Azerbaijan. It shifts the geopolitical balance in the South Caucasus, and perhaps beyond. Neither of Turkey's historic archrivals, Iran and Russia, could oppose this development, with the latter even formally accepting it (this can be contrasted negatively with the former's response). The bottom line is that, as a result of the changes to the geopolitical landscape brought on by the outcome of the Second Karabakh War, Tehran's interests and capabilities have been limited while Moscow's have been significantly diminished. What has effectively become a strategic alliance between Turkey and Azerbaijan—enshrined in the Shusha Declaration on Allied Relations signed by the heads of state of both countries on 15 June 2021—has been further bolstered by a supportive Pakistan. This has created a potentially strong new element in the security architecture in the Silk Road region. To this we can add the steadily increasing stature of the Turkic Council, which has now expanded beyond its four founding members (Azerbaijan, Kazakhstan, Kyrgyzstan, and Turkey) to include Uzbekistan, Turkmenistan, and Hungary (as an observer). This relatively new inter-state organization has become a very convenient and practical platform for various forms of cooperation among Turkic-speaking countries, which has also enabled each of them to firm up their solidarity on the basis of a shared Turkic identity. In fact, Kazakhstan and Kyrgyzstan, which are members of both the Turkic Council and the Russia-led Collective Security Treaty Organization (CSTO), preferred to prioritize their Turkic identity during the Second Karabakh War by making it known that, come what may, they would each refuse to provide any military aid to Armenia, a fellow CSTO member.

Another manifestation of the change to the region's geopolitical landscape, which predates the onset of the Second Karabakh War but has been entrenched by Azerbaijan's victory, is Baku's heightened confidence in engaging multilaterally, which has in turn further contributed to a rise in the country's regional ambitions. Azerbaijan has been termed both a "keystone state" and a "middle power."[11] Baku's wide-range diplomatic outreach has included the strengthening of bilateral relationships with regional countries and stakeholders as well as the deepening of its multilateral activities: for example, in recent years it has presided over the Non-Aligned Movement, the Turkic Council, and GUAM. All told, this has resulted in Baku gaining much respect and credibility.[12] Having witnessed Azerbaijan's mighty victory in the war, particularly the countries that belong to the Silk Road region (understood in the broadest sense possible), now regard Baku as a strong military, political, and economic partner—one that is able to develop trade and commerce as well as provide attractive business opportunities for their companies, especially in the liberated areas of Karabakh, which require massive reconstruction works. More on this below.

The Second Karabakh War brought not only strategic geopolitical gains to Azerbaijan but also some related risks and concerns. With the arrival of Russian peacekeepers to the territory of Azerbaijan, many politicians and ordinary citizens in the country have expressed concern about their objectivity and neutrality. Some fear that these peacekeepers will help Armenians to boost their military capabilities and seek revanchism; others says that the presence of Russian military personnel poses a threat to Azerbaijan's statehood and sovereignty.

While these fears are somewhat justified on historical grounds, if nothing else, they undergird what is essentially a binary and thus simplified understanding of Azerbaijan's foreign policy posture towards the Russian Federation. That being said, Baku will surely have to deal even more carefully and delicately with the Kremlin in the coming years. But this necessity is hardly novel: for instance, Azerbaijan already has a plethora of experience in dealing with the presence of the Russian military on its territory.[13] While former Soviet military bases were painfully and with much tensions evacuated from Azerbaijani soil in 1992-1993 (Azerbaijan was in fact the first former Soviet republic to reach an agreement with Russia in this area, and many analysts believe that Baku went on to pay a heavy price

for this initiative in the First Karabakh War), the closure of a strategically important radar station operated by the Russian Aerospace Defense Forces in the Azerbaijani town of Gabala in 2012 was achieved with much diplomatic finesse, with both sides feeling satisfied with the agreement that was reached. The present situation is also different in that the scale, scope, and duration of the presence of Russian peacekeepers on Azerbaijani soil is explicitly laid out in the tripartite statement. In and of itself, this does not guarantee adherence; on the other hand, in no other contemporaneous situation has Moscow agreed in writing to such conditionality.

This may have much to do with the fact that Azerbaijan has always chosen to pursue a pragmatic policy towards the Kremlin—unlike its neighbors Armenia and Georgia. Baku has focused its relations with Moscow on trade and commerce, increasing political dialogue, avoiding radical statements and unnecessary frictions and tensions, preventing diplomatic scandals, and refraining from being a party to hostile Western policies directed against Russia. By and large, this approach has been successful, in part because both countries have sufficient leverage over the other and both leaders clearly understand each other's positions and preferences.

It therefore stands to reason that Azerbaijan will continue to make use of rational and even-handed language in its multifaceted dialogue and engagement with Russia, and that Moscow will continue to work as closely as it can with Baku, in accordance with the latter's economic and strategic importance for the Kremlin. In fact, one of the reasons why Russia refrained from overtly taking the side of Armenia during the Second Karabakh War, despite its military alliance with Yerevan, was the Kremlin's well-developed economic partnership with Azerbaijan, which Russia was unwilling to sacrifice.

All told, the outcome of the Second Karabakh War brought about a new geopolitical balance of power in the South Caucasus. While this has had obvious strategic implications for Azerbaijan, it did not bring to an end all of the country's security challenges. In the coming years, Azerbaijan will need to maintain a careful balancing act between Russia, Iran, Turkey, and the West—as Baku has done over the last 30 years—in order to consolidate its military gains on the ground, rebuild Karabakh, and ensure the successful reintegration of Karabakh Armenians into the fabric of Azerbaijan's constitutional order.

UNLOCKING REGIONAL ECONOMIC AND TRANSPORT OPPORTUNITIES

The tripartite statement that ended the Second Karabakh War sets the terms for opening up new economic opportunities for the region. Perhaps for the first time since 1991, the opportunities now on offer constitute a regional win-win scenario whilst laying the foundation for sustainable and long-lasting peace between Armenia and Azerbaijan. One of the most important elements of the aforementioned agreement are those clauses that mandate the reopening of regional transport routes, the unblocking of trade arteries, and the establishment of new transportation corridors. The reopening of the Zangezur corridor will put an end to decades-long blockages in the region, create commercial opportunities for businesses in the region, and bring together investors and customers in one common, unified market.[14] For Azerbaijan, reopening the routes through Armenia to Nakhchivan and further on to the Turkish and European markets opens immense opportunities, both politically and economically. For its part, Turkey will have gained more direct access to Azerbaijan as well as Central Asian markets, which once again reaffirms the point made above about the growing importance of the Turkic Council. Armenia also gains much from the terms of the tripartite statement, as it will regain direct access to Turkish, Azerbaijan, Iranian, and Russian markets and railway systems. The Azerbaijani town of Jufla, located in Nakhchivan, can again become an important connectivity hub for the countries of the region in terms of railway systems, as was the case in Soviet times.

The development of East-West transport corridors in the Silk Road region has always been a strategic foreign policy priority for Azerbaijan and much has been done over the past several decades to move this vision forward, including the completion of regional oil and gas pipelines, the construction of Baku-Tbilisi-Kars railway, and the development of new ports on the shores of the Caspian. All this has resulted in increased connectivity with Central Asian markets and its transport infrastructure. The network of East-West transport corridors has been also actively supported by the European Union and United States, which adds a geopolitical dimension to a geo-economic project. These efforts have been done in parallel (and are complimentary) with with another important transport corridor—the

North-South one, which connects Russia and the markets of north Europe and Russia with Iran and South Asia via Azerbaijan.

To this can be added the gradual yet powerful emergence of the China-led Belt and Road Initiative, which Azerbaijan also supports, and which aims at the further restoration and strengthening of the Silk Road region's transit, connectivity, and transport corridors, building on a grand legacy of past centuries of open trade and resulting prosperity.[15]

Perhaps the most far-reaching new strategic initiative to emerge as a consequence of the Second Karabakh War's outcome is the 3+3 regional platform proposed by the Azerbaijani and Turkish presidents in its aftermath. The idea is to bring Armenia, Azerbaijan, and Georgia together with Iran, Russia, and Turkey in a cooperation mechanism focusing on connectivity and security issues. All six states could greatly benefit from working closer together in various economic areas, which ought to foster a higher level of interdependence, and, in turn, lower the risk of military and security escalation. What makes this initiative a challenge to get off the ground is the continued animosity between Georgia and Russia as well as Iranian concerns that it stands to lose both economic and security clout in the region's new, postwar geopolitical situation. Georgia, too, has economic concerns. That being said, Georgia could be a useful and effective neutral party in Armenian and Azerbaijani negotiations, as Tbilisi recently demonstrated in brokering a deal to exchange Armenian detainees for landmine maps. Azerbaijani will need to figure out how to properly incentivize both Georgia and Iran to enter into this new cooperation framework by working with Turkey and Russia to address the fears of both Tbilisi and Tehran that they could suffer tangibly economic losses once the new transport and transit corridors traversing Turkey-Nakhchivan-Armenia-Azerbaijan come into use, as mandated by the tripartite statement. Baku will also have to deal with Tehran's renewed concern about Israel's growing influence on Iran's northwest border.

Azerbaijan's autonomous region of Nakhchivan can also greatly benefit economically from this new opportunity, as it has been under Armenian blockade for three decades: ordinary Azerbaijanis could only travel to and from the province to the rest of the country by air or circuitously by land through Iranian territory. Shorter connectivity times to Nakhchivan

from other parts of Azerbaijan will help the province's economy to prosper and turn it into an important transport connectivity hub, with many new local jobs being created. Nakhchivan will also cease having to deal with the shortage of natural gas and electricity supplies, another result of the Armenian blockade.

For Azerbaijan in general, the development of transport corridors also stands to play an important strategic role in spurring further economic modernization, reducing its economic dependence on oil and gas exports by stimulating the growth of its non-hydrocarbon economy, and enabling it to increasingly focus on turning the country into a regionally attractive and business-friendly connectivity hub. In the years prior to the outbreak of the Second Karabakh War, Azerbaijan had already begun to make capital investments in such areas. The Baku International Sea Trade Port in Alat and the Alat Free Economic Zone are cases in point: the opening up of trade and transport routes as envisioned in the tripartite statement will enable these to reach their full potential—as will Azerbaijan's significant improvement in relations with Turkmenistan, further synergizing the East-West transport corridor whilst paving the way for joint exploration and development of hydrocarbon resources in the Dostluq field, located in the Caspian Sea.

The liberation of the formerly occupied territories also opens another strategic economic advantage for Azerbaijan: the restoration of full control over the entirety of its border with Iran. This is already helping Baku to more thoroughly prevent the trafficking and illegal smuggling of weapons, drugs, and other illicit goods through this formerly grey zone. Some 130 km of the internationally recognized border of Azerbaijan with Iran along the Araz river had been under the de facto control of Armenian forces since 1994. Azerbaijan was unable to exercise border and customs controls, which allowed trucks originating in Iran to cross the border into the formerly occupied lands with impunity and without having to pay any customs duties to Azerbaijan. After the liberation, Baku has successfully retaken control over the border and various customs fees and duties are already being collected. More importantly, the illegal transport of weapons and armaments to Armenian separatist forces has been stopped.

Another important and under-appreciated consequence of the tripartite statement is that Azerbaijan has been able to fully bring into joint operation, with Iran, the Khudaferin and Giz Galasi hydroelectric stations built on the Araz river in the formerly occupied lands.[16] These stations were built by the Iranian side but the intergovernmental agreement between Azerbaijan and Iran envisioned their joint usage. In the wake of the Second Karabakh War, Azerbaijan will be able to fully benefit from this opportunity, which will not only bring economic benefits, but also provide a win-win aspect to Iranian-Azerbaijani relations and boost the regional focus on developing renewable sources of energy. At the moment, it looks like Azerbaijan will be able to export its excess capacity of produced electricity.

At the same time, the Armenian-Azerbaijani border in the Karabakh area is also being brought under full Azerbaijani control, which will also help to prevent the smuggling of weapons and drugs, and, through customs duties, add revenue to the state budget. No hard border existed during Soviet times, and demarcation and delimitation works are urgently needed to clarify some contested areas, prevent further escalation between the warring sides, and ensure security and stability for the surrounding villages on both sides of the border.

In this context, the fate of the Goris-Kapan road is very important, as this Armenian road passes through the territory of Azerbaijan's Gubadly region and is actively used by both Iranian and Armenian drivers to deliver goods and passengers.[17] It should be noted that the geography of the area is such that no alternative route can easily be built. Since the liberation of Karabakh, Azerbaijan has allowed safe usage of this road while at the same time establishing customs and border check points. In the long run, this road will deepen interdependence between Armenia and Azerbaijan and, for that matter, between Iran and Azerbaijan whilst resulting in further economic and security dividends for Baku.

The continued safe and secure use of both the Goris-Kapan road and the Lachin humanitarian corridor could help ease the Armenian side into a situation in which it will become more politically acceptable for Yerevan to reach agreements on ensuring reciprocal guarantees, as envisioned in the tripartite statement, for the future use of the Zangezur corridor to Azerbaijani (and Turkish) passengers and cargo.

THE REDEVELOPMENT OF KARABAKH

The formerly occupied lands of Azerbaijan constituted some 20 percent of the country's total territory. Most of it is now again under the control of Azerbaijani military forces and is being quickly redeveloped and reconstructed. The scale of vandalism, looting, and destruction of the territory's cities and villages are beyond imagination. Even the conflict's most seasoned analysts and experts did not expect to see so much destruction in the occupied lands. Many of the cities, like Fuzuli, Aghdam, and Jabrayil were completely raised to the ground. Vibrant demographic centers with industry and colorful life are all gone. Foreign journalists called Aghdam as "Hiroshima of the Karabakh."[18]

From the very first days of the postwar period, President Aliyev prioritized the rapid redevelopment of the area, beginning with infrastructure projects.[19] For him personally as for the entire country, fast-tracking the efficient reconstruction of Karabakh is a matter of both national pride as well as economic necessity. Within a very short period of time, several major road projects have been launched and the Victory Road to Shusha has been completed. Several electric power stations have been finished. A new railway project is underway as well. Airports are being built. Residential complexes and hotels are being developed. Demining activities are proceeding as quickly as possible. Foreign companies have been invited both as investors and subcontractors to help with the speedy modernization and redevelopment of the area.

Karabakh is also a region rich with mineral resources and agriculture opportunities. According to official statistics provided at the time by the illegal occupation authorities in Karabakh, the exploitation of the area's natural resources by Armenian and foreign companies contributed up to 5 percent of Armenia's GDP[20] (unsurprisingly, Azerbaijan is now planning to sue those foreign firms in international courts). But unofficial figures suggest the number was closer to 20 percent.

All these regained resources are now going to help fund the redevelopment works in the liberated areas, which will in turn raise consumer spending and lead to a rise in economic activity throughout Azerbaijan. Already, for 2021 Azerbaijan's government has pledged

$1,3 billion from the national budget to begin the process of rebuilding Karabakh. Several foreign firms are setting up agricultural enterprises, and particular focus is being paid to building smart cities, smart villages, and eco-friendly zones featuring renewable energy power plants and energy-saving green technologies.

All in all, the outcome of the Second Karabakh War will certainly result in an increase in Azerbaijan's GDP, whose economy already amounts to 62 percent of the GDP of the South Caucasus (it was 75 percent before the 2014 currency devaluation).[21] Control over important water resources in Karabakh has also reverted to Azerbaijan. The region's extensive mineral resources will also now be available for exploitation again, further boosting Azerbaijan's non-hydrocarbon export potential. Tourism, especially international inbound tourism, will open new investment opportunities in the service sector. Azerbaijan's post COVID-19 economy will recover more rapidly thanks to increased investments and consumer spending in Karabakh.

At the same time, Azerbaijan's postwar period will be characterized not only by the rapid development of its economy and infrastructure, but also its military-industrial complex. The country has proven its military might to the world. Its domestic military industrial complex is gaining more respect: its reputation abroad has increased, which ought to help grow its military export numbers. Continuing to modernize its military with the help of latest technologies from abroad will also serve the defense and security needs of the country and the region.

THE TASK AHEAD

In the context of celebrating the thirtieth anniversary of its regained independence this year, 2020's successful liberation of Azerbaijan's formerly occupied lands presents both a significant historical milestone but also a future strategic opportunity. The country's political leadership has gained a unique and unprecedented vote of confidence and consolidated public support to further enact political and economic reforms in the country, modernize the hydrocarbon-dependent economy, invest strategically in the liberated areas, push

forward with technological and infrastructure projects, and lay the groundwork for the nation's successful and sustainable development over the next 30 years.

Although the region's balance of power and its security arrangements remain fragile and vulnerable, for the first time since the collapse of the Soviet Union the South Caucasus can delve into a peaceful model of coexistence, mutual respect, cooperation, and interdependence. Azerbaijan will need to carefully plan for the reintegration of Karabakh Armenians back into its sovereign space and constitutional order, fulfil regional transport and connectivity opportunities, find ways to manage the Russian peacekeepers issue, and advance its national interests whilst taking care not to infringe on those of neighboring powerhouses and those farther afield. Still, the view from Baku has never looked better. And that's worth celebrating on the first anniversary of the liberation of Karabakh.

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7

Adapting To A New Political Reality

Is There A Basis for Formalizing Ties?

Gulshan Pashayeva

On 8 November 2021 Azerbaijan will celebrate its first Victory Day in honor of the liberation of Karabakh, paying tribute to the surviving veterans and commemorating the memory of the many fallen soldiers in the Second Karabakh War. Azerbaijan's victory in the Battle of Shusha, which had taken place on that day one year ago and represented a decisive moment in this 44-day war, led to the capitulation of Armenia. This was enshrined in a Russia-brokered tripartite statement signed by Nikol Pashinyan, Ilham Aliyev, and Vladimir Putin at the stroke of midnight on 10 November 2020.

The almost 30-year-long illegal Armenian occupation was brought to an end through a combination of military and political means in one of the most protracted ethno-territorial conflicts in the post-Soviet space. At the same time, a new geopolitical reality has emerged in the region and the facts on the ground have significantly changed.

Azerbaijan has restored its territorial integrity and sovereignty thanks to its clear victory in the Second Karabakh War. Accordingly, many decisions and resolutions adopted by various international organizations, including the four UN Security Council resolutions (822, 853, 874, and 884) demanding the immediate, complete, and unconditional withdrawal of Armenian armed forces from the occupied Azerbaijani territories, have finally been implemented.

On the other hand, the humiliating defeat of Armenia shattered the myth of the invincibility of the Armenian armed forces, plunging the country into a political crisis and eventually leading to a snap parliamentary election that took place on 20 June 2021. In the wake of this election, which kept Pashinyan in power, various steps have been taken—some positive, others negative—that taken together indicate cautious optimism may be in order with respect to the prospects for the full implementation of the tripartite statement (and a second such document) that, in turn, could pave the way towards lasting and sustainable peace.

The terms of the tripartite statement also established a peacekeeping operation on parts of liberated Azerbaijani territory. According to the terms of the 10 November 2020 tripartite statement, a Russian contingent of 1,960 peacekeepers, 90 armored vehicles, and 380 motor vehicles have been deployed for at least five years along the contact line in Nagorno-Karabakh and along the Lachin corridor route to provide security. To date, 27 observation posts have been deployed on the contact line to ensure the safe movement of residents and transport, as well as the return of refugees to their own homes.[1]

Still, the question remains whether the conflicting parties will be able to achieve sustainable peace after the Second Karabakh War or become embroiled in a further cycle of confrontation in the coming years. Is there any opportunity to truly normalize a relationship that has been destroyed, owing to the previous devastating wars?

It will be a daunting challenge for Armenians and Azerbaijanis to overcome their historical grievances, mutually exclusive narratives, lack of trust and unbearable pain of the loss of loved ones, and to be able to formalize ties. But, as they say, nothing is impossible. If there is effective leadership and a strong political will; clear priorities and a precise strategy; and daring diplomacy and public support; then, perhaps, an Armenian-Azerbaijani normalization process could gradually become possible. Incidentally, there are several examples in which states, after lengthy wars and protracted conflicts that cost between several hundred thousand to millions of casualties were able to normalize their relationship, including the United States and Vietnam, the UK and Ireland, and others.[2]

This chapter will examine aspects of the present state of play and several pressing issues that are currently at stake that impede, to a certain degree, the onset of a normalization process.

THE NEW GEOPOLITICAL REALITY AND ITS IMPLICATIONS FOR AZERBAIJAN AND ARMENIA

There is a common understanding in Azerbaijan that the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region has been resolved. "Now we need to look into the future. Despite 30 years of occupation and large-scale destruction and devastation on the liberated territories, Azerbaijan is ready to look to the future—to plan its future as part of an integrated South Caucasus region," stated Azerbaijani President Ilham Aliyev during an online discussion organized by the Nizami Ganjavi International Center on 20 May 2021.[3]

The Azerbaijani government has started a process of reconstruction and restoration of all its conflict-affected territories. This work is extremely important to accelerate the process of the safe and dignified return, in the coming years, of Azerbaijani internally displaced persons (IDPs)—originally from the Jabrayil, Fuzuli, Zangilan, Gubadli, Aghdam, Kalbajar, and Lachin districts, as well as from the territory of the former Nagorno-Karabakh Autonomous Oblast (NKAO)—to their permanent places of residence that were occupied by Armenian armed forces.

However, the facts on the ground are heartbreaking, owing to the enormous extent of the destruction committed by Armenians in the occupied Azerbaijani territories. Not only were virtually all the homes of around 700,000 Azerbaijani IDPs destroyed, but in complete ruin also lie public buildings, schools, hospitals, mosques, cultural and historical monuments, and cemeteries in the liberated territories. The Azerbaijani government has made it clear that the total material damage to Azerbaijani territories when they were under Armenian occupation will be calculated with the participation of international institutions so that Armenia could be held accountable to pay compensation before international courts in the future.

Today all efforts have been mobilized to restore and make habitable conflict-affected territories. For the year 2021, $1.3 billion has been allocated for the restoration of infrastructure—particularly gas, water, electricity, and communications, as well as cultural and historical monuments. Work related to the finalization of a state program on "The Restoration and Sustainable Development of Territories of the Republic of Azerbaijan Liberated from Occupation for 2021-2025" is also nearing completion.

Furthermore, to reintegrate the liberated territories into the Azerbaijani economy and to increase the efficiency of economic management, Karabakh and East Zangazur economic regions were set up along with 12 other economic regions by a 7 July 2021 presidential decree entitled "On the New Division of the Azerbaijani Republic's Regions." The Karabakh economic region covers Khankandi city, Aghjabadi, Aghdam, Barda, Fuzuli, Khojali, Khojavand, Shusha, and Tartar. The East Zangazur economic region includes the newly liberated Jabrayil, Kalbajar, Gubadli, Lachin, and Zangilan.

It is envisaged that the liberated territories will be turned into a green energy zone. In fact, the construction of "smart villages" and "smart cities" in the liberated Zangilan district has already commenced. The first "smart village" pilot project covers three villages in the area of Aghali, located in the Zangilan district, where 200 individual houses are initially planned to be built. The finalization of this project is envisaged for early 2022.

There are also continuous efforts being undertaken in the liberated territories regarding cultural and historical monuments.

One of the liberated cities where such serious construction and restoration work is currently underway is Shusha. Located at an altitude of 1,300-1600 meters above sea level, this city was built by the first ruler of the Karabakh khanate, Panah Ali Khan, in 1752 (incidentally, Azerbaijan will celebrate the two-hundredth-and-seventieth anniversary of its establishment next year). In order to restore its historical appearance and former glory, President Aliyev declared Shusha to be the Cultural Capital of Azerbaijan on 7 May 2021. As Farid Shafiyev writes in his chapter in the present volume, its famous native writers, poets, thinkers, composers, and musicians—here we can mention Khurshidbanu Natavan, Gasim Bey Zakir, Suleyman Sani Akhundov, Abdurrahim Hagverdiyev, Najaf Bey Vazirov, Yusif Vezir Chemenzeminli, Jabbar Garyaghdioglu, Gurban

Pirimov, Bulbul, Khan Shushinski, Uzeyir Hajibeyov, Rashid Behbudov, Niyazi, Fikret Amirov, and others— have made invaluable contributions to the cultural legacy of Azerbaijan.

So far, the Museum Mausoleum Complex of the great Azerbaijani poet and public figure, Molla Panah Vagif, and the House-Museum of People's Artist Bulbul, who made a significant contribution to the evolution of the professional vocal school, have opened their doors to the public after restoration. A bust to Molla Panah Vagif and a monument to the prominent Azerbaijani composer Uzeyir Hajibayli have also been unveiled in Shusha. At the same time, reconstruction work is ongoing at the House-Museum of Uzeyir Hajibayli.

Moreover, there used to be 17 mosques in Shusha, but most of them were destroyed and the only three that remain, the Yukhari Govharagha, the Ashaghi Govharagha, and Saatli mosques, were damaged during the occupation. The Heydar Aliyev Foundation is currently working on the restoration of these three historic mosques. On 12 May 2021, President Aliyev also laid the foundation stone of a new mosque in Shusha.

Concurrently, work has already begun on the construction of new highways, railways, and airports in the Karabakh and East Zangazur economic regions—precursors to developing master plans for rebuilding cities and towns in the liberated areas.

The 101-km-long Ahmadbayli-Fuzuli-Shusha highway is one of the many major arteries currently under construction. Known as the "Victory Road" in honor of the path used by the Azerbaijani Armed Forces during the liberation of the city of Shusha, it will connect more than 20 settlements, including the cities of Fuzuli and Shusha, with each other and the rest of the country. By the time this book goes to press, the "Victory Road" should have been put into full service. Incidentally, Azerbaijan also plans the construction of a second, 81.6-km-long road to Shusha by 2024.

In addition, Azerbaijan Railways has already started work on the design and construction of rail lines in three different directions: Aghdam, Shusha, and Horadiz-Nakhchivan. Already 20 km of the railway track in the direction of the city of Aghdam has been laid; however, the implementation

of the work is complicated due to the necessity of completing the demining process on the territory of the projected route.[4]

At the same time, there are plans to build three international airports in Fuzuli, Zangilan, and Lachin. By the first anniversary of the end of the Second Karabakh War, the Fuzuli International Airport will have been made operational. On 5 September 2021, before final commissioning, test flights by Azerbaijan Airlines' largest passenger aircraft, an Airbus A340-500 given the name "Karabakh," and Silk Way Airlines' largest cargo aircraft, a Boeing 747-400, took off from Baku and landed there. For the first time, shipments were delivered to Karabakh by air on this cargo aircraft.[5] The Zangilan airport is also being built and should be brought into operational service in 2022. On 17 August 2021, President Aliyev also laid the foundation for the Lachin International Airport, located 30 km from Lachin, 60 km from Kalbajar, and 70 km from Shusha. According to the president, the Zangilan, Lachin, and Fuzuli airports will be able to receive cargo, passengers, and military consignments and their construction and commissioning will revive the region.[6]

Here we can add that the master plan for the reconstruction of the city of Aghdam has already been developed and approved, details of which are provided in Emin Huseynov's chapter in the present volume. The master plans for other cities are expected to be approved in the coming months.

In contrast, the postwar environment is quite different in Armenia. Many Armenians in some circles remain deeply unsatisfied with the new geopolitical reality that emerged in the region in the wake of the Second Karabakh War. Such a reaction is both regrettable and unsurprising because, over the years, the Azerbaijani territories occupied during the First Karabakh War were presented to the Armenian populace as constituting a return of their "historical lands" and seen as a step in the restoration of "historical justice." In fact, by mythologizing the past, Armenia's ideologists tried to establish the foundations for Greater Armenian ethno-nationalism. However, the leading voices utilizing such mythological manipulation subsequently become the victims of their own constructs, losing touch with reality as a result. Here we can mention a commentary published by the Ankara-based think tank, the Center for Eurasian Studies (AVIM) whose author is Gerard Libaridian. He had served as an adviser to the first

president of Armenia, Levon Ter-Petrosian, and is one of the country's most engaged and thoughtful public intellectuals. In this text, he touched upon the main reasons behind the defeat of Armenia, underlining that "our problem is our political culture that relies on dreams rather than hard facts." In the same essay, he criticizes Armenia's contemporary Karabakh policy and holds the Armenian prime minister, Nikol Pashinyan, responsible for his naiveté and poor leadership. He argues that had the Armenian leaders chosen a wiser strategy and pursued policies more rooted in reality, then a catastrophic Armenian defeat could have been avoided.[7]

Thus, after Armenia's military defeat in the Second Karabakh War, many in the country called for Pashinyan to resign. He did, eventually, and called a snap parliamentary election for 20 June 2021. To the surprise of many, Pashinyan's Civil Contract party won the election outright, garnering nearly 54 percent of the votes cast. His chief opponent was Robert Kocharyan, Armenia's second president, whose Armenia Alliance received only 21 percent support. Civil Contract thus retained its ruling majority in the country's National Assembly, with 71 seats against the 29 held by the Armenia Alliance. A third bloc, called the I Have Honor Alliance led by the former head of the country's National Security Service, Artur Vanetsyan, merely polled just over 5 percent of the vote, which was more than any of the other, smaller parties. Although this result was below the 7 percent threshold for alliances, since the Armenian Constitution requires at least three parties or blocks to be represented in the National Assembly, the I Have Honor Alliance was allotted 7 seats and included members of the Homeland Party and the Republican Party led by Serzh Sargsyan, who served as Armenia's third president before being elected prime minister on 17 April 2018 and then being ousted from power on 23 April 2018 by the Pashinyan-led Velvet Revolution. Perhaps one of the best commentaries of the result of this election was made by Laurence Broers: "most observers anticipated Pashinyan's Civil Contract party would win more votes than anyone else, but few cases spring to mind where a leader has won such a decisive electoral victory in the wake of a decisive military defeat." In his analysis, Broers goes into detailed reasoning about what caused this victory and concludes that the election result can be read less "as a resounding mandate for Pashinyan, and more as a resounding rejection of his authoritarian predecessors, their supporters in the diaspora, and leftover oligarchs from the pre-Velvet Revolution era."[8]

Thus, the election's relatively low voter turnout (slightly over 49 percent) was a factor, as was a sort of protest vote against the return of the "old" elites led by Kocharyan and Sargsyan. This benefited Pashinyan, notwithstanding the fact that he was in power during the country's defeat in the Second Karabakh War. It thus seems that Armenian voters assigned more blame for the wartime loss on past leaders than on present-day ones. The electoral results also suggest that the idea of national revenge was not in demand from the broad strata of society, which is why the leaders of the "old" elite were unable to consolidate popular dissatisfaction with the country's military defeat in the Second Karabakh War.

Pashinyan is thus still Armenia's prime minister, but it is still too early to discuss how he plans to overcome all the consequences of the country's internal political crisis caused by the outcome of the war. A few months ago, several brawls broke out between government and opposition lawmakers in the National Assembly during a reading of the government's five-year action plan. Since then, the situation has gotten better. For example, Pashinyan made several moves to consolidate power. Prominent arrests have been made, including that of a former defense minister known for having called on the country to prepare for a "new war for new territories" hours after Pashinyan had held his first official meeting with Aliyev in Vienna in March 2019.

RUSSIA, TURKEY, AND TWO WESTERN COUNTRIES

One of the implications of the new geopolitical reality arising from the outcome of the Second Karabakh War is the transformation of Russia into a key regional peacekeeper due to the deployment of its peacekeeping contingent until at least November 2025 in a certain portion of the Karabakh economic region. Russia has also been mediating various pressing issues breaking out between Armenia and Azerbaijan after the end of the Second Karabakh War.

But not all has been smooth sailing. For instance, a serious issue regarding the continued illegal transit of Armenian armed forces and weapons through the Lachin Corridor to Karabakh remains unresolved. In a statement made on 11 August 2021, Azerbaijan's Defense Ministry

underlined that "the complete withdrawal of the remnants of the Armenian armed forces from the territory of Azerbaijan, where the Russian peacekeeping forces are temporarily deployed, was not ensured, as it is provided for by the trilateral statement signed on 10 November 2020." The statement added that "in recent days, Armenia having violated the trilateral statement by moving its armed forces to the territory of Azerbaijan, where Russian peacekeepers are temporarily deployed, is setting up its new posts near Mukhtarkend and Shushakend, as well as in the territories to the east of the administrative boundaries of the Kalbajar and Lachin regions." The Ministry of Defense also called upon the Russian peacekeepers to "put an end to the deployment of the Armenian armed forces in the territories of the Azerbaijan Republic, where they are temporarily deployed."[9]

Another implication of the new geopolitical reality arising from the outcome of the Second Karabakh War is the increase of Turkey's influence and importance in the South Caucasus. Its moral and political support for Azerbaijan during the war played a significant role in bring to light the justice of Azerbaijan's endeavor in the international arena. Turkish-made drones also substantially contributed to the Azerbaijani army's overall victory on the battlefield. Furthermore, the signing of the Shusha Declaration on Allied Relations by the heads of state of both countries on 15 June 2021 not only further consolidates an already close bilateral cooperation in the political, economic, military, and other spheres, it also establishes additional security guarantees and provides a counterbalance to the Russian presence in the South Caucasus region.[10]

All told, the Second Karabakh War brought about a new geopolitical balance in the South Caucasus. Turkey and Russia, two regional powers representing two different intergovernmental military alliances—namely, NATO and the Collective Security Treaty Organization (CSTO)—not only strengthened their respective positions in the South Caucasus, but also, for the first time anywhere in the post-Soviet space, formalized their cooperation through the establishment near Aghdam of a Joint Center for Monitoring the Ceasefire in Karabakh, in accordance with a memorandum signed by the defense chiefs of the two countries on 11 November 2020.

At the same time, and again due exclusively to Russia's mediation efforts (in contrast to the other OSCE Minsk Group Co-chairs), a second

tripartite statement was signed by the leaders of Azerbaijan, Armenia, and Russia on 11 January 2021. This second tripartite statement aims to pave the way for the development of cross-border transportation routes and boost economic growth to benefit the overall region.

Thus, a new geopolitical shift in the South Caucasus has very likely dissatisfied some other powers. These include France and the United States, the two other co-chairs of the OSCE Minsk Group. Both Paris and Washington have been involved in trying to mediate the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region since 1992; presumably, they too would like to be engaged in these new processes.

Nevertheless, after the Second Karabakh War, the extent of the role the Minsk Group could play seems rather uncertain. On the one hand, since the tripartite statement was signed France's vocal support for Armenia's position to a certain degree jeopardized its impartiality as a Co-chair of the Minsk Group. On the other hand, the fact and timing of the April 2021 recognition by U.S. President Joe Biden of the 1915 events that took place on the territory of the Ottoman Empire as a "genocide" might also make it more difficult for America to be seen as an impartial, honest broker not only in the context of Armenia-Azerbaijan, but also Armenia-Turkey (although with respect to the latter, the U.S. has not seemed to be particularly actively involved). The future role of the OSCE Minsk Group will be further discussed below.

All in all, and despite efforts to implement both signed tripartite statements, one could conclude that there are certain pressing issues and concerns that remain unresolved and that seem to be complicating factors on the road to achieving normalization of relations between Azerbaijan and Armenia. In the short term, Armenia's refusal to provide information about minefield locations, complications in the delineation of the Armenian-Azerbaijani international border, the willful misinterpretation by Armenia of the situation with respect to the Armenian detainees remaining in Azerbaijan's custody, the politicization of questions related to the protection of religious and cultural heritage, the placing of impediments to the opening of transport and economic communications, the continued raising of the issue of

Karabakh's "status" by Armenia, and a divergence of opinion on the future role of the OSCE Minsk Group are among the most contested subjects. Meanwhile, in the mid-to-long term, the reintegration of both Karabakh Azerbaijanis and Armenians on the territory of Azerbaijan should be considered.

Here we can take a closer look at some of the pressing issues at stake.

MINEFIELDS

Following the Second Karabakh War, Azerbaijan has started to carry out operations to clear the mines, unexploded munitions, and other hazards left behind by Armenian forces. However, Armenia's refusal to fully provide information about minefield locations creates a serious obstacle for effective demining and the prevention of further casualties.

As of early September 2021, more than 46,486 mines and UXOs were neutralized on more than 15,510 hectares in liberated Karabakh. During this same period, 160 Azerbaijani citizens have been injured or killed in mine explosions. Among those killed were two journalists and an Azerbaijani official who tragically lost their lives in a mine blast while on duty.[11]

On 12 June 2021, after pressure was put on Armenia by various countries and international organizations, the Armenian side agreed to transfer the maps of 97,000 anti-tank and anti-personnel mines planted during its occupation of the Aghdam district of Azerbaijan in exchange for 15 Armenians detained during the war. Azerbaijan's Foreign Ministry expressed its appreciation for the support of the Georgian government headed by prime minister Irakli Garibashvili for the implementation of this humanitarian action. It also acknowledged the mediation role of U.S. Secretary of State Antony Blinken, Acting Assistant Secretary of State for European and Eurasian Affairs Philip Reeker, the President of the European Council Charles Michel, and the Swedish Chairmanship of the OSCE for their respective contributions to the process.

On 3 July 2021, on the initiative of Russia, Armenia submitted to the Azerbaijani side maps of about 92,000 anti-tank and anti-personnel mines planted during the occupation in the Fuzuli and Zangilan regions. This was

realized through the mediation efforts of Rustam Muradov, the commander of the Russian peacekeeping force. In exchange, the Azerbaijani side handed over 15 people of Armenian origin who had been tried, convicted, and incarcerated by an Azerbaijani court but for whom the sentences had been commuted as a humanitarian gesture.[12]

Unfortunately, the precision of these maps has been suboptimal: in his interview with CNN Turk channel on 14 August 2021, President Aliyev said that the accuracy of the minefield location information provided by Armenia is only 25 percent.[13]

BORDER DELINEATION

Because of the almost 30-year-long illegal Armenian occupation, Azerbaijan was only partially able to control its international border with Armenia. Moreover, neither delimitation nor demarcation processes have been implemented between these two states over the years. After the Second Karabakh War and the 10 November 2020 tripartite statement, this section of the border between Armenia and Azerbaijan returned to its previous, Soviet geography.

However, the situation along the Armenian-Azerbaijani international border has been exacerbated several times since the end of the war. For example, on 12 May 2021 Yerevan accused Baku of deploying hundreds of troops on the eastern border of Armenia around the Karagol/Sev Lake area; Azerbaijan denied its troops had crossed the border, stating that its forces were only defending the country's sovereign territory and that Baku was reasserting control over its internationally recognized borders.

Commenting on this border incident, Azerbaijani Foreign Ministry spokesperson Leyla Abdullayeva stressed that Azerbaijan merely continues to strengthen its border-protection system within the framework of the country's territorial integrity, adding that this process is performed based on Soviet-era maps defining the borderline between the two countries, which the Armenian side also has in its possession. Abdullayeva further noted that any disagreements between the parties on border issues should be resolved by political and diplomatic means.

However, for a time the Armenian side had tried to politicize these border tensions as well as aggravate the situation on the ground further by various provocative statements and actions. For example, on several occasions, Pashinyan had appealed to the CSTO to hold consultations on this issue (in doing so, he cited Article 2 of its treaty), as well as to several other heads of state.

Interestingly, the CSTO's response has been quite restrained: no support was forthcoming to Yerevan's position, notwithstanding the fact that Armenia, unlike Azerbaijan, is a member state of this military alliance. On the other hand, countries such as France, a NATO member state, have called for Armenia's territorial integrity to be respected and for Azerbaijan to pull back its troops.

In contrast, Russia had proposed setting up a joint Armenian-Azerbaijani commission on the delimitation and demarcation of borders, with the participation of Russia as a consultant or mediator. However, Armen Grigoryan, at the time serving as Armenia's Secretary of the Security Council, said that demarcation work could not begin until Azerbaijani troops leave what he termed Armenian territory. In contrast, Azerbaijan backed Russia's proposal to establish a trilateral commission on the delimitation and demarcation of the Azerbaijani-Armenian border, as Prime Minister Ali Asadov made clear during a meeting of the CIS Council of Heads of Government that took place on 28 May 2021 in Minsk.

Tensions have not fully eased and the number of skirmishes still remains too large. The 9 August 2021 statement by Armenia's Defense Minister, Arshak Karapetyan—in reference to the situation along the Armenian-Azerbaijani international border—that Armenia reserves the right to settle the issue by the use of force if the problem is not resolved peacefully,[14] remains Yerevan's policy.

These and similar developments showcase that, perhaps, there are certain political circles in Armenia that are interested in causing further provocations in the areas bordering with Azerbaijan in order to increase tensions and internationalize the issue of delineating the Armenian-Azerbaijani border.

DETAINEES

Another pressing issue revolves around the situation regarding Armenians detained after the tripartite statement came into force that remain in Azerbaijan's custody. Unfortunately, due to the misrepresentation and distortion of the facts by the Armenian government, this issue has not been perceived clearly and objectively in some corners of the world.

Article 8 of the 10 November 2021 tripartite statement clearly states that the "exchange of prisoners of war and other detainees and bodies of the dead shall be carried out." Since then, in accordance with its obligations under this agreement, Azerbaijan has released and repatriated more than 70 Armenians in its custody who were entitled to POW status. Azerbaijan also found and handed over to the Armenian side the bodies of 1,686 Armenian soldiers. However, Armenia has not yet released information on the whereabouts of 3,890 persons (3,171 servicemen and 719 civilians) from Azerbaijan that went missing during the First Karabakh War.

Taking hostages is clearly prohibited by international humanitarian law; however, 267 Azerbaijani civilians (including 29 children, 98 women, and 112 elderly people) were taken hostage during the First Karabakh War and have not been released by Armenia since then. So far, however, 1,102 Azerbaijani hostages (including 224 children, 357 women, and 225 elderly people) have been released from Armenian captivity.[15]

Moreover, since the tripartite statement was signed various Armenian sabotage groups have tried to cross illegally into Azerbaijan with the aim of engaging in sabotage and terrorist activities. One such group, consisting of 62 Armenian citizens, was detained on 13 December 2020 as a result of a joint anti-terror operation conducted by Azerbaijan's State Security Service and its Ministry of Defense. Prior to its capture, this group had been suspected of the commission of a series of terrorist attacks against Azerbaijani military servicemen and civilians in the country's Khojavend district, causing the deaths of four servicemen and inflicting serious injuries on one civilian. Of these 62 saboteurs, 14 were charged under the relevant articles of the Criminal Code of Azerbaijan and the indictment, approved by the country's Deputy Prosecutor General, was sent to court for consideration. In addition, a criminal investigation has been completed

against 13 other suspected members of this illegal armed group and has also been sent to the court in Azerbaijan. Meanwhile, as a humanitarian gesture, Azerbaijan released and repatriated first ten and then an additional four members of this group back to Armenia.

The bottom line is that the Armenian detainees remaining in Azerbaijan's custody cannot be considered POWs because they have been charged with engaging in sabotage, terrorist activities, and the like in the period after the signing of the 10 November 2020 tripartite statement. Investigations with regards to the commission of such unlawful acts by Armenian servicemen are ongoing; their criminal liability under Azerbaijani law clearly falls outside the scope of Article 8 of the tripartite statement.

Concurrently, as discussed above, on 12 June 2021 and 3 July 2021, Azerbaijan released a total of 30 Armenian detainees remaining in Azerbaijan's custody in exchange for Armenia providing Azerbaijan with maps of 97,000 anti-tank and anti-personnel landmines in the Aghdam district and 92,000 anti-tank and anti-personnel mines planted during the occupation in Fuzuli and Zangilan. It should be mentioned that the investigation conducted by Azerbaijani authorities concluded that the detainees repatriated to Armenia either had not committed serious crimes against Azerbaijan and its citizens or were imprisoned by the court's verdict and the term of the imposed sentence had expired.

POLITICIZATION OF HERITAGE PROTECTION

For almost three decades, the separatist regime operating in the occupied territories of Azerbaijan tried to distort the origin and use of cultural and religious heritage located there. In early July 2020, one of Azerbaijan's top diplomats serving abroad, Nasimi Aghayev, published an essay in *Medium* in which he argued that "almost all once Azerbaijani-populated towns, villages, and even streets, have been renamed after the occupation, and Armenianized, in a vicious attempt to erase any traces of Azerbaijanis' age-old presence in Karabakh."[16]

The deliberate destruction of the cultural and religious monuments of any nation is regarded as a war crime under international law. According

to the 1954 Hague Convention for the Protection of Cultural Property, occupying forces must respect and preserve cultural property and prevent the theft of said property in the event of an armed conflict. Unfortunately, during the period of Armenian occupation, these requirements were ignored. As noted by the Azerbaijani Foreign Ministry in April 2021:

> as of today, the Ministry of Culture of Azerbaijan has identified more than 400 monuments that have been destroyed in the liberated territories. The total number of monuments in these territories is up to 3,000. Cultural and religious property belonging to Azerbaijan has been looted, desecrated, altered, and illegally exported to Armenia. Twenty-two museums and museum branches with over 100,000 artefacts on the liberated territories have been destroyed.[17]

Additionally, based on the data of the Azerbaijan National Academy of Sciences, out of 67 mosques located on the territory of the former NKAO and the seven adjacent Azerbaijani districts, 63 were completely destroyed and four were damaged.[18] In other words, not a single mosque was left untouched by the Armenian occupation.

During an official visit by the President of the UN General Assembly on 10 April 2021 to Azerbaijan, President Aliyev urged international organizations, especially UNESCO, to visit the region and to witness the destruction of Azerbaijani historical, religious, and cultural monuments by Armenia."[19]

Despite Azerbaijan's repeated assertions that Azerbaijani cultural and religious heritage, such as mosques, museums, libraries, theatres, and so on, were being destroyed under the Armenian occupation, and despite repeated calls over many years for UNESCO to send a fact-finding mission, this had not occurred. Only after the Second Karabakh War came to an end—that is to say, only when the Armenian side expressed concern about the fate of Armenian cultural and religious heritage sites in liberated Karabakh—did UNESCO suddenly call for a mission to be sent to Azerbaijan. This appears to indicate the existence of a double standard when it comes to Christian and Muslim cultural and religious heritage. Such blatant application of political hypocrisy is, obviously, regrettable and, quite frankly, beyond comprehension.

In a late-December 2020 interview, presidential adviser Hikmat Hajiyev pressed this point home:

> UNESCO is an intergovernmental organization and must carry out its activities in accordance with its mandate in an objective and impartial manner. UNESCO officials should not be preoccupied with advancing the national agenda of the countries they are citizens of. UNESCO should not become an instrument of political influence of any state. This is a great blow to its authority and independence. The protection of cultural heritage is a universal obligation and should not be used for political purposes.[20]

Azerbaijani authorities have underlined that, as a multicultural and multi-confessional country, it has striven to protect the religious heritage and culture of all its people. There is no compelling evidence that Azerbaijan intends to destroy Armenian heritage in Karabakh, nor that it opposes the visit of a UNESCO mission to the liberated territories; what Baku does demand, however, is that any such mission is carried out by following all relevant and established procedures and in full accordance with international law. Claims to the contrary, raised by the Armenian side, only serve to deleteriously politicize this sensitive issue.

IMPEDIMENTS TO COOPERATION

Over the past few decades, Azerbaijan has been actively involved in the process of launching regional connectivity projects covering not only east-west but also north-south and north-west trajectories. The full implementation of the 10 November 2020 tripartite statement would, simply stated, bring Armenia back into this regional fold. Indeed, the end of Yerevan's transportation and economic isolation would transform the South Caucasus and potentially the entire Silk Road region into a world-class economic, logistics, and tourism hub.

After the Second Karabakh War, the idea of revitalizing the transportation corridor that could reunite mainland Azerbaijan with its exclave, the Nakhchivan Autonomous Republic, has become much more concrete. Coined the "Zangazur transportation corridor," Azerbaijan is keen to see

the required road and rail infrastructure built and rebuilt in the 44-km-long strip of territory located in Armenia to connect Asia and Europe.

In fact, Article 9 of the 10 November 2020, tripartite statement stipulates the unblocking (the term used in the document is "restoration") of "all economic and transport links in the region." (With respect to mainland Azerbaijan and Nakhchivan Autonomous Republic, the purpose of renewing all Soviet-era links is indicated as being the "unimpeded movement of citizens, vehicles, and goods in both directions.") Article 9 also provides an explicit assurance (the phrase in the document is "shall be ensured") that "new transportation communications linking the Nakhchivan Autonomous Republic with the western regions of Azerbaijan" will be constructed.

The entirety of the follow up 11 January 2021 tripartite statement, likewise signed by Aliyev, Pashinyan, and Putin, focuses on the implementation of Article 9 of the 10 November 2020 tripartite statement. To that end, a trilateral working group headed by the deputy prime ministers of the three signatory states was established. This high-level working group is tasked with leading a technical process to devise concrete plans on "railway and automobile communication" as a matter of priority and submit them to the leaders of Azerbaijan, Armenia, and Russia for approval. Several meetings have been held at various levels in this regard.

In anticipation of the fulfillment of the two aforementioned agreements, Azerbaijan has already begun work on various connectivity projects in the liberated areas and other parts of the country. For instance, work is currently under way on the construction of the Horadiz-Agbend railway, the foundation of which was laid by President Aliyev in February 2021. It will connect Horadiz (located in the Fuzuli district) to Agbend (located in the Zangilan district) where the borders of Azerbaijan, Armenia, and Iran meet. Moreover, work on those parts of the corridor in Nakhchivan that require renovation has begun and will be completed in less than three years, with the rest having remained operational over the years. However, the most complicated part of the establishment of the Zangazur transportation corridor, at least from political and economic perspectives, is the section that needs to pass through Armenia's Syunik province. Railway and road communications that existed along this route during the Soviet era will need to be restored, as these were dismantled by Armenia during the period of occupation of Azerbaijani territories.

Notwithstanding other impediments to the construction of the Zangazur transportation corridor reconnecting mainland Azerbaijan with Nakhchivan, route projections indicate that both railway and automobile communications are likely to pass through the town of Meghri, which is located on the Aras River on the Armenian side of the border with Iran. This appears to be one of the reasons that the 10 November 2020 tripartite statement indicates that, although Armenia "guarantees the safety of [these] transport links [...] control over transport shall be exercised by the bodies of the Border Guard Service of the Federal Security Service (FSB) of Russia."

In remarks made at the joint news conference following the trilateral meeting in Moscow on 11 January 2021 that produced the second tripartite statement, President Aliyev emphasized that the

> opening of transport communications serves the interests of the peoples of Azerbaijan, Armenia, Russia, and our neighbors. I am confident that neighboring countries would also actively engage in the establishment of a diversified network of transportation corridors and arteries in our region. We must continue to identify areas of activity that are effective and result-oriented in the short term.[21]

Pragmatically, the reopening of transport and economic communications is beneficial not only to Azerbaijan and Armenia, but also for neighboring states such as Russia, Iran, and Turkey. Understandably, this issue has heavily been politicized in Armenia; however, cautious optimism may be in order in the wake of Pashinyan's 15 October 2021 speech at a virtual meeting of the Council of Heads of State or Government of the Commonwealth of Independent States (CIS) in Minsk.[22]

THE FUTURE OF THE OSCE MINSK GROUP AND THE "STATUS ISSUE"

Following the Second Karabakh War and the 10 November 2020 tripartite statement, Armenia's presence as an occupying force in the territory of Azerbaijan was brought to an end; Azerbaijan's territorial integrity has now been restored.

Thus, as President Aliyev stated in a joint press conference held with Russian President Vladimir Putin and Armenian Prime Minister Nikol Pashinyan on 11 January 2021, "the Nagorno-Karabakh conflict has been consigned to history and we must think about the future, how to live together as neighbors, how to work to open transport arteries and strengthen regional stability and security."[23]

Seen against this backdrop, the future destiny of the OSCE Minsk Group today seems rather uncertain. From Azerbaijan's perspective, the Armenian occupation has been brought to an end and the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region has been resolved. The so-called "status issue" is thus no longer relevant—and certainly not subject to the mediation activities of the Minsk Group.

On the other hand, Armenia is eager to keep the OSCE Minsk Group alive for its own ends. From Armenia's perspective, the conflict has not yet been resolved, nor has the "status" of Nagorno-Karabakh yet been determined. Therefore, a negotiation process should be continued with Russia and the other two Minsk Group Co-chairs.

Obviously, this means that there is a certain divergence of opinion on the role of the OSCE Minsk Group at the moment.

To this should be added the assessment that this mechanism's previous work had been neither very productive nor particularly meaningful. This was once again confirmed on 12 December 2020, during a meeting in Baku between President Aliyev and the Minsk Group Co-chairs (or at least the Western members; the Russian member's "inability to travel" meant that Russia was represented by its ambassador to Azerbaijan). The president was clear: "the Minsk Group did not play any role in the resolution of the conflict, although the Minsk Group had a mandate to do it for 28 years. [...] And this is a reality." Azerbaijan's president also added that his country had "resolved" the conflict by itself: "by defeating Armenia on the battlefield," he continued, "we forced the aggressor to admit its defeat, to sign a declaration that we consider as an act of capitulation of Armenia. [...] The conflict is resolved [and] Azerbaijan did it by military-political means."[24]

At the same time, it seems likely the Minsk Group will not simply dissolve itself. Thus, in order to justify its continued existence, some new

roles and responsibilities will need to be brought forth: new tasks and functions will be conceived, thus enabling this mechanism to carry on its work in the near future.

On this point President Aliyev has also made his views known. For instance, during an in-person international conference co-organized in Baku by ADA University and the Center of Analysis of International Relations (AIR Center) in mid-April 2021, he noted that "there could be some areas where [the Minsk Group] could play their role in the post-conflict situation—not as a group which needs to help to resolve the conflict." In elaborating his answer, he put the onus on the Minsk Group to "think [up] something creative; to be supportive; not to do something which can damage this fragile peace; not to give some unrealistic promises to Armenia; and to try to be neutral; to try to be impartial and to try to seal this situation." He also noted that in the event Armenia would wish to engage in talks on a "future peace agreement," then "there could be a lot of room for international players. There are the issues of demarcation, delimitation, interaction," he concluded.[25]

President Aliyev's point was a sequential one: the process of normalization of interstate relations between Armenia and Azerbaijan should begin by tackling the three aforementioned issues as well as other thorny ones; their resolution would open the way for the signing of a peace treaty. And in this context, he made it clear that "a lot of room" could be provided to "international players" to play their respective roles.

NORMALIZATION?

In 2021, both Azerbaijan and Armenia celebrate the thirtieth anniversary of the restoration of their independence. However, they have never formalized their ties due to the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region.

The background to the onset of the conflict is traceable back to 1988, when an irredentist Karabakh movement, established in Armenia and the NKAO, encouraged mobilization of Armenian ethno-nationalists demanding the transfer of this mainly Armenian-dominated region

from the jurisdiction of Soviet Azerbaijan to Soviet Armenia. Despite the rejection of the NKAO's appeal by both Soviet Azerbaijan and the Soviet central leadership, Armenian ethno-nationalists did not relinquish their claims and eventually became locked in a tense stand-off with Azerbaijan. After Azerbaijan and Armenia regained their independence in 1991, the Republic of Armenia continued to provide military, political, diplomatic, social, and economic assistance to Karabakh Armenian separatists. At the same time, in order to avoid accusations of irredentist claims, both Armenia and Karabakh Armenians started to demand the right of the people of Nagorno-Karabakh to self-determination understood to mean a right to secede from Azerbaijan.[26]

This eventually led to the First Karabakh War and an almost 30-year-long illegal Armenian occupation of close to one-fifth of the internationally recognized territory of sovereign Azerbaijan. At the same time, the entire Azerbaijani population of the former NKAO and the seven adjacent districts was forcibly expelled (i.e., ethnically cleansed) by Armenian armed forces. Some estimates put the number of deaths on both sides at 30,000 during the First Karabakh War, which came to an end in May 1994 thanks to a Russian-brokered ceasefire.

Over the years Armenia had propped up the Karabakh Armenian occupation entity together with the influential Armenian diaspora: both backed the Karabakh separatists through tangible financial and informational support. The Second Karabakh War and the 10 November 2021 tripartite statement ended the Armenian occupation and, finally, Azerbaijan's territorial integrity has been restored.

Looking ahead, the Azerbaijani government is determined to reintegrate its ethnic-Armenian citizens residing in the territories that are currently under the control of Russian peacekeepers. At the same time, Azerbaijan is ready to start the process of normalizing relations with Armenia based on the principles of international law. However, it is essential in this context that Armenia as a kin-state changes its external minority policy, adopts a cooperative strategy, and come to a settlement with Azerbaijan on the basis of withdrawing any territorial claims. After recognizing one another's territorial integrity, Armenia and Azerbaijan can, in the future, sign a formal peace agreement.

On 14 August 2021 President Aliyev gave an interview to CNN Turk TV channel in which he touched upon this last issue and stressed that Azerbaijan is ready to sign a peace agreement with Armenia. "Let Armenia and Azerbaijan recognize each other's territorial integrity and begin the process of delimitation and demarcation of the border," he stated. However, he added that

> we have not received a positive response from Armenia yet. It seems that Armenia is not ready for this or is opposed to it. I said that it will be a huge blunder and that they would regret it. Because we do not have to keep this proposal on the table forever. If they object to it, let them say it openly that they do not want to sign a peace agreement with Azerbaijan. In this case, we will pursue our policy accordingly. If Armenia is ready for this, if it is ready to recognize the territorial integrity of Azerbaijan which is recognized by the whole world, then, of course, long-term peace will come to the region. We want it, and at the same time, specific proposals to achieve it are already on the table.[27]

President Aliyev has subsequently reaffirmed this position in various other fora.

However, it seems that Armenia is not in a hurry to sign a peace agreement with Azerbaijan—even Pashinyan's 15 October 2021 CIS speech ascribed no urgency (or at least no timeline) to the achievement of this goal. On the one hand, the existence of an intra-elite conflict within Armenian society reduces the likelihood of the formation of consolidated opinion on the ways of the further development of Armenia, including the central issue of normalizing its relationship with Azerbaijan and Turkey. On the other hand, most probably, the process of serious reflection on the causes of Armenia's failure in the Second Karabakh War has not yet begun in this country for the time being because, for such a recognition to occur, it is necessary first to destroy many fundamental myths that underlie modern Armenian statehood.

According to Gerard Libaridian, Armenian leaders need to come to terms with Azerbaijan and Turkey and stop considering them as enemies and instead consider them as neighbors. Only then, he has said, will Armenia be able to negotiate its own interests independently rather than having

them dictated by other powers. Otherwise, Libaridian argues, the erosion of Armenia's independence and its reliance on other powers to maintain its hostility to Azerbaijan and Turkey might end up hurting Armenia itself in the time ahead, as has been the case in the past.[28]

There is also no doubt that the transformation of Armenian-Azerbaijani and Armenian-Turkish relations is a challenging issue. The role of the Armenian Diaspora in this sense is quite important. The irredentism present among Armenians and fed by a sense of victimization and revenge have always been the main obstacles for the normalization process between the two sets of states.

Undoubtedly, the historical memory of past bloody experience between Armenians and Turks marks a psychological trauma in certain parts of the Diaspora who are simply not ready to put aside their advocacy of a revanchist policy. Azerbaijanis have been punished by being considered "guilty by association," because many Armenians choose not to differentiate between Turks and Azerbaijanis. Here it is instructive to cite Libaridian again:

> close identification of Azerbaijan with Turkey made Azerbaijan an extension of Turkey in the minds of the Diaspora Armenians. […] The occupation of Azerbaijani territories was also perceived by many Diasporans as the rightful revenge of the past. There are those who believe that the return of these territories would constitute treason.[29]

This serves as a reminder that due to the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region Armenia's borders with Azerbaijan and Turkey have been closed for almost thirty years. It has also forced both Armenia and Azerbaijan to become involved in a costly regional arms race. But now, after the Second Karabakh War has come and gone, a unique opportunity to move forward with new ideas and a common vision seems to be emerging, providing an opportunity to put aside past grievances and outdated stereotypes.

Russia has a significant role to play in this context as the key mediator and peacekeeper in the region. It can ensure full implementation of both aforementioned tripartite statements as well as be instrumental in encouraging a normalization process between both Armenia and Azerbaijan and Armenia and Turkey.

In his interview to CNN Turk TV channel, President Aliyev was asked about his country's expectations from Russia. He replied that "our expectations from Russia are that all the provisions of the trilateral statement will be implemented. Because this trilateral statement was signed by the leaders of Azerbaijan, Russia, and Armenia, and most of them have already been implemented. But there are some issues that still remain outstanding." He also added his hope that Russia, as a neighbor of Azerbaijan and a close ally of Armenia, "continues to spare no effort for the security of the region and take steps to ensure lasting peace" and "does not arm Armenia because there is no need for that," since the "war is over. The people of Armenia have to come to terms with this situation. The Armenian government has also to come to terms with its own defeat."[30]

Russia should also be the leading force in a process of delimitation and demarcation of the Armenian-Azerbaijani international border and should activate the efforts of the trilateral working group towards unblocking economic and transportation links, which, as mentioned above, is headed by the deputy prime ministers of the three signatory countries. These could be the first important steps towards the normalization of relations between Armenia and Azerbaijan.

Russia has also called on Armenia to normalize its ties with Turkey. In early September 2021, for example, Russian Foreign Minister Sergey Lavrov said that "now, when the war in Nagorno-Karabakh is over, there are grounds for unblocking the political process, transport, and economic ties, it would be logical if Armenia and Turkey resumed efforts to normalize relations."[31] Russia is ready to actively support this process, Lavrov added. Recent positive signals coming from Turkey's president Recep Tayyip Erdogan and Armenia's prime minister Nikol Pashinyan regarding the normalization process are also encouraging.

Thus, if the processes of normalization between Armenia and Azerbaijan, on the one hand, and between Armenia and Turkey, on the other hand, take place, this could lead not only to the opening of their respective borders to each other but also contribute to the instauration of regional stability as well as the development of trans-regional cooperation among the three South Caucasian states and the wider region. At the same time, it would create an enabling environment that could be more

conducive for future dialogue and interactions between Armenians and Azerbaijanis, on the one hand, and Armenians and Turks, on the other. This would make it that much easier to realize a six-nation platform composed of Armenia, Azerbaijan, Georgia, Iran, Russia, and Turkey proposed by Ankara and then by Moscow for the encouragement of a state of permanent peace, overall stability, economic development, and mutual security-based cooperation in this part of the Silk Road region.

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8

End of the War, But No Peace

What Are the Russians Up To?

Anar Valiyev and Elnaz Valiyeva

It would be naive to believe that the tectonic, paradigmatic shifts taking place in international relations would not have impacted upon Azerbaijan specifically and the Silk Road region generally (the strategic fallout from the U.S.-led withdrawal from Afghanistan is but the latest example). One of the most significant events of 2020 was the war fought between Azerbaijan and Armenia. In the early morning of 27 September 2020, official Baku reported the shelling of Azerbaijani villages by Armenian troops from positions in occupied Karabakh. Following reports of civilian deaths, Azerbaijan launched a counter-offensive operation along the entire line of contact to suppress the combat activity of the armed forces of Armenia and ensure the safety of its civilian population.

The Second Karabakh War lasted 44 days and claimed the lives of around 3,000 Azerbaijani soldiers and 92 civilians, who mostly were killed by strikes of SCUD-B ballistic missiles, cluster bombs, and artillery shells targeting Azerbaijani cities and villages in Ganja, Barda, Tartar, and others. Meanwhile, Armenian casualties are estimated at around 3,360 combatants, with dozens missing. The war almost ended on 8 November 2020 when Azerbaijani troops took the city of Shusha, which has strategic significance and towers over Karabakh's communist-era capital, Khankendi (the Armenians still call the city Stepanakert, a name imposed in 1923 by the

Soviet authorities in homage to Bolshevik revolutionary Stepan Shaumian, nicknamed the "Caucasian Lenin"). Observing the imminent battlefield defeat of its Armenian ally and foreseeing the full military resolution of the Karabakh conflict in a manner deleterious to Moscow's interests, the Russian establishment rushed to ensure an arrangement whereby its troops were able to enter Karabakh as peacekeepers.

On 10 November 2020, the presidents of Russia and Azerbaijan, together with the Armenian prime minister, signed a joint statement ending the Second Karabakh War. The agreement states that "the peacekeeping forces of the Russian Federation, namely, 1,960 troops armed with firearms, 90 armored vehicles, and 380 motor vehicles and units of special equipment, shall be deployed along the [new] contact line in Nagorno-Karabakh and along the Lachin Corridor."[1] The agreement envisaged the complete withdrawal of Armenian military forces from all occupied territories and their replacement in a few areas by the aforementioned Russian troops and by the Azerbaijani military in the rest of the liberated territories. The agreement also made provisions concerning the return of refugees and internally displaced persons under the "supervision" of the UN High Commissioner for Refugees, the unblocking of the transport and economic routes in the region, and so forth.

The tripartite statement has some clear winners. Azerbaijan recaptured territory that was occupied by Armenian forces some 30 years ago without having to accept any sort of autonomy for Karabakh, as envisioned in past peace negotiations conducted largely under the auspices of the OSCE Minsk Group and its three Co-chairs (France, Russia, and the United States). However, the deployment of Russian peacekeepers in parts of Karabakh resulted in the end of an Azerbaijan point of pride: the absence of a Russian military presence on its soil.

Another clear winner was Russia. There are several reasons for the Kremlin to be satisfied with the consequences of the tripartite statement. Moscow became not only *the* central party to manage peace operations between the conflicting sides; it also assured for itself a strong hand to have prevailing influence over both Armenia and Azerbaijan for the foreseeable future. For instance, another provision of the tripartite statement concerns itself with the establishment of a 5 km wide Lachin Corridor, "which will

provide a connection between Nagorno-Karabakh and Armenia" and "remain under the control of the Russian Federation peacekeeping forces." The agreement further states that "within the next three years, a plan will be outlined for the construction of a new route via the Lachin Corridor [from Armenia to Khankendi], and the Russian peacekeeping forces shall be subsequently relocated to protect the route."[2] The final provision of the agreement states that "new transport links shall be built to connect the Nakhchivan Autonomous Republic and the western regions of Azerbaijan […] in order to arrange unobstructed movement of persons, vehicles, and cargo in both directions. The Border Guard Service of the Russian Federal Security Service shall be responsible for overseeing the transport connection."[3]

The question that is posed by the public, analysts, and scholars is this: what will be the next step in the Kremlin's plans? What model of relations and governance will Russia chose to impose in the areas controlled by its peacekeepers in Karabakh? Will it establish a new model, or have recourse to one or more exiting ones, such as those in use in places like Abkhazia, South Ossetia, Transnistria, Crimea, and Donbass?

WHAT WILL MOSCOW DO?

For a long time, Russia has played an important role in all the peace processes that have arisen in the former-Soviet parts of the Silk Road region. For instance, Moscow has demonstrated strong support for the establishment of statelets in Abkhazia, Ossetia, and Transnistria—even going so far as to recognize the independence of the first two. There and elsewhere, the Kremlin not only deployed peacekeeping forces but also strengthened separatist powers and bolstered secessionist entities against the parent states (Georgia and Moldova, respectively). Providing economic, financial, and political support for the establishment of these quasi-state structures has also been a main Russian strategy.

Nevertheless, Moscow's policy towards post-Soviet conflicts and post-Soviet states differs in several ways: Russia has never had a universal approach either to conflicts or to unrecognized entities in the Silk Road region.

From this perspective, two fundamentally different positions can be identified in Russia's foreign policy posture towards this part of the world. The first one, which has been a constant since the collapse of the Soviet Union, can notionally be called the *status quo position*. This policy envisions the clear refusal of recognition to quasi-states (all the while encouraging unofficial support via various channels) and the acceptance of the territorial integrity of parent states. Moreover, Moscow has been involved in various peace talks and processes through which it has shown its positive or negative attitude to the involved parties, depending on their respective behaviors and attitudes towards Russia and its interests. Meanwhile, the conflicting sides have each continued to court favor with the Kremlin, yielding on certain issues such as supporting Russian positions measured by voting according to Moscow's preferences in multilateral fora like the UN, the OSCE, and the Council of Europe.

Thus, for example, Azerbaijan refused to support Western sanctions against Russia during the Ukrainian crisis, although it endorsed the territorial integrity of Ukraine in the UN General Assembly by voting in favor of a resolution adopted in March 2014 in response to the Russian annexation of Crimea. Such careful diplomatic maneuvering has created room for enduring bilateral relations to persist into the present, notwithstanding the appearance of a certain "othering of Russia" due to the potential threats the Kremlin may pose to Azerbaijan's security. Baku's policy could be described as a kind of "Finlandization," akin to the Finnish pursuit of neutrality after World War II in the face of a hostile Soviet Union. For Azerbaijan, such a policy turned out to be successful, in the sense that Russia did not get involved militarily in the Second Karabakh War, thus enabling Azerbaijan to crush Armenia's army its affiliated ethnic-Armenian separatist force. However, further developments may show that Baku may be forced to double down on its version of Finlandization. The presence of Russian peacekeepers will hover over Azerbaijan as a sort of Sword of Damocles over the next four years. Thus, Baku will be very cautious not to irritate the Russian establishment with any major pro-Western undertakings.

Russia's second foreign policy approach in this part of the world, which can be dubbed the *revisionist position*, can be described as consisting of

the recognition of the independence of separatist entities, as was the case with Abkhazia and South Ossetia, which of course constitutes the withdrawal of support for the territorial integrity of Georgia. But we can say that the revisionist policy is more an exception proving the rule; we can add that this second approach has served as a way to test the strength of the red lines of the "liberal international order" as well as test how far Moscow can go in the region.

The 2008 war between Georgia and Russia, coupled with the latter's recognition of Abkhazia and South Ossetia, showed that the West was not going to clash with Russia over the recognition of statelets in this part of the world (the Russians skillfully used the precedent of the Kosovo Albanians' unilateral declaration of independence, supported by parts of the West, as an analogy and justification for its own actions). Writing in the Winter 2021 issue of the journal *Orbis*, our colleague Damjan Krnjević Mišković identified the Russo-Georgian conflict as representing the first of two events marking the end of the U.S.-led unipolar era or, as he put it, "the end of the 'end of history'" (the second event is identified as the bankruptcy of Lehman Brothers, which triggered the collapse of Western stock markets and the onset of a global financial recession). "This forty-day period in 2008 marked the moment in which the credibility of the West cracked on two critical fronts: great power politics and international economics. This called into question, in a fundamental way, the West's claim to primacy in global leadership, which rested not insignificantly on predictability and prosperity as well as on monopoly on patronage."[4]

Meanwhile, we should understand that Russia's recognition of the two breakaway statelets was a response to Georgian defiance and Tbilisi's increasingly pro-Western inclination. Continued talks on Transnistria and Karabakh are mostly directed toward keeping Moldova and Azerbaijan, respectively, within the Kremlin's orbit. Meanwhile, Russia continues to make economic investments in, and promote trade with, Transnistria, Abkhazia, and South Ossetia so as to enable these statelets to survive.

An examination of the Russian foreign policy paradigm produces the conclusion that Moscow has no plans to reestablish all or parts of the

Soviet Union or the Russian Empire. The Kremlin's purpose is control, not conquest; influence, not rule. In most cases, Moscow is content with the status quo, whereby each government is controlled trough some conflict or security dilemma that in turn allows Moscow to play the role of security guarantor or important mediator.

The activities of Russian troops in Karabakh show that they are performing more than a classical peacekeeping role: they ensure the separatist's rump statelet is protected militarily, involve themselves in constructing houses for the local ethnic-Armenian population, help rebuild infrastructure, and even indirectly support the local economy by buying products and services from the population. More importantly, Moscow does not make an effort to disarm the local separatist forces, thus turning a blind eye to their continuing presence in the territories under Russian control—in contravention of the tripartite statement that states that the "peacekeeping forces of the Russian Federation shall be deployed concurrently with the withdrawal of the Armenian troops."[5]

Moscow's plan toward the zone controlled by its peacekeepers in Karabakh can be pretty much understood. Russian soldiers have once again set foot on Azerbaijani soil, although they are not housed in military bases. The presence of fewer than 2,000 peacekeeping troops in Karabakh does not represent a military threat to Azerbaijan, although it has symbolic value and a political effect. Karabakh's ethnic-Armenian population is allowed to identify with being distinctly under the direct supervision of the Russian military command—de facto neither becoming citizens of Azerbaijan again nor even truly remaining citizens of Armenia. Currently, all security issues and reconstruction efforts, as well other challenges like relations with Azerbaijan, are under the effective control of Russia. From this perspective, we can see a direct analogy of rump Karabakh today with Ossetia before the August 2008 war. There have even been rumors on the distribution of Russian passports to Karabakh Armenians.

It is in the interest of the Russian establishment to keep Karabakh divided, partitioned, or segregated, for this prevents the reintegration of the Armenian-populated territories with the rest of Azerbaijan. The Kremlin's means would involve limitlessly "administering" security

issues. Further, Moscow would like to push Armenia away from partaking in any type of negotiation processes and has made it clear it will represent the Karabakh Armenians. The Russians will, however, continue to press Armenia to recognize Azerbaijan's borders, support the territorial integrity of Azerbaijan, and help Azerbaijan in reconstruction efforts. Still, those parts of Karabakh now under the control of Russian peacekeepers now represent a Moscow trading card with Baku. Parts can be handed over, piece by piece, over the next decade in exchange for preferences or concessions in other areas. Nevertheless, it is unlikely this may happen in the immediate future.

For Karabakh's ethnic-Armenians, the Russian intervention has been a mixed blessing. Saving them from imminent battlefield defeat, the Russians successfully pushed Yerevan out of the discussion and decreased its influence: they are now directly subjugated to Moscow through the presence of its peacekeeping force. While Russian troops control and safeguard Karabakh's ethnic-Armenian population, and keeps its numbers relatively low, Moscow discourages it from reintegrating with Azerbaijan and uses it as an instrument in negotiations with Baku.

This raises the question of the duration of the Russian peacekeeping presence. To keep its troops beyond the intended five years, Russia must work closely with Armenia and the Karabakh Armenian authorities to make sure that Azerbaijan cannot unilaterally ask Moscow to leave—an option fully compatible with the terms of the tripartite statement. Since Moscow wants to avoid the threat of an Azerbaijani veto on extending the mission beyond 2025, the Kremlin must remain on the best possible terms with Azerbaijan, which means it must find a way to assure Baku that Karabakh is no longer a separatist territory. At the same time, Moscow needs to be ready to create a situation in which the local separatist forces, armed with Russian weapons, attack Azerbaijani positions in case Azerbaijan decides to invoke the clause of the tripartite statement to push the Russians out of Karabakh. Meanwhile, of course, Russia has little reason to help Armenia and Azerbaijan normalize relations. From the Kremlin's perspective, Armenia needs to keep perceiving Azerbaijan as an enemy: this would make any government in Yerevan easy to manipulate whilst remaining reliant on Moscow's security guarantees to prevent an all-out collapse.

THE ORIGINS OF THE MINSK GROUP

Here we can take a step back and go back to the origins of the Minsk Group, a mediation mechanism operating under the auspices of the Conference for Security and Co-operation in Europe (CSCE), which later evolved into the Organization for Security and Co-operation in Europe (OSCE). In 1992, the CSCE asserted itself as the primary organization facilitating conflict resolution between Armenia and Azerbaijan over the Nagorno-Karabakh region of the Republic of Azerbaijan. After both Armenia and Azerbaijan became full members of the CSCE in February 1992, the organization embarked on conflict resolution initiatives. After the 26 February 1992 Khojaly tragedy, the CSCE moved forward with a decision of the Ministerial Council on 24 March 1992 to convene a conference in Minsk on the Armenia-Azerbaijan conflict with the goal of achieving a final settlement of the conflict.[6] However, disagreements on the format of the conference led to the failure of holding it; instead, the Minsk Group was established as a second-best, less ambitious way forward.

The history of the Minsk Group's mediation efforts can be notionally divided into the several parts. The first part is attributed to the active years of military action during the First Karabakh War in 1992-1994 and involved mostly initial mediation actions and work on establishing a ceasefire. The next phase consisted in the development of mediation activities related mostly to the Budapest and Lisbon summits. The Lisbon Summit laid several bases for the future peaceful settlement of the Karabakh conflict. These principles included the recognition of the territorial integrity of both Azerbaijan and Armenia; a formulation that affirmed that the legal status of Nagorno-Karabakh should be defined on the basis of self-determination with the highest degree of self-rule within Azerbaijan; and the guarantee of physical security for Karabakh and its population.

During OSCE Minsk Group's mediation efforts, which have gone on for nearly three decades, three main proposals for conflict resolution were offered to the sides. The first proposal, entitled "Comprehensive Agreement on the Resolution of the Karabakh Conflict" (July 1997), which was dubbed as "package" proposal, stipulated finishing all hostilities, the de-occupation of Azerbaijani territories, and the rendering of a decision on the final status of Karabakh together. However, this proposal failed due to disagreement

of the parties to the conflict. The second proposal called "stage-by-stage" or "phased" approach, was in fact a modified version of the first proposal. However, the second option envisioned the de-occupation of territories to be followed by the reaching of an agreement on the status of Karabakh. This proposal was accepted by Azerbaijan but rejected by Armenia. The third and final proposal, called a "common state" approach (1998), envisioned the Nagorno-Karabakh entity as a state-territorial formation within Azerbaijan, which would constitute a common state with Azerbaijan within its internationally recognized borders. This proposal was accepted by Armenia but rejected by Azerbaijan due to the fact the proposal stipulated horizontal relations between Azerbaijan and Karabakh.

After the failure of all three proposals, the Minsk Group stopped preparing new proposals and concentrated on facilitating face-to-face meetings between Armenian and Azerbaijani leaders to discuss again all three proposals individually. In 1999-2001, the two countries' presidents met several times in Washington, Istanbul, Geneva, Davos, Moscow, Yalta, Paris, and Key West. After the failure of the Key West talks and subsequent elections in both Armenia and Azerbaijan in 2003, the mediators initiated the Prague Process in 2004, which envisaged direct bilateral negotiators between Azerbaijani and Armenian foreign ministers.

In November 2007, on the margins of the Fifteenth Meeting of the Foreign Ministers of the OSCE, the "Madrid Principles" were presented by the Minsk Group Co-chairs to the parties. These principles were made up of a slightly revised version of the basic principles submitted in 2006. The "Madrid Principles," which were updated in 2009, are based on a compromise that envisages the withdrawal of Armenian forces from the occupied adjacent territories to the Nagorno-Karabakh region with special modalities for the Lachin and Kalbajar districts, and the subsequent establishment of interim international security arrangements for the region until referendum would be held.[7] After a long hiatus in negotiations after a meeting between the Armenian and Azerbaijani presidents in Sochi in January 2012, the next meeting at the heads of state level took place in Vienna in October 2013, with the mediation of OSCE Minsk Group co-chairs. These negotiations, however, did not produce any results. In 2014 there were meetings in Sochi (August), on the margins of the NATO Wales Summit (September), and in Paris (October). In Paris, the two presidents

agreed to exchange information on missing persons under the auspices of the International Committee of the Red Cross. The parties later also met in September 2015 on the margins of the UN General Assembly, in Vienna in May 2016, in St-Petersburg in June 2016, in Geneva in October 2017, and again in Vienna in December 2017. No breakthrough was ever achieved.

WILL RUSSIA USE THE MINSK GROUP?

After Azerbaijan's victory in the Second Karabakh War on the battlefield and sealed through diplomacy through the aforementioned tripartite statement, official Baku has made it clear that discussions about the possibility of some sort of special status for the Karabakh Armenians are no longer on the table; the same clarity of expression has been made with regards to negotiations related to changes in Azerbaijan's internal territorial and administrative arrangements. Baku logically claims that since the war and indeed the conflict has ended, there is no further need for the OSCE Minsk Group to serve as a mediator between Armenia and Azerbaijan—and certainly not on the core issues, since they are no longer subject to or objects of negotiation.

Baku's position has been examined by various experts and several retired senior Western diplomats, including America's former OSCE Co-chair, Richard Hoagland. In a March 2021 article entitled "Does the Minsk Group Still Have a Role?" he answers that it "depends on which side you ask. Yerevan is clear that it sees the continuation of the Minsk Group as essential for determining the final status of Nagorno-Karabakh. Baku is equally firm in the other direction, asserting that Nagorno-Karabakh is an integral part of Azerbaijan and always will be."[8] In other words, as Hoagland puts it later in the same essay, "Armenia says 'absolutely,' whereas Baku says, 'certainly not.' And so, the status quo of the Minsk Group is likely to continue bumping along in relative obscurity."[9]

Indeed, Yerevan continues to see the Minsk Group as its last, best hope, as it were, for influencing the Karabakh issue, by somehow being the forum in which Karabakh's final status should be defined. The presence of France as a Co-chair (alongside America and Russia) enables Armenia still to hold onto the belief that its position is tenable. Baku, on the other hand, firmly

asserts that Karabakh is integral part of Azerbaijan and that there is no need for outside powers to facilitate any sort of negotiations with its own citizenry. The Azerbaijani government even disbanded the Azerbaijani Community of Karabakh, an organization that for decades represented the interests of the community composed largely of IDPs, sending a clear signal that Karabakh is now like any other region of Azerbaijan.

Baku's position is easy enough to understand. For years the OSCE could not resolve the conflict and was playing the role of "nurse rather than doctor," i.e., its Minsk Group was occupying itself primarily with preventing the outbreak of a future war rather than working seriously towards a solution to the conflict. Over time, Baku came to the conclusion that it preferred to deal with one big player and satisfy its conditions rather than trying to satiate a multiplicity.

Thus, for example, in negotiations to determine the precise border with Armenia or regarding technical issues with the Karabakh Armenians, Baku deals with Russia rather than with Armenia or the Co-chairs as a forum. In so doing, Baku demonstrates that Armenia has become an object of international politics rather than a subject. This new arrangement has also definitely marginalized the role of the Minsk Group, turning it into a useless mechanism.

The culmination of relations between Azerbaijan and OSCE Minsk Group was demonstrated in full public view in December 2020 at the start of a meeting between President Ilham Aliyev and a not quite complete composition of the Co-chairs. Azerbaijan's president said that "unfortunately, the Minsk Group did not play any role in resolution of the conflict, although the Minsk Group had a mandate to do it for 28 years."[10] Aliyev conceded that although the Minsk Group did produce some ideas in an effort to resolve the dispute, these did not bear any fruit. He underlined that the regional status quo had been changed, and that Azerbaijan was the one that changed it:

> we showed that the status quo can be changed by force, by courage, by wisdom, by policy, by concentration of efforts, by solidarity of Azerbaijani people, by the will of the Azerbaijani government and the spirit of Azerbaijani people and bravery of Azerbaijani soldier. We showed that we were right. And then,

> of course, Armenia was forced to sign the capitulation act. They would have never signed it voluntarily. We forced them, not Minsk Group, we, and President Putin. This is a reality.[11]

The future and role of the Minsk Group thus remains unclear and dubious. In April 2021, the current Minsk Group Co-Chairs—Russia's Igor Popov, France's Stephane Visconti, and America's Andrew Schofer—released a statement, the core of which states that

> The Co-chairs remind the sides that additional efforts are required to resolve remaining areas of concern and to create an atmosphere of mutual trust conducive to long-lasting peace. These include issues related to, inter alia: the return of all POWs and other detainees in accordance with the provisions of international humanitarian law, the exchange of all data necessary to conduct effective demining of conflict regions; the lifting of restrictions on access to Nagorno-Karabakh, including for representatives of international humanitarian organizations; the preservation and protection of religious and cultural heritage; and the fostering of direct contacts and co-operation between communities affected by the conflict as well as other people-to-people confidence building measures.[12]

But this statement is nothing more than a pleading reminder to the two sides to pay attention to the Minsk Group's mandate. The chief difficulty is that most of the provisions of that mandate have already been or are being implemented on the basis of the outcome of the Second Karabakh War—i.e., the de-occupation of territories, the deployment of peacekeepers, the establishment of a corridor connecting Karabakh and Armenia, and the right of return of internally-displaced persons. Both the United States and France regard the Minsk Group as one of the rare opportunities to secure seats at the table of any future talks on Karabakh. Washington plans to return diplomatically to the South Caucasus while France, at least under President Emmanuel Macron, seeks to extend its influence.

However, it seems that the main outside powers (Turkey and Russia) are happy with the new normal in Armenian-Azerbaijani relations whereby they and they alone are the only two problem-solvers. Nevertheless, Moscow will not take steps to destroy the Minsk Group: keeping it alive, or at least on life

support, provides an opportunity for the Kremlin to maintain a semblance of common ground with the United States and the European Union (through France). Another way to phrase this would be to say that Russia's monopolistic position in Karabakh can be leveraged in negotiations with the West. Baku perfectly understands that it is impossible to exclude the Minsk Group completely and is likely to try to balance its relations with the three Co-chairs and use this balancing to further its own interests. Yerevan, as noted above, sees the Minsk process as the only forum in which it could somehow influence the course of future peace talks. Moscow, meanwhile, is not going to allow Yerevan to dictate its conditions, and it seems most likely that Armenia will follow the Kremlin's lead.

WHAT CAN AZERBAIJAN DO?

Throughout Azerbaijan's contemporary history, Baku's foreign policy posture towards Russia has been driven by two permanent determinants. On the one hand, Moscow's continued support for Yerevan and its stance of procrastination in the resolution of the Karabakh conflict have prevented Baku's active rapprochement with the West. Russia appears to believe that if the Karabakh conflict is genuinely solved, Baku will immediately rush into anti-Russian alliances or pursue NATO membership. The unresolved issues of the Karabakh conflict have thus remained the principal leverage that Russia can use against Azerbaijan to keep the latter from engaging in unfriendly actions. The 2008 Russia-Georgia War, as well as Russia's occupation of Crimea and its suspected support for separatists in the Donbass, have further complicated Azerbaijan's position in this respect.

On the other hand, Azerbaijan's vast oil and gas reserves have encouraged it to preserve a rhetoric of independence in the formulation (and execution) of its foreign policy. The country's steadily increasing geostrategic importance, due in large part to its contribution to the EU's energy security, has enabled Baku not to become what is colloquially termed a puppet of the Kremlin. It was the blessing of natural resources that provided Azerbaijan with another option for adjusting its relations with Russia as a great power, an alternative both to balancing and

bandwagoning. We can define the former as allying against the primary source of threat and the latter as opting for allying with the source of principal danger. The third option forgoes the balancing-bandwagoning dichotomy in favor of what is called strategic hedging.

The outcome of the Second Karabakh War further changed established paradigms and forced Azerbaijan to operate in an absolutely new environment. The question today concerns the nature of the window of opportunity that would allow Azerbaijan to finally resolve the underlying conflict without yielding any part of its sovereignty. As the neorealist international relations tradition would suggest, Azerbaijan's foreign policy strategy towards Russia has been affected largely by considerations over national security potentially threatened by Moscow. The alleged involvement of Russia in the Karabakh conflict, as well as its assertive behavior towards other post-Soviet states—something that potentially foreshadows a similar threat to Azerbaijan's sovereignty and territorial integrity—certainly go a long way to explaining Azerbaijan's behavior towards Russia. By the neorealist standard, Azerbaijan should be choosing between balancing and bandwagoning when dealing with an overwhelming competitor.

The soundness of such a perspective is further reinforced by the substantive absence of the U.S. and the EU during and after the war, which for all intents and purposes made absolute Russia's regional monopoly (even when the Turkish positioning is factored in). Moreover, the controversial positions of France and later Germany both discredited the EU's position in the eyes of Azerbaijan and decreased the level of trust. At the same time, the Biden Administration has not brought any new change to American policies in region. It would not be a gross exaggeration to assert that both the Europeans and the Americans effectively took the side of Armenia in the conflict. Thus, the EU allocated around €1.5 billion to the Pashinyan government for the next 5 years on various projects while Baku received much, much less.

Meanwhile, U.S. and EU representatives push for negotiations on the status of the Karabakh Armenians while Azerbaijan states that this is no longer a topic for discussion. Only Turkey is currently able to prevent Russia's dominance in Karabakh through its continued support for Azerbaijan and

its presence at the Joint Center for Monitoring the Ceasefire in Karabakh. Moreover, Turkey continues to strengthen its position in Azerbaijan (and thus strengthening Azerbaijan's position towards Moscow) via joint military exercises, economic investments, and interfering in Moscow-Baku negotiations. The bottom line is that Turkey's strong position prevents Moscow from pushing Baku harder on, for example, joining the Collective Security Treaty Organization (CSTO) or the Eurasian Economic Union. Thus, Turkish active involvement would seem to move Baku away from bandwagoning in favor of a return to a balancing policy.

The outcome of the Second Karabakh War proved that Azerbaijan's longstanding policy of strategic patience works: waiting for favorable moment to change the situation. One could say that only Russia's active engagement in the last days of the war took away Azerbaijan's full victory.

Over the next decade, Azerbaijan's policies are likely to be concentrated in a few directions: reconstruction of its liberated territories, doubling down on its strategic hedging policy, and expanding the importance of its role as a regional transport and logistics hub. Each will be addressed in turn.

First, the massive reconstruction of the liberated territories as well as populating them with returning IDPs. From this perspective, demining of all territories presents the biggest danger. So far, since the end of the military actions, dozens of Azerbaijani soldiers and civilians have lost their lives due to mines. Azerbaijan has had to negotiate for mine maps, but thus far has only received maps for two regions (Aghdam and Fizuli). Without a doubt, reconstruction efforts would quicken if all parties cooperated on de-mining. Meanwhile, the government of Azerbaijan, through its reconstruction efforts, will try to win the hearts and minds of Karabakh Armenians, showing them the benefits of being under Azerbaijani rather than Russian control. Thus, Baku will try to slowly turn Shusha, the old capital of Karabakh, into an Azerbaijani showcase city and national cultural capital. Moreover, in order to repopulate Karabakh, Aliyev announced in January 2021 that "settlements recently liberated from Armenian occupation will be re-established based on the smart city/smart village concept."[13] The idea envisions the establishment of different, better governance systems and economic opportunities. With such modern terms and notions, the government hopes to draw displaced people back to the region.

Second, Azerbaijan will double down on its strategic hedging policy, trying to not yield to Russian demands to join the CSTO or the Eurasian Economic Union. During hard periods of negotiations, the Azerbaijani political establishment will draw Turkey into such discussions to shield itself from undue Russian pressure and influence. One can thus say that the Shusha Declaration signed between Turkey and Azerbaijan, as well as discussions about establishing a Turkish base in Azerbaijan, serve the purpose of counterbalancing Russian influence.

Finally, Azerbaijan's priority will be to establish another transportation route to the West, and especially to Turkey. Trying to benefit economically from the Chinese-led Belt and Road Initiative, Baku seeks to secure a railroad/highway corridor via Armenia to Azerbaijani exclave of Nakhchivan, which, as it happens is the final provision of the tripartite statement that ended the Second Karabakh War, as discussed above. In Azerbaijan, this project is often called the Zangezur corridor (an Azerbaijani ethnonym for the Armenian province of Syunik). By this route, Azerbaijan would gain direct access to Turkey and a significantly decreased time for delivering products from Europe to China and back. A full resolution of the Karabakh conflict would make it possible to unblock the transportation routes between Armenia and Azerbaijan, giving Baku a transportation route to Turkey, but also providing Yerevan a route to Russia. Thus, the north-south corridor could join the Belt and Road Initiative in Azerbaijan, which would become both a major geo-economic crossroads and hub whilst extending the benefits of this transformation to the entire neighborhood. The Russian political establishment has hailed this idea and pushed Armenia to unblock transportation and communication lines in the hope that it will then control this 40-km long corridor.

THE PRICE OF RESOLUTION

Azerbaijan's victory in Karabakh has reshaped the region's geopolitical landscape. Baku was able to a create a situation in which Turkey and Russia do not compete but cooperate in the region. Whether we call the result "competitive cooperation" or "cooperative competition," the point is that this puts the South Caucasus in a vastly different situation compared

to Syria, Libya, and Ukraine. This benefits Azerbaijan by ensuring the country does not become a front line in the ongoing rivalry between the West and Russia. Baku's largest challenge—today and tomorrow—is the presence of the Russian peacekeepers. They can be a destabilizing factor, depending on the "needs" of the Russian authorities in relation to Baku and to Ankara. From this perspective, the conflict seems to represent an important bargaining chip and Russia would be interested in getting something from Azerbaijan in return for solving the Karabakh conflict—or at least solving it sufficiently.

Going forward, Russia's Karabakh policy will depend largely on how relations develop between Moscow and Baku and, of course, on how relations develop between Moscow and Ankara in general. The historical record tells us that Russia has several tried-and-true options for the territories under its peacekeepers' control. It could recognize their independence, following the South Ossetia and Abkhazia cases. It could distribute Russian passports to the Karabakh Armenians, citing the willingness of its "new Russian citizens" to be annexed, as was the case with regards to Crimea. Lastly, it could declare all negotiations to be "unsuccessful," opening up a Donbass scenario. However, it does not appear at present that Moscow wishes to resort to any of these models: Russia is more likely to come up with a new formula. After all, recourse to existing ones would immediately alienate Baku: creating another strongly anti-Russian state in the Caucasus (after Georgia) is not in the Russian interest.

Beyond this, of course, is the fact that the Turkish factor in the region is much more important today than at any time previously. An assertive Turkey is a game-changer in the Caucasus. Thus, it seems probable that Russia will choose another way forward, such as pushing Armenia out of picture and negotiating unhurriedly with Azerbaijan. Unfortunately, Baku cannot rely either on the EU or the United States, which seem somehow to view the current situation as the product of a clandestine agreement between Moscow and Ankara and, being unsatisfied with this state of affairs, seem intent on trying to change it.

Meanwhile, Azerbaijan's present policy toward the territories under the control of Russian peacekeepers is one of silent ignorance (although

this silence has been punctured here and there quite recently). Since Baku claims that the conflict is over and that the country has restored its territorial integrity, the country's establishment prefers to disregard the lingering presence of an ethnic-Armenian separatist regime protected by Russia out of fear that Moscow will choose to play that card, as it has elsewhere. Obviously, in the coming years Baku will have to bargain hard with Moscow over the fate of said territories, armed with the near-certain knowledge that Russia's price could be steep indeed.

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9

Regional Energy Connectivity in the Wake of the Second Karabakh War

Akhmed Gumbatov

The collapse of the Soviet Union in 1991 dramatically altered the relationship dynamics between the three South Caucasian republics—Armenia, Azerbaijan, and Georgia. Despite the state of integration and interdependence that existed in imperial and then Soviet times, the countries' economic, political, and social ties promptly were eroded during the period that began with the collapse of the USSR. The eruption of ethno-political conflicts promoted the closure of borders and significant regional fragmentation. The different geostrategic orientations of the three states of the South Caucasus further exacerbated the region's disintegration. While Georgia decided to pursue membership in the EU and NATO, Armenia became a member of the Russia-led Eurasian Union. Meanwhile, Azerbaijan opted to pursue a multi-vector policy and balance between the West, Russia, and other powers.

The region's fragmentation has particularly manifested itself in the energy sector. After signing a production-sharing agreement on the joint development of the Azeri-Chirag-Deepwater Gunashli (ACG) oil field in Azerbaijan on 20 September 1994, which became known as the "Contract of the Century," heated debates arose about the major route for exporting this crude to the global market. From a commercial and technical standpoint, building an oil pipeline through Armenia to Turkey's Mediterranean coast would have been the optimal

option. The realities on the ground, however, dictated a different scenario. The Armenian occupation of Azerbaijani territory (Nagorno-Karabakh and seven surrounding regions) during the First Karabakh War in the early 1990s resulted in Yerevan's isolation and blocked its participation in the project. As a result, a BP-led consortium opted for a route through Georgia, which became known as the Baku-Tbilisi-Ceyhan (BTC) pipeline. While ultimately the BTC project proved successful, the geopolitical situation, which was the result of Armenian aggression, made the evacuation route of Caspian hydrocarbons more expensive: a longer and more secure pipeline passing through extremely rugged terrain, circumventing Armenia, was required to be built.

Similarly, Armenia's continued aggression excluded the country from participation in major natural gas projects in the region. After the discovery of the giant Shah Deniz natural gas field in Azerbaijan's section of the Caspian Sea in 1999, a trilateral strategic partnership consisting of Azerbaijan, Georgia, and Turkey resulted in the construction of the South Caucasus Pipeline in 2006, which allowed the export of Azerbaijani gas from Shah Deniz Stage 1 to Georgia and Turkey. With the development of Shah Deniz Stage 2, an extensive partnership encompassing seven national governments and 11 different companies[1] was formed to extend Azerbaijan's offshore natural gas supplies from beneath the Caspian Sea to European customers thousands of kilometers away, in a project known as the Southern Gas Corridor. Again, instead of participating in this strategic project and benefiting from the resulting energy supplies and transit dividends, Yerevan chose a policy of self-isolation and continued occupation.

The South Caucasus region, being a crossroads for regional grid connections originating in Russia, Iran, and Turkey (the latter also provides a gateway to the EU power market), has a tremendous potential to benefit from various seasonal, price, and geographical combinations in the trade of electricity.[2] However, for the past three decades the Karabakh conflict also hindered regional cross-border electricity connectivity. While bilateral electricity exchanges do happen in small-scale volumes, the development of a single regional grid, which used to function during the Soviet period, essentially has been stalled. Fragmented regional cooperation has also hampered the development of renewables as well as increased regulatory uncertainties whilst reducing investors' confidence—all of which are crucial factors for the actualization of capital-intensive cross-border electricity projects.

Besides rejecting participation in and benefiting from various regional projects—which, in turn, made their realization more complicated and expensive—Armenia's aggressive posture has represented a threat to energy supply routes originating in Azerbaijan. The region's major energy arteries passed in near proximity to the Karabakh conflict zone. In this regard, any escalation was understood by all stakeholders as possibly endangering the flow of Caspian hydrocarbons to Western markets. In fact, Armenian officials have never concealed their ambitions to attack Azerbaijan's critical energy infrastructure, including pipelines, dams, and power plants. During the Second Karabakh War, Armenian forces repeatedly targeted Azerbaijan's oil and gas pipelines.[3]

During this war, Armenian armed forces also tried to hit other critical infrastructure objects, including a 2,400 MW gas-fired power plant and a 400 MW hydropower plant in the Azerbaijani city of Mingachevir.[4] At least one of the missiles landed near that energy bloc but did not explode.[5]

On 10 November 2020, after six weeks of bloody armed conflict, Armenia accepted a Russia-brokered ceasefire agreement on Azerbaijan's terms, thus effectively capitulating to Baku.[6] The resulting shift in power dynamics has dramatically changed the geopolitical landscape not only in the South Caucasus but in the wider Black Sea-Caspian region. More importantly, the end of the Second Karabakh War has created new opportunities for unlocking the region's economic, transport, and energy potential, as reflected in the tripartite statement that brought the fighting to an end and set the stage for a new postwar regional economic order.[7]

NATURAL GAS SUPPLIES FROM AZERBAIJAN TO ARMENIA

In the wake of the end of the fighting and pledges to re-open communication links in the region, a peculiar agreement took place between Gazprom Export, a subsidiary of Russia's state-owned Gazprom, and the State Oil Company of the Azerbaijan Republic (SOCAR) on 16 March 2021. The two parties signed a short-term contract for the transportation of Russian gas to Armenia through the territory of Azerbaijan due to planned preventive maintenance work on

the Russian part of the North Caucasus-Transcaucasia trunkline.[8] As a result, Armenia received natural gas for several weeks via Azerbaijan for the first time in three decades.

Some observers rushed to make claims about the possibility of exporting Azerbaijan's natural gas to Armenia. If the two sides were to reach a peace agreement, the short-term prospects of which currently do not appear promising, the supply of natural gas from Azerbaijan to Armenia would indeed be logical. Azerbaijan is a hydrocarbon-rich state while Armenia does not have oil and gas reserves; hence, it is forced to import most of its energy needs. In addition, the two countries are located just next to each other, which would dramatically reduce transportation costs.

As an option, an Azerbaijan-Armenia natural gas pipeline could be constructed along the Zangezur corridor, an anticipated trade corridor (as outlined in Article 9 of the aforementioned tripartite statement ending the Second Karabakh War) that would connect Azerbaijan's Nakhchivan Autonomous Republic to the rest of Azerbaijan via Armenia's Syunik province. Such a project would not only help to provide Armenia with natural gas and diversify its supply sources; it would also establish a direct gas connection between Azerbaijan and its landlocked exclave of Nakhchivan, currently depending on gas imports from Iran (more on this below). Perhaps, such an arrangement would also help to reinforce trust between Baku and Yerevan and promote regional economic reintegration.

However, such a scenario is unlikely at present, given the Kremlin's tight grip on Yerevan. Not only does Russia provides security for Armenia; it also dominates the Armenian economy, including the energy sector. Armenia imports more than 80 percent of its natural gas needs from Gazprom alone.[9] Its remaining natural gas requirements (around 0.5 bcm) are imported from Iran in an electricity-for-gas swap arrangement.[10] In fact, Yerevan repeatedly has tried to increase the imports of natural gas from the Islamic Republic, as the Iran-Armenia pipeline's capacity is around 2.3. bcm; it has failed to do so successfully due to Moscow's opposition. Furthermore, Gazprom Armenia, a subsidiary of Gazprom operating in Armenia, is the only gas supplier in the country, effectively controlling Armenia's natural gas supply operation, distribution, transmission system, and underground storage facilitates.[11] Therefore, even if Russia

gives a green light to natural gas imports from other sources, Gazprom will still control the distribution of natural gas in Armenia, including its pricing structure.[12]

THE IGDIR-NAKHCHIVAN GAS PIPELINE

While the restoration of the agreed-upon transportation corridors between Azerbaijan and Armenia has been delayed due to Yerevan's hesitation and opposition, Baku and Ankara have agreed to construct a Turkey-Nakhchivan natural gas pipeline. A Memorandum of Understanding on the project was signed between Turkey's Energy and Natural Resources Minister Fatih Dönmez and Azerbaijan's Energy Minister Parviz Shahbazov on 15 December 2020, just weeks after the end of the Second Karabakh War.[13] The natural gas pipeline will run from Igdir in Turkey's eastern Anatolia to Sederek in Nakhchivan. The pipeline's annual capacity of 500 million cubic meters will be filled with part of the Azerbaijani gas sent to Turkey.[14] The project is expected to be completed in 2022.[15]

As a landlocked exclave of Azerbaijan separated by Armenia, Nakhchivan is at present unable to directly receive natural gas from Azerbaijan's main territory. In these circumstances, Nakhchivan's natural gas demand has been mainly met through imports from Iran, based on swap operations with the country. Under the swap agreement between Baku and Tehran signed in 2004, Azerbaijan ships natural gas to Iran's city of Astara, with 85 percent of that volume going to Nakhchivan.[16] The construction of the Igdir-Nakhchivan pipeline would terminate the requirement that Azerbaijan engages in swap operations with Iran to provide its strategic western exclave with natural gas supplies. Besides reducing Azerbaijan's dependence on Iran, the realization of the Igdir-Nakhchivan gas pipeline will further promote Ankara's presence into the South Caucasus. As noted by Paul Goble, "the energy project has the potential to shake up the geopolitics of the region—adding to Russian and Iranian fears about a Turkish advance, while simultaneously underscoring Turkey's readiness to support Baku even more enthusiastically in the latter's quest for a more direct overland route between mainland Azerbaijan and Nakhchivan."[17]

PHASE TWO OF THE SOUTHERN GAS CORRIDOR

Another important post-war development in regional energy affairs has been the completion of the Southern Gas Corridor on 31 December 2020. The project is a $40 billion 3,500-kilometere pipeline system taking natural gas from Azerbaijan's Shah Deniz natural gas field in the Caspian to Turkey and Europe—a historical first. Notwithstanding the engineering, technical, geographical, geopolitical, and lately pandemic-induced logistical challenges, the Southern Gas Corridor was safely brought into service on schedule and under budget. Representing an alternative supply route bypassing Russia, the Southern Gas Corridor helps to diversify Turkey and Europe's natural gas imports and improve the energy security of everyone concerned.

Now that the Southern Gas Corridor is up and running, attention is being attached the project's second stage, which would entail an expansion of the corridor's capacity. Strategic foresight ensured that, from the onset, all the corridor's pipelines were built to be expandable. The South Caucasus Pipeline, the first in the series of the corridor's pipelines, and which takes natural gas from Azerbaijan's Shah Deniz to Georgia, can be expanded by up to 10 bcm. The Trans-Anatolian Pipeline (TANAP), the corridor's middle leg that carries natural gas across Turkey, can double its capacity from its current 16 bcm to 31 bcm.[18] The Trans-Adriatic Pipeline (TAP), the corridor's final leg crossing Greece, Albania, and the Adriatic Sea before coming ashore in southern Italy to connect to the Italian natural gas network, will also be able to double its capacity from its current 10 bcm to 20 bcm—should more supplies become available in the future.[19] During the Phase Two development stage, the corridor's shareholders will seek to reach additional markets in Europe, including the western and eastern Balkans. In addition to finding new clients, the corridor's expansion will entail the development and inclusion of new supply sources.

Thus, not only is Azerbaijan the sole provider of natural gas for the recently completed Southern Gas Corridor Phase One, but it also has the potential of becoming a gas supplier for the expanded, Phase Two version of the corridor in the future. However, depending on production and consumption patterns, the country's available natural gas supplies alone might not be enough to justify the corridor's expansion.[20] In this

regard, Simon Pirani of the Oxford Institute for Energy Studies suggests several scenarios of natural gas output in Azerbaijan.[21] In his study, an assumption of the lowest plausible level of natural gas production in Azerbaijan suggests that there might be no volumes available for Phase Two of the Southern Gas Corridor. By contrast, the highest plausible level of natural gas production in Azerbaijan (in case all potential investments are made, and all fields are developed) could gradually add up to 15 bcm—enough volume to ensure the full capacity of an expanded version of the Southern Gas Corridor.

Turkmenistan, with its vast natural gas reserves, currently seems to be the most feasible source base for the Southern Gas Corridor Phase Two. Indeed, the country possesses the fourth-largest natural gas reserves in the world: an estimated 13.6 trillion cubic meters, accounting for around 7.2 percent of the world's total.[22] The Central Asian republic is also home to the world's second-largest natural gas field, called Galkynysh.

However, unlike Azerbaijan, Turkmenistan so far has had limited opportunities to monetize its massive reserves. After the dissolution of the Soviet Union, Russia naturally became Turkmenistan's major market for natural gas shipments due to pre-existing infrastructure connections, thus enabling Moscow to boost its gas exports to Europe. Due to its geographical proximity and a lack of proper internal infrastructure, Iran also imported some natural gas from Turkmenistan for its northeast while using its southern natural gas deposits to ramp up exports to foreign markets. Amid Ashgabat's disputes with Moscow and the completion of the Central Asia-China natural gas pipeline in 2009, China gradually replaced Russia as the major market for Turkmenistan's natural gas supplies. Currently, more than 80 percent of the value of Turkmenistan's exports stem from natural gas, with basically all of it going to one customer: China.[23] Against this backdrop, Ashgabat is highly motivated to diversify its natural gas exports base and launch a westward supply line through Azerbaijan to join the Southern Gas Corridor.

In fact, Turkmenistan has long aspired to ship natural gas in a westerly direction, including lucrative European markets. A consortium of Shell, Bechtel, and General Electric tried to construct a pipeline across the Caspian to ship the Central Asian republic's vast natural gas resources to

Turkey and Europe in the late 1990s. The project even received a strong support from the United States, as it was it line Washington's policy objective of encouraging an energy-pipeline corridor running from east to west through Eurasia that would bypass both Russia and Iran. However, following the discovery of Azerbaijan's Shah Deniz natural gas field by BP in 1999, the project was abandoned as Baku became the new starting point and resource base for a projected southern energy corridor. The realization of this project satisfied the EU whilst also satisfying American interests. As the *Wall Street Journal* put it: "After all, a gas pipeline from Azerbaijan also fits the U.S. strategy of creating an east-west corridor that avoids Russia and Iran for energy exports from the newly independent former Soviet countries bordering the Caspian Sea."[24]

THE DOSTLUQ DEAL: A GATEWAY FOR TURKMENISTAN'S GAS SUPPLIES TO EUROPE?

The improvement of relations between Baku and Ashgabat over the past three years, the conclusion of the Convention on the Legal Status of the Caspian Sea, the end of the Second Karabakh War, and the completion of the Southern Gas Corridor Phase One are amongst the factors that paved the way for the signing of a landmark agreement on energy cooperation in the region: a Memorandum of Understanding (MoU) between Azerbaijan and Turkmenistan on the joint exploration and development of hydrocarbon resources in the Dostluq field, located in the Caspian Sea. The "historic document,"[25] as Azerbaijan's president Ilham Aliyev called it, was signed on 21 January 2021. It marks a new stage of energy cooperation between the two Caspian littoral states as it allows them to start joint work on the development of a once-disputed section of an undersea hydrocarbons field in the Caspian Sea for the first time. The deal essentially provides the foundation for establishing a direct gas connection between Azerbaijan and Turkmenistan and facilitates Ashgabat's potential participation in Phase Two of the Southern Gas Corridor project.

Dostluq, which means "friendship" in the titular languages of both Azerbaijan and Turkmenistan, is the new name of the oil and gas field discovered by Soviet Azerbaijani geologists and geophysicists in 1959.[26]

At that time, it was known as "Promezhutochnaya," which means "intermediate" in Russian. Located on the maritime border between Azerbaijan and Turkmenistan, both Baku and Ashgabat have laid claim to the field since the dissolution of the Soviet Union in 1991, calling it Kepez and Serdar, respectively. In the past three decades, there have been several attempts to develop the field. However, all deals failed as Baku and Ashgabat were not able to find middle ground on sharing the undersea deposits. The signing of the aforementioned memorandum finally put an end to this three-decade-old dispute.

The launch of Dostluq will help to channel additional revenue streams and maintain liquid production for both Azerbaijan and Turkmenistan. Reserves estimates vary dramatically. Preliminary numbers suggest 20 to 100 million tons of oil and 10 to 30 billion cubic meters of natural gas.[27] According to the SOCAR, the development of the Dostluq block "will most likely require the collection of new modern seismic data and the drilling of exploration wells."[28] Due to the Dostluq field's proximity to Azerbaijan's massive ACG complex, Ashgabat will be able to export its part of produced hydrocarbons from the field through existing Azerbaijani infrastructure with little additional infrastructure development.

Baku is already a major transit partner for Ashgabat, with around 29 million barrels of Turkmen oil, roughly accounting for one third of the country's total production, being shipped via the BTC trunkline to reach international markets.[29] Interestingly, just a month before the Dostluq deal was inked, SOCAR Trading, a SOCAR subsidiary, won a tender by Eni Turkmenistan to sell around 500,000 tons of Okarem oil from Turkmenistan in 2021.[30] Furthermore, in September 2021, SOCAR and Vitol agreed to transport around 1 million tons of Turkmenistan's oil, an arrangement that began a month later.[31] The two deals increase Ashgabat's oil supplies to the BTC pipeline, thus further bringing the countries together.

Perhaps more importantly, the last obstacle to a direct gas connection between Azerbaijan and Turkmenistan disappeared with the signing of the Dostluq MoU, thus essentially opening up the SGC to Turkmenistan's supply of natural gas to Europe. At early stages, instead of constructing a full-fledged trans-Caspian pipeline, Baku and Ashgabat will likely focus on the realization of a short interconnector between Azerbaijan's offshore fields

and Turkmenistan. This new piece of infrastructure could be even joined with an interconnector from some of Kazakhstan's fields in the Caspian, given their proximity.[32] Such a modest approach would help to build trust and prove the possibility of a direct gas corridor between Azerbaijan and Turkmenistan. In addition, unlike a full-fledged shore-to-shore pipeline, the interconnector between offshore fields would not be subject to environmental approval by all Caspian littoral states, as stipulated in the Convention on the Legal Status of the Caspian Sea.[33] Finally, the realization of such an interconnector project would be politically more acceptable for both Moscow and Tehran: Russia and Iran have long resisted the construction of a Trans-Caspian Pipeline, seeing such a project as a rival to their own natural gas supply networks.

OTHER POTENTIAL SUPPLIERS FOR SGC PHASE TWO

Until recently, Russia has been considered as a potential source for natural gas supplies for SGC Phase Two. In particular, concerns were voiced in the West that Russia could book capacity in an expanded version of the Trans Adriatic Pipeline—the SGC's final leg stretching from the Turkish-Greek border to Italy. This was especially the case given the Kremlin's challenges associated with the development of Nord Stream 2—the expansion of existing natural gas supplies (Nord Stream 1) from Russia to Germany under the Baltic Sea. While this booking of space, as it were, could be interpreted as a geopolitical blow to the EU's energy diversification motives, Russian Gazprom's potential participation in this project would have been fully in line with current EU regulations, which requires TAP to provide third party access to an expanded version of the pipeline.[34] However, with the completion of Nord Stream 2 on 10 September 2021, the likelihood of Moscow's participation in the SGC has dropped dramatically.

Iran is another potential candidate for gas supplies to Europe via an expanded Southern Gas Corridor. The country is home to some of the largest deposits of proved gas reserves, ranking as the world's second-largest reserve holder of natural gas.[35] Despite its potential, however, Tehran has been unable to become an important natural gas supplier and monetize its vast reserves due to various technical, managerial,

financial, and geopolitical issues. In addition, Iran's extremely high and inefficient domestic gas consumption has dramatically limited the country's available resource base for exports. In fact, Iran is the fourth-largest consumer of natural gas in the world after the United States, Russia, and China.[36]

The discovery of a new natural gas deposit (called the Chalous field) in the Caspian Sea in August 2021, which took place amid heightened hopes for sanctions relief, might become a game changer for Iran's natural gas supplies. Iran's Khazar Exploration and Production Company (KEPCO) believes the Chalous field to be the tenth-largest natural gas deposit in the world.[37] According to the company's CEO, Ali Osuli, "if the initial estimates are confirmed and exploration success is achieved, the Iranian sector of the Caspian Sea will play a significant role in gas exports to Europe in the near future, in which case Iran's new gas hub will be formed in the north to let the country supply 20 percent of Europe's gas needs from this region."[38]

However, the discovery of these yet-to-be-confirmed natural gas deposits represents only the first step for Iran's potential gas supplies to Europe. Even assuming the lifting of sanctions, Iran would need a proper infrastructure network to successfully evacuate natural gas from the north of the country, which it currently lacks. Essentially, Tehran has four major options. The *first* and perhaps commercially most viable one would be to join an expanded Southern Gas Corridor. There are many ways to accomplish this. Tehran could build an offshore connection with Azerbaijan's Sangachal terminal, which is located on the coast of the Caspian Sea 45 kilometers south of Baku; it could build a new pipeline directly to Turkey, from where it would join TANAP; or Iran could use the existing (and currently operational) Iran-Turkey pipeline. The latter might become vacant by the time the Chalous field is ready for exploitation, as the current 25-year contract for the sale of Iranian gas to Turkey expires in 2026 and Ankara plans to start its own gas production in the Black Sea. The prospects for the Islamic Republic's participation in the SGC, however, might be jeopardized as relations between Azerbaijan and Iran sour amid Tehran's offensive rhetoric against Baku.[39]

The *second* option would consist in building a pipeline from Iran's north to the shores of the Persian Gulf in the south of the country, from where Tehran could liquify natural gas and ship it via LNG vessels. Technically, Iran could also use its Caspian offshore deposits to supply its northern regions, while freeing up more natural gas produced in the Gulf area for LNG supplies. In any case, building a pipeline and/or a liquefaction facility would significantly add up to the project's costs, albeit this export method would be politically preferred for Tehran.

The *third* option is to send natural gas to Turkmenistan and further onwards to China via an additional line within the Central Asia-China gas corridor. However, given the strained relationship between Tehran and Ashgabat as well as Iran's past unwillingness to transit Turkmenistan's natural gas supplies to Turkey and onward, this option seems to be politically unattainable.

The *fourth* option is to export natural gas to Pakistan and perhaps further onward to India, thus effectively replicating Ashgabat's Turkmenistan-Afghanistan-Pakistan-India (TAPI) project. Tehran has long planned to do just that. By 2014, Iran had even completed the infrastructure required to supply natural gas to the Iranian-Pakistani border. However, due to various geopolitical and financial reasons, Islamabad at present does not seem to be interested in realizing the initiative.

Finally, the completion of the SGC opens the prospects for incorporating natural gas supplies located in the Eastern Mediterranean, particularly Israel. While the country's domestic demand for electricity is largely met by gas from the smaller Tamar field, the larger Leviathan field (discovered in 2010, just a year after Tamar) has yet to become a source of Israel's natural gas exports. Israel has several options on the table, but a pipeline to Turkey and further to Europe through TANAP—the longest leg of the Southern Gas Corridor—would be the shortest and most commercially viable route. As noted by SOCAR Vice President for Investments and Marketing, Elshad Nasirov, "Israeli gas to Turkey and then entering TANAP with swaps in the Turkish market is commercially the most viable option to export gas from the East Mediterranean into Europe and we support that option."[40]

The bottom line is that the likelihood of these options and projects being executed has increased as a result of the outcome of the Second Karabakh War.

REINTEGRATION OF ELECTRICITY MARKETS

The end of the Second Karabakh War and the resulting tripartite statement, coupled with an anticipated full peace agreement between Armenia and Azerbaijan (and another between Armenia and Turkey) might also help to promote the establishment of a common harmonized regional electricity market framework. As mentioned above, the unresolved Karabakh conflict has impeded regional cross-border electricity projects for three decades. While bilateral electricity exchanges have taken in small-scale volumes, a region-wide partnership has been largely stalled.

Armenia, in particular, has a lot to gain from the restoration of regional electricity exchanges. Due to its occupation of Karabakh, Yerevan has only been able to trade electricity with Georgia and Iran, since interconnections with Azerbaijan and Turkey had been disabled. The electricity system connection with Georgia is asynchronous, while trade with Iran has been happening on an electricity-for-gas swap arrangement comprising of Armenia's electricity exports to Iran in return to the imports of natural gas.[41] Yerevan has also remained outside the Azerbaijan-Georgia-Turkey (AGT) Power Bridge Project aimed at supporting increased trade and exchange of electricity and improving network reliability.[42]

A significant expansion of electrical networks, with the use of renewables, is being currently undertaken by Azerbaijan as the country seeks to rebuild the liberated territories in and around Karabakh. Declared a green zone and a hub for sustainable development, the region will become home to smart cities and villages using renewable energy sources. Baku has already allocated $1.5 billion for the reconstruction of the de-occupied lands in 2021.[43] A significant part of the funds will go for infrastructure spending, including the development of renewables and energy communications.

Karabakh has a great potential for developing green energy: one quarter of Azerbaijan's domestic water resources originate in the liberated regions. Karabakh's major rivers, including Tartar, Bazarchay (Bargushadchay), and Hakari are well-suited for harnessing hydropower.[44] The ongoing construction of the Khudaferin and Giz Galasi dams (the latter is also known as Maiden Tower), which are both being built jointly with Iran, are envisaged to provide 280 MW of energy, whereas the anticipated

hydroelectric power plants in the Kalbajar-Lachin area will generate 120 MW of energy, thus effectively providing for the region's primary energy needs.[45] Karabakh's solar energy potential is estimated at 3,000-4,000 MW and its wind energy potential at 300-500 MW. One they come online, electricity supplies will be made available to the whole population of the formerly occupied territories, regardless of ethnicity. If a full peace agreement is reached, Azerbaijan's electricity supplies might be also extended further to settlements in Armenia.

The integration of countries' electricity grids could also promote the development of renewable energy, which is an increasingly important issue on the agenda of all countries and is part of the UN 2030 Agenda for Sustainable Development—specifically, SDG7. As electricity generation from renewables tends to be more variable and uncertain than conventional sources, regional cooperation and grid planning are essential for the deployment of renewable energy sources. Well-designed integration methods and coordination policies could help to maximize the cost-effectiveness of incorporating variable renewable energy (VRE) into electrical grids while improving system stability and reliability.[46] In addition, regional partnership can help to reduce regulatory uncertainties and improve investor confidence, both of which are essential for capital-intensive cross-border electricity initiatives.

Finally, even if Armenia and Azerbaijan were to reach a full peace agreement, building a full-fledged and well-integrated regional electricity system might still be jeopardized due to the existence of two parallel integration projects regarding the creation of a common electricity market in the region. The establishment of a single power market is pursued within the context of the EU's Energy Community as well as the Eurasian Economic Union. Georgia signed the protocol on the accession of Georgia to the Energy Community on 14 October 2016 and ratified it on 21 April 2017, thus becoming a full-fledged member. This has resulted in Tbilisi undertaking a commitment to implement key EU regulations and rules on electricity and gas networks, the environment, renewable energy, energy efficiency, oil, and energy statistics.[47] Azerbaijan is also closely cooperating with the Energy Community. Armenia, by contrast, is developing a single market for electricity, gas, and oil within the Russia-led Eurasian Economic Union. As a result, the opposite political orientation of the two parallel

integration processes on the creation of common electricity markets in the region might end up, ironically, promoting further regional fragmentation. As Irina Kustova of the Brussels-based Energy Charter Secretariat put it, "while both projects seek greater market integration and liberalization of electricity sectors, competing regionalism behind the projects might potentially increase their regional rivalry in the future."[48]

REGIONAL ENERGY CONNECTIVITY AT THE CROSSROADS

The Karabakh conflict between Azerbaijan and Armenia dramatically hindered the integration processes not only in the South Caucasus but also in the wider Black Sea-Caspian area. The fragmentation has been especially obvious in the energy domain. The Armenian occupation of Azerbaijan's territories promoted Yerevan's isolation from the region's major oil and gas projects and made the evacuation of Caspian-basin hydrocarbons more expensive, since longer and more secure pipelines passing through extremely rugged terrain were required to be built. Similarly, the conflict has limited opportunities for promoting regional cross-border electricity connectivity. Finally, aside from rejecting participation in and benefiting from various regional initiatives—which, in turn, made their realization more complicated and expensive—Armenia's aggressive posture has over the last 30 years represented a threat to the energy supply routes from Azerbaijan to Georgia, Turkey, and Europe, given that the region's major energy infrastructure projects passed in the near proximity to the conflict zone.

The Second Karabakh War, which came to an end with Azerbaijan's victory, has dramatically changed geopolitical realities on the ground. The end of the fighting has created new opportunities for unlocking and developing the region's communications links, including those in the energy sector. However, the restoration of transportation and energy links, particularly between Azerbaijan and Armenia, has so far been limited due inter alia to Yerevan's unwillingness to implement fully the terms of the tripartite statement. In the meantime, Azerbaijan and Turkey have decided to move forward on the construction of the Igdir-Nakhchivan natural gas pipeline. The project will allow Baku to ship its own gas to its landlocked exclave via Turkish territory, thus ending the requirement that

Azerbaijan engages in swap operations with Iran to provide its strategic western exclave with natural gas supplies.

Another important milestone in the region's energy affairs was the signing of a Memorandum of Understanding between Azerbaijan and Turkmenistan on joint exploration and development of hydrocarbon resources of the Dostluq field in the Caspian Sea. The timing of the deal is not accidental. The conclusion of the Convention on the Legal Status of the Caspian Sea, the end of the Second Karabakh War, and the recent completion of the Southern Gas Corridor, coupled with an improvement of relations between Baku and Ashgabat for the past three years, paved the way for the deal. All this suggests the likelihood of a direct gas connection between Azerbaijan and Turkmenistan being constructed in the time ahead, which would facilitate Ashgabat's participation in the Southern Gas Corridor.

The end of the Second Karabakh War and the completion of the Southern Gas Corridor also provides an opportunity for other potential suppliers to join an expanded version of Phase Two of this strategic project. Besides Turkmenistan, Russia, Iran, and Israel are widely regarded as potential providers of natural gas for SGC Phase Two. With the competition of Nord Stream 2, however, Moscow's participation in the project currently seems to be highly unlikely. Iran's announcement in August 2021 about the finding of the giant offshore Chalous deposit in the Caspian Sea might become a game-changer and facilitate the country's participation in Phase Two. However, the discovery of this gas deposit, which has yet to be confirmed, would represent only the first step on Iran's way towards natural gas exports to Europe. In addition to a lack of appropriate infrastructure and funding, many uncertainties still remain around the sanctions regime. Israel, too, might become a supplier of natural gas for an expanded Southern Gas Corridor in the future, as the transportation of Israeli gas to Europe via Turkey and TANAP is commercially the most viable option.

Finally, the South Caucasus region, being a crossroads for regional grid connections among Russia, Iran, and Turkey (the latter also provides a gateway to the EU power market), has a significant potential to benefit from various seasonal, price, and geographical combinations in electricity trade. The end of the Second Karabakh War and an anticipated full peace

agreement might help to realize the aforementioned benefits via fostering the reintegration of existing national grids into a single regional power system. Closer regional cooperation and grid planning would also help to promote the deployment of renewables, dimmish regulatory uncertainties, and attract investments, all of which are essential for capital-intensive cross-border electricity initiatives.

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10

The Paramount Significance of Shusha

Farid Shafiyev

The volume of research concerning the conflict between Armenia and Azerbaijan has been steadily increasing, especially in recent years, and has covered various aspects of the topic. This is one of the longest, and definitely among the bloodiest, conflicts in Eastern Europe, claiming the lives of almost 50,000 people and causing more than one million individuals to leave their homes. More than three decades of modern history has passed since its onset—mostly under the shadow of the Armenian occupation of the internationally recognized territories of Azerbaijan; until 2020, that is, when Azerbaijan liberated Karabakh and the surrounding regions from Armenian armed forces. Nevertheless, there are still outstanding issues relating to the deployment of Russian peacekeepers in a small portion of the aforementioned Azerbaijani territories.

Despite the growing volume of scholarship, there is still a lack of research regarding the conflict-related context of the city of Shusha—capital of the former Karabakh khanate and a city that stands at the core of the modern conflict between Armenia and Azerbaijan. To my knowledge, there exists just one study (at least in English) on this critical issue, authored by Elchin Amribayov in 2001 and entitled "Shusha's Pivotal Role in a Nagorno-Karabagh Settlement."[1] In the meantime, Shusha has assumed critical symbolic significance in addition to its military, political, administrative, and cultural importance. This chapter is intended to shed much-neglected light on this set of issues.

The modern conflict has a previous history of ethnic clashes, beginning in 1905, which escalated in 1918-1920 when two countries, Armenia and Azerbaijan, briefly became independent before the Bolshevik takeover. This century-long animosity, however, is based on no history of ancient hatred, as the two ethnic groups lived side by side for centuries in a largely peaceful manner, coexisting and cohabiting, and engaging in various forms of cultural exchange and even intermarriage.

The modern phase of the conflict, which began in the era of advanced media technology, gave birth to very sophisticated propaganda. The Armenian side had advantages in its public campaign against Azerbaijan, as its strong diaspora in the West had access to the media, academia, and policymakers in a way the much less numerous and much less affluent Azerbaijani diaspora did not. These advantages were leveraged in such a way as to promote the cause of the Armenian territorial claim on the Karabakh region of Azerbaijan using various arguments: Christian unity, the history of suffering (some real, some conflated or even invented), twisted ideas of self-determination, and others.[2] The narrative was pregnant with many historical claims on heritage in the region, and several major stories were manufactured in a relatively short period of time, mostly after the beginning of the modern conflict in 1987-1988.

While Armenian historians prior to 1987-1988 claimed a longstanding presence of Armenians in Karabakh, Nakhchivan, and other parts of modern-day Azerbaijan, the city of Shusha, which was founded in 1752 by the Turkic (Azerbaijani) ruler Panah Ali Khan, had, until recently, avoided the fate of such heated debate, even though the city itself suffered from interethnic clashes in 1905-1906 and 1919-1920. However, after Armenian armed forces occupied the city on 8 May 1992, Armenian nationalists put forward post facto claims regarding its historical and cultural attribution to Armenians. An examination of most of the references in mass media, social networks, or Wikipedia reveals that most Armenian authors published their research on Shusha after 1987.

As already mentioned, the city was founded in 1752 by the ruler of Karabakh, Panah Ali Khan, and was originally called Panahabad.[3] The city was located on a high plateau, 1,400 meters above sea level, overlooking surrounding areas, which made it, from a military point of view, strategically

important. Until 1823, the city was the capital of the Karabakh khanate, although by 1805 the khanate had already joined the Russian Empire which, during a war with the Sublime State of Iran that lasted from 1804 to 1813, conquered roughly the territory of modern-day Azerbaijan, then consisting of several khanates. In the early years, the Russian administration allowed the Karabakh khans to continue exerting local control, but, in 1822, the khanate was turned into a Russian province. The last khan fled to Iran, and about 3,000 Azerbaijanis moved with him.[4]

Beginning in the late 1820s, the Russian Empire began systematically implementing a policy of resettling Armenians on the territory of the former Azerbaijani khanates, which significantly changed the demographic balance in the region.[5] According to Russian sources,[6] in Karabakh in 1823, 450 out of 600 villages were Azerbaijani and about 150 Armenian. About 1,048 Azerbaijani and 474 Armenian families lived in Shusha. In 1828-1832, the Russian authorities conducted their first resettlement project, bringing Armenians from Iran and the Ottoman Empire to the Russian Caucasus, including Karabakh. Thus, the number of Armenian families in Shusha increased by 2,000 while the number of Muslim, or Azerbaijani, families decreased by 1,600. During 1828-1832, the Armenian population in Shusha increased from 27.5 percent to 44.9 percent. This demographic trend continued, and, by 1897, when Russia conducted an empire-wide census, the Armenian population in Shusha had become the majority, at 55 percent.[7]

During the first Russian revolution of 1905-1907, the Caucasus witnessed the first interethnic clashes between Azerbaijanis and Armenians, which also affected Shusha. According to the Governor-General of the Caucasus Viceroyalty, Count Illarion Vorontsov-Dashkov, Armenian gangs, led by the nationalist Dashnaktsutyun Party, attacked Azerbaijani settlements with the intent of establishing "territories with one continuous Armenian population, in order to prepare the ground for the creation of an autonomous Armenia in the future."[8]

After the collapse of the Russian Empire, two newly independent states, Azerbaijan and Armenia, became embroiled in a war over Karabakh, Zangezur, and Nakhchivan. Several times, Shusha was subjected to Armenian armed attacks led by General Andranik. Only in August 1919 was Azerbaijan able to establish control over Karabakh, and the Armenians

agreed to the temporary rule of Azerbaijani General Khosrov Sultanov. On 22-23 March 1920, during the celebration of the Novruz holiday by Azerbaijanis, the Armenians staged an armed uprising in Shusha and began to massacre the Azerbaijani population. However, the Azerbaijanis quickly organized a defense and attacked the Armenian quarter of the city, which was heavily damaged.

After the establishment of Soviet power in Azerbaijan, the Bolshevik leadership decided to transfer Zangezur to Armenia and intended to do the same with Karabakh but, after long and heated discussions, decided to leave Karabakh within Azerbaijan, locating its administrative center in Shusha. On 7 July 1923, the Bolsheviks artificially carved out from the historical Karabakh region a territory with a predominantly Armenian population and thus created the Nagorno-Karabakh Autonomous Oblast (NKAO), with its center in Khankendi—a city almost immediately renamed Stepanakert by the Soviet authorities in homage to Bolshevik revolutionary Stepan Shaumian, nicknamed the "Caucasian Lenin." According to the 1926 Soviet census,[9] the population of NKAO was 125,200 people, with 89.2 percent identifying as Armenians. However, Shusha's population was predominantly Azerbaijani and remained so until the collapse of the Soviet Union. According to the country's 1979 census, the inhabitants of Shusha numbered 10,784, with Azerbaijanis accounting for 85 percent of the city's total population.[10]

After both Armenia and Azerbaijan regained their respective independence in 1991, Shusha became a victim of Armenian occupation. The circumstances were duplicitous: on 7 May 1992, an Iranian-brokered ceasefire agreement was reached in Tehran between the leaders of Armenia and Azerbaijan; the very next day, Armenian forces violated the deal and occupied Shusha. After they captured the city, "marauders and vandals were burning it to the ground."[11]

For 28 years, until 8 November 2020, the city was under Armenian occupation. Its entire Azerbaijani population was expelled, and many cultural monuments were destroyed. Throughout the occupation, the Armenian authorities tried to increase Shusha's population—and of the entire Karabakh region—through illegal settlement.[12] This practice continued until the beginning of the Second Karabakh War; for example,

a few days before it began, a few Armenian families from Lebanon were settled in the occupied city.[13]

The battle for Shusha was important primarily due to its strategic location. However, in addition to its military significance, the city bears symbolic meaning based on the history of the settlement as the cultural and commercial center of Karabakh.

Many famous Azerbaijani musicians, poets, and artists were born in the city: Uzeyir Hajibeyov (1885-1948), the founder of Azerbaijani classical music and the creator of the first opera in the Muslim world, "Leyli and Majnun"; the classic and folk song singer Bulbul (1897-1961); the singer Rashid Behbudov (1915-1989); the mugham singer Khan Shushinskiy (1901-1979); the composer Sultan Hajibeyov (1919-1974); the composer and orchestra conductor Niyazi (1912-1984); and many others. Mention must be made of Khurshudbanu Natavan (1832-1897), an Azerbaijani poet and philanthropist who was the daughter of the last Karabakh khan Mehtikuli-khan and the granddaughter of Ibrahim Khalil-khan. She lived and worked in Shusha and headed its literary circle. Under her patronage, a palace, a mosque, schools, and a water supply system were built in the city. Mollah Panah Vagif (1717-1797), poet, diplomat, and vizier, lived his entire life in the city. The famous playwright and diplomat Yusif Vezirov-Chamanzamanli (1887-1943) was also born in Shusha.

Shusha pioneered many cultural activities among Azerbaijanis. In 1848, the first Azerbaijani theatrical performance was organized in the city; and by 1882 Shusha had become an important theater center. The famous playwright Abdurrahim Hagverdiyev (1870-1933), the literary critic Firidun Kocharli (1863-1920), the wonderful folk singer Jabbar Garyagdi (1861-1944), and the journalist and publisher Hashim Vazirov (1868-1916) also lived in Shusha.

A famous political and public figure of Azerbaijan and Turkey, the journalist and teacher Ahmed Aga-oglu (1869-1939) was born and raised in Shusha.[14] In 1896, he opened the first library in the city. During the Russian Revolution of 1905-1907 he created a secret organization, *Difai* (Defense) to fight the nationalist Armenian gangs. Ahmed Agha-oglu actively fought for the rights of women and the expansion of education among Muslims and participated in the publication of newspapers in the Azerbaijani language. In 1909, he was forced to move to the Ottoman Empire and continued his

socio-political advocacy, though he returned for a brief period during the independent Azerbaijan Democratic Republic (1918-1920), and even became a member of parliament. After the formation of the Republic of Turkey, he was a member of parliament, head of the Anadolu news agency, and an active participant in the drafting of the country's constitution. One of his daughters, Süreyya, who was born in Shusha, became the first female student of the Faculty of Law at Istanbul University and became the first woman lawyer in Turkey. Another daughter, Tezer, who was also born in Shusha, became the first woman to be appointed director of a boys' school in Turkey and went on to serve as a member of parliament for more than a decade.

Thus, many political and cultural figures achieved fame beyond the boundaries of Azerbaijan. That helped to make Shusha an integral part of the Azerbaijani national identity by the beginning of the twentieth century, before the conflict between Armenia and Azerbaijan. During the tenure of Javad-bay Safaralibayov as mayor of the city (1904-1907), Shusha turned into a center of political thought in the South Caucasus. Several political movements, such as *Geyrat* (Honor) and the aforementioned *Difai*, operated in the city and promoted national-liberation ideas among Azerbaijanis.

The spatial significance of Shusha was associated with other, contextual meanings. During the Soviet era, the city also became a major tourist destination and, in 1977, by a decision of the Azerbaijan Soviet Council of Ministers, Shusha was declared a resort city. In the late 1980s, the city began to host the Khari-Bulbul Music Festival in honor of the unique orchid (*Ophris genus*) that grows in the region. The festival embodied the music and politics of the period that marked the beginning of the conflict with Armenia. Heavily focused on traditional folk music, the festival shone an additional spotlight on the importance of Shusha to Azerbaijan's cultural identity. The festival was re-established in 2021, soon after the end of the 28-year occupation of the city. It featured many folk music ensembles and orchestras, including those composed of ethnic minorities in Azerbaijan such as the Talysh and Lezgi, whose representatives fought in the war against the external aggression. Armenia has attempted, unsuccessfully, to exploit minority issues within Azerbaijan, especially the Talysh one.[15] The reestablishment of the festival, with its broad ethnic mosaic, was aimed at manifesting unity within Azerbaijan as well as its ownership over the region.

It should be noted that the Armenians also consider Shusha an important cultural and political center (their name for the city is Shushi). However, this narrative become stronger only after the start of the occupation of Shusha in 1992. Even in Soviet times, textbooks published in Armenia indicated the city's placename as "Shusha."[16] The internet, including Wikipedia, is full of Armenian claims about the city being an ancient Armenian settlement, but there is little mainstream evidence written before 1992 that the city has a history going back to before 1752 or that it is linked to an Armenian origin. There are some sources that claim that the location for the city's foundation was advised to the Karabakh khan by a local Armenian landlord, Melik Shahnazar, who was his vassal; however, the city-fortress was built from scratch, not on the foundations of an earlier structure. In the *History of Karabakh* written by Mirza Jamal Javanshir (circa 1847), the author says that "he [Panakh Ali Khan] went there together with several of his entourage and, having examined [the area], proceeded to build the fortress."[17]

While Armenian nationalists deplored the loss of Shusha in 2020, the Armenian authorities made little investment there during the occupation. After the Second Karabakh War, the incumbent Armenian Prime Minister, Nikol Pashinyan, once even bitterly exclaimed that, if the city was so important for Armenians, why was it such a "sad city"?[18] British journalist Thomas De Waal, who visited the city in 2000, recalls that "the lonely steeple of Gazanchetsots [an Armenian Church], rising above a still-ruined town, suggests that it is still more a symbol than a real town that people will readily inhabit […]. More recently, to pursue the crusader image, most Armenians have come here either to loot or to pray—but not to live."[19]

In the meantime, Armenian nationalists tried to erase the Azerbaijani heritage of the city by destroying many monuments; for example, those to Vagif, Bulbul, and Natavan. In the best cases, surviving heritage was presented as Iranian (read: Persian), as was the case for the Yukhari Govhar Agha mosque, which was "renovated" by the Iranian state and rebranded as being a part of Persian heritage.

The issue of Shusha was probably one the most complex items in the negotiation process between Armenia and Azerbaijan. It is a known fact that the modern conflict between Armenia and Azerbaijan began in 1987-1988

with the slogan *miatsum*, which in Armenian means unification—in this case, of the NKAO with Armenia. Although both republics were part of the USSR, Armenia openly claimed the territory of Azerbaijan and, on 1 December 1989 even adopted a resolution to incorporate the NKAO into Soviet Armenia. This decision was contrary to the Soviet constitution and laws and was thus nullified by the Supreme Soviet (the USSR's parliament).[20] After the collapse of the Soviet Union in 1991, Armenian nationalists changed tactics and claimed the right of self-determination for the people of the NKAO. The occupation of the NKAO and seven surrounding regions during 1992-1993 provided the Armenian side with a plan to seek to bargain the "independence" of the former NKAO for the return of the seven neighboring regions. The so-called Madrid Principles of 2007-2009 stipulated the return of the seven regions outside of Nagorno-Karabakh and the organization of a vote within Nagorno-Karabakh on its status. While Armenia insisted on the independence of Nagorno-Karabakh, the Azerbaijani side saw the vote on the status as a step for granting the highest degree of autonomy. Another important item of the Madrid principles was the return of refugees and internally displaced persons, which meant the return of the majority of the Azerbaijani population to Shusha: paragraph 5 stipulates "the right of *all* internally displaced persons and refugees to return to their former places of residence."[21]

Eventually, in March-April 2020, the Armenian side abandoned the Madrid principles, and, prior to that, Armenian Prime Minister Nikol Pashinyan exclaimed that "Artsakh [Karabakh] is Armenia," thus effectively ending the whole understanding of the negotiations.[22] However, during the talks between the two countries, the status of Shusha was an important element for the restoration of justice and the subsequent return of Azerbaijani refugees to the town. In 2001, Elchin Amirbayov, an Azerbaijani diplomat currently serving as an advisor to the First Vice-President, wrote:

> While many Azerbaijanis recognize the need for certain mutual concessions as part of any peace settlement and the need to ensure the security of the Armenian population of the region, they also believe that the rights and security of the Azerbaijani population of Nagorno-Karabagh should not be forfeited just because this population was forced to leave their homes almost ten years ago.[23]

However, the Armenian side, through all the bargaining over the seven regions outside Nagorno-Karabakh, had never considered the possibility of accepting the Azerbaijani refugees back to the city. Thomas De Waal highlighted, in his 2003 book, that "almost no Armenians will countenance the return of Shusha's Azerbaijani inhabitants in an eventual peace deal."[24] Even during the Second Karabakh War, when Russian President Vladimir Putin tried to broker a ceasefire in the course of an obvious Armenian defeat, the Armenian prime minister replied in the negative to a proposal that would have allowed the return of Azerbaijani refuges to the city whose control would be maintained by the Armenian side. After the war, the Russian president disappointingly remarked:

> Unexpectedly for me, the position of our Armenian partners was that they perceived this as something unacceptable. […] Prime Minister Pashinyan told me openly that he viewed this as a threat to the interests of Armenia and Nagorno-Karabakh. I do not quite understand the essence of this hypothetical threat, I mean, it was about the return of civilians to their homes, while the Armenian side was to have retained control over this section of Nagorno-Karabakh, including Shusha, and meaning that our peacekeepers were there, which we have agreed upon both with Armenia and Azerbaijan.[25]

In principle, the Armenian side—during the entire negotiation process—tried to solidify the results of the occupation and feigned engagement with the talks. Such an intransigent position of the Armenian side on all issues, including Shusha, eventually led to the Second Karabakh War and the country's humiliating defeat.

Moreover, in 2020, several actions of the Armenian side infused a sense of humiliation among Azerbaijanis. First, after the illegal April election, unrecognized by the international community, the leader of Karabakh's illegitimate regime, Arayik Aratyunyan, held a swearing-in ceremony in Shusha, unlike previous leaders who had done so in Khankendi. Then, he announced a plan to move the regime's local parliament to Shusha. Joshua Kucera, reporter for Eurasianet.org, remarked in this regard:

> Much of that [city's] history is Turkic and Muslim, and before the war the population of Shushi—which Azerbaijanis spell Shusha—was mostly Azerbaijani. Shushi's new Armenian overseers have been steadily sidelining that history and reframing it as an essentially Armenian city.[26]

The announcement was seen internationally as a strong provocation. But before that, on 9 May 2020, on the 27th anniversary of the occupation of Shusha, which Armenians celebrated as "liberation," Pashinyan personally joined the dance group in Jidir-Duzu, a highly symbolic and historic place for Azerbaijanis.[27] Here it is important to underline that Jidir-Duzu (the plain of Jidir), which is located in the immediate vicinity of Shusha, served for centuries as the city's main location for the conduct of public festivities, including Novruz (traditional New Year) and traditional sporting events such horse racing. During the Second Karabakh War, Azerbaijan's president, Ilham Aliyev, emphasized that "when drunk Pashinyan danced in Shusha on Jidir-Duzu, he signed up for what happened today."[28]

The battle for Shusha during the Second Karabakh War also has an important meaning with respect to Azerbaijan's military victory. Many pundits, speaking about the war, point to the technical superiority of the Azerbaijani army, which used high-tech military equipment, especially drones purchased from Turkey. But the battle for Shusha manifested the superiority of the training, physical and moral fitness, and determination of Azerbaijani special forces, who were engaged in hand-to-hand combat with a greater number of Armenians deployed behind the city's fortress. About 400 personnel, carrying minimal food and equipment, went through the forest, scaled the toughest slopes and cliffs, and attacked the city. "This is something that a movie should be made about," said John Spencer, Chair of Urban Warfare Studies at West Point's Modern War Institute.[29] Drawing lessons from the battle for Shusha, Spencer and his co-author emphasize that urban warfare remains a key part of modern combat.[30]

The liberation of Shusha on 8 November 2020 became the defining moment of the Second Karabakh War, which ended the next day. Thus, in addition to its cultural significance, Shusha became a symbol of liberation from foreign occupation and the restoration of justice and international law.

Shusha continues to acquire new meanings. In addition to the process of restoration and renovation, the city became the location for the leaders of Azerbaijan and Turkey to sign the Shusha Declaration on 15 June 2021. This declaration reaffirmed the development of bilateral relations and confirmed an alliance of mutual cooperation against threats to the sovereignty and territorial integrity of the two states. The president of Azerbaijan emphasized that the signing of this document in liberated Shusha was significant for the whole of Eurasia.[31] It ushered in a new era whereby Russian pressure and dominance will not remain unchallenged if Moscow were to decide to support its traditional ally, Armenia, in furthering its territorial claims against Azerbaijan. Three months later, in an interview with the Anadolu news agency, he underlined that "if all neighbors built their relations like Turkey and Azerbaijan, then there would be no wars in the world."[32] The Turkish president also called on Armenia to join Turkey's proposed 3+3 regional cooperation format, which would additionally include Georgia, Azerbaijan, Russia, and Iran.[33]

The whole region is at a juncture regarding whether the South Caucasus will move on to peace and cooperation or will be stuck in conflicts and territorial claims. Armenia still aims at keeping the issue of "Nagorno-Karabakh's status" on the agenda of the negotiations between Armenia and Azerbaijan—a claim supported by the Co-chairs of the OSCE Minsk Group (France, Russia, and the United States), albeit for different reasons. In doing so, France and the U.S. are trying to appease their respective strong Armenian diasporas, while Russia would like to keep open a conflict-related agenda to be able to exert influence on both Armenia and Azerbaijan. On top of this, both Iran and Russia are concerned about Turkey's growing influence in the region, which, as a matter of fact, is itself the result of the Armenia-Azerbaijan conflict, which has been, in turn, a constant threat to Azerbaijan's national security.

On a personal note, and by way of a conclusion, I wish to indicate that Shusha is the birthplace of my grandfather, who was in the same class at school with Niyazi, the well-known composer and conductor. My great grandfather, who moved the whole family from the city in the turbulent years of 1918-1919, later perished in Siberia, circa 1937-1938—a victim of Stalin's purges. When I stood at Jidir-Duzu in the summer of 2021, I considered how the wheel of history moves between tragedies

and triumphs whilst the belief in justice remains constant throughout all those metamorphoses. Azerbaijan liberated its internationally recognized territory and thus created the conditions for the return of thousands of refugees to their home. Finally, I am in Shusha.

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11

Our "Great Return" to Aghdam, the Hiroshima of the South Caucasus

Emin Huseynov

The city of Aghdam was established in 1828, although people have lived there for thousands of years.[1] In fact, Aghdam is one of the oldest settlements in Azerbaijan: in a settlement called Uzerlik Tepe (Harmal Hill), there are traces of life belonging to the Middle Bronze Age period. Aghdam is located in the center of Karabakh, on the western part of the Kur-Araz lowland. The area of the region is 1,150 square kilometers.[2] During the First Karabakh War, 709 square kilometers of the region was occupied by Armenian military forces. Before the First Karabakh War, Aghdam was one of the key cities in Azerbaijan in terms of its population, workforce, economy, and infrastructure.

In fact, Aghdam was one of the most populated regions of Azerbaijan. Before the Armenian occupation, 158,000 people lived in the city and its surrounding villages.[3] As a result of Armenian aggression, more than 143,000 people became internally displaced persons (IDPs) in 1993.[4] The city itself, which was completely destroyed, was home to more than 32,000 people prior to the war. During the war, Aghdam was the region with the highest number of martyrs: nearly 6,000 people became martyrs for the motherland.[5] The number of prewar residents and postwar IDPs demonstrates the tragic consequences of the atrocities committed by the Armenians during the First Karabakh War.

With great sadness we must begin from the fact that Armenian vandals destroyed every building in Aghdam city throughout the occupation years. The only building that somehow survived was the Juma Mosque, and the reason behind it was that its minarets were used for military purposes by Armenian soldiers. The occupiers not only demolished the buildings, but they also insulted our religious beliefs and our cultural and historical heritage. The very existence of the city became an Armenian target: the aim was to erase the legacy of Azerbaijanis in Aghdam and to effectually render our return impossible. This is crystal clear when we gaze upon the completely destroyed mosques, the Khan's Palace, and the various museums where they kept pigs, sheep, and other animals.

ECONOMY

Aghdam is located at the intersection of major trade routes, in the center of Azerbaijan, and is one of the country's oldest settlements. All these factors resulted in Aghdam's economic prosperity: imagine, then, a city with nearly 20 industrial enterprises that were destroyed.[6] The impact of this war on the economy of Azerbaijan back in those days was thus extremely high. Factories were operating in several industries such as food processing, construction materials, textile, mechanical engineering, even the aerospace industry. Aghdam was the economic center of the entire Karabakh region. Of course, one of the key objectives of rebuilding Aghdam after the liberation is to recover its status as an economic center of Karabakh. To that end, Aghdam is now part of the Karabakh Economic Region, which was established on 7 July 2021 by a decree signed by the President of the Republic of Azerbaijan.[7]

Aghdam was the backbone of Karabakh's economy. Before the occupation, it played host to 17 industrial, 31 construction, 753 trade, 397 public catering, and 220 household enterprises. Those numbers show the advanced stage and competitiveness of Aghdam's economy. The agricultural sector was one of the core industries of the region. The main tendencies in agriculture were viticulture, cotton-growing, grain-growing, and cattle-breeding. The average area of wheat, cotton fields, and vineyards in the 1980s were 7,660 hectares; 7,565 hectares; and 13,042 hectares,

respectively.[8] Moreover, the residents of Aghdam had demonstrated proficiency in various kinds of entrepreneurial skills. A lot of small- and medium-sized enterprises had been established before the onset of the Armenian occupation during the First Karabakh War. All told, Aghdam's prewar economy was characterized by its diversity, as there existed various types of meat-processing, dairy-processing, silk, carpet, wine production, cannery, and machine-tool construction factories.

CULTURE AND LANDMARKS

Aghdam also has a wealthy cultural heritage. There are many historical and cultural monuments, palaces, and tombs located there. As stated above, the city was one of Azerbaijan's ancient settlements. This factor affected the Aghdam's cultural and historical legacy. Residents there had a special commitment to, and interest in, the arts and culture, which was made possible by the existence of a drama theater, a museum of local lore, 71 libraries, and 13 houses of culture.[9]

Mugham celebrations, carpet weaving activities, the Khari-Bulbul Music Festival, painting with national ornaments workshops, and the sewing national costumes were all parts of city's culture. So were public poetry readings, inspired no doubt by the life of the daughter of the last Karabakh khan, Mehtikuli-khan, Khurshidbanu Natavan, a famous Azerbaijan poetess who lived and wrote in Aghdam.

Moreover, Aghdam is very famous for its landmarks. The most famous is Imarat, a palace complex that was built in the historical center of the city by Panah Ali Khan, the founder of the Karabakh Khanate and the builder of the Shusha fortress. Even the name "Aghdam," which can be translated as "White Roof," is related to the architectural style of this palace building. Aghdam is famous for its white stone, and the roof of Imarat was constructed from such stones. Later, the residents of Aghdam likewise begun to build their houses in this manner, with white roofs. Thus, this architectural style contributed to the formation of the city's name. Panah Ali Khan and some members of his dynasty were also buried in Imarat, a complex marked by the building of culturally significant tombs. However, during occupation years, our hateful neighbors kept pigs and sheep in Imarat, and the tombs

were heavily damaged or destroyed. After the liberation, seven truckloads of animal droppings had to be removed from this historical palace complex. Even Khurshidbanu Natavan's tomb and the adjacent monument, which were located there, had been totally destroyed, and her remains had been removed by the occupiers.

Another famous landmark is the Juma Mosque, which was built in 1868 in a particular architectural style characteristic of Karabakh by Karbalai Safikhan Karabakhi. One can see different mosques in the same style in other parts of Karabakh, such as the Yukhari Govher Aga and Ashaghi Govher Aga mosques in Shusha, the Imamzada complex in Barda (itself modeled after the one in Ganja): they all share a style with the Juma Mosque.

Juma was not the only mosque in Aghdam. Another one, which was built in the seventeenth century, is the Giyasli Mosque. As a result of Armenian vandalism, however, its existence has been entirely erased: only parts of its outer walls now remain.

Panah Ali Khan also built the Shahbulag fortress in Aghdam for defensive purposes. Although he later moved to Shusha, the military significance of the Shahbulag fortress did not decrease, for it is surrounded by mountains from three sides, making it a strategically significant building at that time.

Overall, Aghdam is full of historical buildings, mosques, tombs, and monuments. Unfortunately, during the period of Armenian occupation, most of these were destroyed, burnt, or used as pigsties or cowsheds. These actions were done on purpose and were aimed at erasing the historical and cultural heritage of the Azerbaijani people.

THE OCCUPATION PERIOD (1993-2020)

Today Aghdam is one of the most damaged cities in Azerbaijan due to the war, perhaps the most damaged. During the First Karabakh War, Aghdam gave nearly 6,000 martyrs, the highest number amongst the occupied regions. Also, 3,531 inhabitants became disabled, and 1,871 children were orphaned.[10] In the occupation years, the highest level of destruction took place in Aghdam. As a city, it stood completely ruined at the moment of

liberation: as one scholar has written, Aghdam represents Azerbaijan's largest urban tragedy of the First Karabakh War. This builds on the image of Aghdam as the Hiroshima of the South Caucasus. Only one building was not eradicated; the Juma Mosque. As stated above, the reason why the Armenians did not totally demolish the mosque is that they used its minarets as military observation points—yet another form of desecration.

In the wake of the liberation, we conducted a detailed survey of the damage—of the destruction and losses incurred during the occupation. The results are as follows: villages and settlements: 122; dwelling houses: 24,446; industrial and construction establishments: 48; service establishments: 1,317; schools: 160; healthcare facilities: 65; cultural establishments: 373; theatres and museums: 3; and mosques: 3.[11]

The pillaging of Aghdam's natural resources constitute another category of loss incurred in the region during the occupation. Aghdam is very famous for its construction materials, especially its sawn stone, limestone, gravel, and clay deposits. Between 1993 and 2020, the Armenians occupiers illegally utilized these resources. Moreover, construction materials are not the only natural resources that were used unlawfully and plundered during the occupation. More than 3,000 hectares of forest were severely damaged as a result of Armenian atrocities. There were 85 plane trees in Aghdam that were more than 1,000 years old, of which 82 were cut down and destroyed—a significant natural loss.[12]

As it is evident from the statistics provided above, the loss of the region in terms of human capital, infrastructure, natural resources, and pollution is enormous.

POST-LIBERATION PERIOD (2020-)

After 30 years of occupation, Azerbaijan liberated Karabakh thanks to the purposeful and sagacious domestic and foreign policy strategy of our Victorious Commander-in-Chief, the President of the Republic of Azerbaijan, Ilham Aliyev, as well as the bravery of the soldiers and officers of the victorious Azerbaijani Army that had been able to undergo a progressive development path. On the battlefield, the Azerbaijani Army

showed such courage that on the 44th day of the war, the defeated enemy was forced to sign a tripartite statement. According to the terms of this statement, Aghdam was liberated on 20 November 2020.

President Aliyev subsequently stated that we will turn Karabakh into a paradise. As his Special Representation in the liberated parts of Aghdam, I have no doubt as to the veracity of his words. My team and I believe that Aghdam will become the center of this paradise. On 28 May 2021, President Aliyev visited Aghdam, where the city's master plan was presented to him. On that date, various groundbreaking ceremonies took place, involving the start of construction of the Barda-Aghdam highway, 125 hectares of a strip of forest surrounding the urban core of the city, the first residential building and school, an industrial zone, the open sky Occupation and Liberation Museum, and the city's Central Square.

Every detail was taken into consideration in drawing up the city's master plan. We analyzed the best practices from various cities around the world regarding housing, infrastructure allocation, communication lines, the location of social facilities, and road-transport infrastructure. We are determined to build a city in which all residents will have accessibility, comfort, and a plethora of employment opportunities. We have planned for the city to become a residence for 100,000 people. This number will make Aghdam the fourth-largest city in Azerbaijan in terms of population.

The city itself will be built on an area of 1,750 hectares, with a surrounding suburban forest strip of 2,450 hectares. We envision Aghdam becoming a green city, so there will be four large and 23 city parks. The total area of parks will be 344 hectares. There will be at least one city park within a 400 meters radius of every residential building. Like the green zones, schools and kindergartens also will be accessible for the city's residents: the plans call for one school or kindergarten to be located within a 500 meters radius of every residential building.

The designs for Aghdam are intended to promote a healthy lifestyle for the resettled population whilst at the same time minimizing environmental pollution. In the city's transportation strategy, for example, pedestrian movement was taken as a priority. We want to encourage people to walk more and to use private cars less. Of course, we will have roads that meet contemporary global standards: the width

of streets will be between 20 and 60 meters, and so on; however, core transportation forms will be cycling and public transportation. Special, fully electric, zero-emission trams will operate in the city; additionally, there will be 79 kilometers of bicycle paths.

We plan to build multistorey residential buildings and private houses. For now, only the master plan of the city has been approved, so the specific designs of these buildings have not yet been finalized. However, the contours have been established: Aghdam will feature 1-2 story private houses, and 3-16 story residential buildings, and 1-2 story non-residential buildings. These buildings will be built around a canal that will run through the city center. All in all, we believe that such plans will lead to growth of the city's tourism prospects in the future.

Of course, the aforementioned construction and reconstruction works are not enough for people to move back into the city. There should be workplaces for people so they can return and live prosperous lives. Taking this into account, we will build a very large industrial zone in Aghdam, where thousands of people will be able to work. This industrial zone will be located close to the city center and its transportation hub. We will do our best to establish favorable conditions for people to be gainfully employed or to start their own businesses. Thus, the planned industrial zone will be sectioned into several quarters: a construction material zone, a technical zone, a SME zone, and a food processing zone. The city's residents will be exempt from various taxes and customs duties for a period of 7 to 10 years.

However, we neither can nor wish to build a totally new city: we do not want to start from scratch. We intend to preserve as much of our cultural and historical heritage whilst building up a new city: restoration, conservation, and the rebuilding of cultural and historical monuments in Aghdam is one of our core targets. Throughout the occupation period, most of the cultural and historical legacies of Aghdam were either vandalized or destroyed. In my capacity as Special Representation of the President in Aghdam, my team and I have ensured that sufficient resources will be devoted to prioritizing the restoration and preservation of our monuments, tombs, and mosques. Of course, this will take some time, because it is necessary to work very carefully on those buildings so that the legacy of history and culture of Aghdam is not further demolished.

Moreover, we will build an open sky Occupation and Victory Museum Complex. The main aim of this museum will be to show the bitter consequences of the war whilst conveying a message of peace to the general public. The complex will consist of several parts. Here we can mention two of the most important. The first of these will be the Museum of Occupation. There will be several rooms where video footage of the occupation will be shown, and other forms of information will be provided. There will even be a room in which the environmental controls will be set to wintertime, so that visitors can experience the sort of suffering our ethnically-cleansed compatriots from Khojaly underwent during their travails. A second museum within the Complex will be the Museum of Victory, which will be made of iron and glass. The glass will show the transparency of our victory and the iron will demonstrate the "Iron Fist" operation. Third, there will be a path from the Museum of Occupation to the Museum of Victory, which will take visitors through the city's ruins. We will not do a reconstruction process on that part of the city so that the visitors will be able to see firsthand the evidence of Armenian vandalism; this will represent an opportunity for the world to be provided with a very open message about the consequences of the Armenian occupation upon the city and its inhabitants.

THE GREAT RETURN

We want the reconstruction process of Aghdam to be science-based and to be supported by the academic community. We believe that scientists and academics can make a considerable contribution to the rebuilding process of the city's economy.

To that end, in mid-September 2021 we organized an inaugural scientific conference in liberated Aghdam under the moniker "Building A New Economy in Karabakh: Development Impulses from Aghdam." Leading Azerbaijani scientists and academics, including several ADA University faculty members, took part by preparing conference papers and providing concrete suggestions to ensure prosperity and economic flow in Aghdam. International guests were also invited to join, as a result of which their views on future plans and goals were able to be shared with our planners and experts. There were foreign guests from Belgium, Switzerland, Turkey,

and the United States. More than 100 academic papers were submitted—evidence of considerable interest in the reconstructions process that demonstrated our desire for the scientific and academic community to be a part of the rebuilding program. The event was organized by the Special Representation of the President in Aghdam, with the support of the Karabakh Revival Fund, the Ministry of Economy of the Republic of Azerbaijan, and the Azerbaijan National Academy of Science. Participants also had a chance to receive a congratulation letter from the First Vice-President of the Republic of Azerbaijan, Mehriban Aliyeva, which were presented during the conference.

My most crucial task—in my capacity as Special Representation of the President of the Republic of Azerbaijan to the liberated part of the Aghdam district—is to rebuild the city and create favorable conditions for people from Aghdam to return and prosper. We call this process "The Great Return," which consist of different stages. I can say with great pride that the execution of one of these stages has already begun, which we have termed the "Our Way to Aghdam." Beginning on 5 September 2021, we have hosted groups of former Aghdam residents to fulfill their hopes to return to their sorely missed yet never-forgotten city. Weekly tours of busloads provide IDPs a long-awaited opportunity to walk the streets of their childhood and see firsthand the devastation of the Armenian occupation. Even the youngest Azerbaijanis—those who never had the chance to grow up in Aghdam—now dream of coming back to see what has been forever ours: to feel the power of our soldiers and remember the thousands of lives sacrificed for the freedom of Karabakh. Although some people left Aghdam when they were children, they still remember where they used to play under a peaceful sky just prior to the Armenian invasion of Karabakh. Now those children are elders who still cannot hold back the tears when returning to Aghdam.

More than anything else, "Our Way to Aghdam" drives my work as Special Representative of the President of the Republic of Azerbaijan to the liberated part of Aghdam district. My team and I have rededicated our efforts to do everything possible to build a more beautiful and stronger Aghdam; and in so doing, wipe away the tears of our people, remove the stain of a brutal occupation, and ensure a sustainable future for all who will return to a great city in the heart of Azerbaijan.

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12

Statecraft, European Belonging, and the Second Karabakh War

Damjan Krnjević Mišković

> *"While the politician merrily plays his game from one short-lived smartness to another, trusting that he will find a way out of every mess in which he gets entangled, the real statesman is not allowed to be, like ordinary man, a short-range planner and a long-range dreamer. He is bent on shaping the future. He does not take it for granted. If he fails—there may be no future for his nation [...]. He knows his ends, he has a goal, a hierarchy of purposes, long-term and short-term; he subordinates one to the other; he has a vision of both the possible and the desirable and looks at the one under the aspect of the other; he thinks the possibilities through to their end; he follows up his actions, keeping ready a possible answer for whatever their foreseeable consequence—trying to keep his hand on the events and their interaction, flexible at short range, rigid at long range, passionately reasonable, a knower of human nature, suspicious even of his own love and hate and of the many passions that blind the children of man. His eyes are cold and hard yet the flame burns in his heart as he opposes his specific virtue to the play that necessity and chance play with each other."*
>
> *– Kurt Riezler*[1]

GEOPOLITICS

The Second Karabakh War came to an end on 10 November 2020 with the signing of a tripartite statement between Armenia, Azerbaijan, and Russia. Through a sophisticated combination of strategic foresight, limited war objectives, operational artistry, active diplomacy, and impeccable geopolitical timing, Azerbaijan accomplished a feat that no other state anywhere in the

world has been able to achieve since the end of the Cold War: the restoration of its territorial integrity executed effectually without the organized commission of grievous atrocities or similar defilements. Addressing the nation from liberated Shusha in May 2021, Ilham Aliyev called this incredible accomplishment a "heroic saga;" speaking in the same city in August 2021, he stated that the Second Karabakh War's "victory is unique in our history."[2]

In some Western decisionmaking and analytical circles, this war of restoration has somehow been portrayed as an aggressive act that intrudes against what is still called by its proponents a "rules-based" international liberal order. Fantastic interpretations have even been put forward that the war was somehow in violation of international law.[3] Yet given that a number of binding UN Security Council resolutions—coupled with the official position of every single sovereign state, save one (i.e., Armenia)—make it clear that the territories occupied by Armenian forces between the late 1980s and November 2020 are in fact sovereign Azerbaijani lands, it seems difficult to understand on what reasonable basis such claims are being made.

A sober, dispassionate examination of the circumstances that led to the Second Karabakh War as well as its outcome leads to the conclusion that there was nothing politically, legally, or morally wrong with Azerbaijan chosen course of action.[4] The country acted well within its right of "inherent" self-defense under Article 51 of the UN Charter—and it did so in a manner that brings to mind the words of the Athenian ambassadors at Melos, as reported by Thucydides: "neither laying down the law, nor being the first to use it as laid down, but taking it as it is and will be forever when we have left it behind, we use it, knowing that you and others, if you became as powerful as we are, would do [the] same" (Thuc. V:105). These words should be seen as particularly apt given that these same Athenians had travelled to Melos with the intention to find agreement and avoid war.[5]

Now, of course, prior to the commencement of hostilities, Azerbaijan took pains to ensure the steady improvement of its military capabilities; and it worked diligently to lock in the strong, virtually unconditional support of Turkey that made it harder for other geopolitical actors to exert undue pressure on Azerbaijan to stick to evidently fruitless negotiations or renew its subscription to sterile agendas set by others,[6] and so on. Here, words spoken by Aliyev in February 2019 can be cited:

> I have always said that the force factor is coming to the fore in the world. Look at how international law is flagrantly violated in various parts of the world. Whereas earlier attempts were made to somehow conceal that, today they don't even see the need for that. Today, the 'might is right' principle prevails in the world. This is a new reality. We must be ready for it. The world is changing, and we must be prepared for these changes. Fortunately, we have been building up our economic and military power for many years. We were somewhat preparing ourselves for the current situation and are now ready for it. Therefore, the force factor has always been and will remain on the agenda. We see this in the example of not only our conflict but also in many other conflicts around the world. Therefore, we will use various opportunities, and the restoration of the territorial integrity of Azerbaijan is our main goal. The people of Azerbaijan should know that this is the main task of every citizen and the main task of the state. We will continue our policy in this direction.[7]

None of this takes away from the fact that emphasis needs to be placed on Yerevan's evident unwillingness to bring the occupation to an end peacefully, through negotiations. This is the fundamental point. At the same time, it is not enough to point the finger solely at Armenia. The principal outside mediators—the Co-Chairs of the OSCE Minsk Group (Russia, France, and the United States)—are also at fault: there was a formal negotiation process, launched in 1992, that had essentially produced no concrete results on the ground, in the sense that the Armenian occupation had not come to an end, Azerbaijani refugees and internally displaced persons (IDPs) had been prevented from exercising their right of return, and so on. In other words, for nearly three decades, the Minsk Group led negotiations the objectives of which were clearly and unambiguously set down on paper. The foreign mediators gave themselves the responsibility of leading a defined process to achieve a defined result, and yet the conflict remained unresolved for nearly three decades: prior to the onset of the Second Karabakh War, none of the Minsk Group's defined objectives had been achieved—not even close.

Thus, their actions or inaction—whether by design or circumstance—resulted in the perpetuation of a status quo that was the opposite of the agreed objectives. And now, the conflict over Karabakh has been effectually resolved; to be sure, against the designs of Armenia and with no involvement by the Minsk Group. But effectually resolved, nonetheless.

With the above in mind, the following question can be raised: how then, exactly, is a state acting militarily to retake its own sovereign territories committing an act deserving of opprobrium by the most vocal proponents of a "rules-based" international liberal order, namely the United States and its allied fellow-travelers? Or, to employ a more radical formulation: how exactly did Azerbaijan commit an act of aggression by liberating its lands universally acknowledged by the proponents of such an order as having been occupied?[8]

This mystery is compounded by the fact that the state most vocally making this claim, namely Armenia, is without any doubt one of the most loyal allies of a state that the proponents of such an order consider to be one of its chief adversaries, namely Russia.[9]

To be clear: until the Second Karabakh War (and perhaps still), Yerevan's foreign policy posture was rooted in an assessment that as 'Artsakh' is to Armenia, so South Ossetia (or Abkhazia, or the Donbass—take your pick) is to Russia. In other words, geopolitics in the South Caucasus will remain primarily within the referential purview of the traditional suzerain, who will remain on the side of Armenia. The national interest of Armenia consists in entrenching a posture of clientelism and supplication towards the sole arbiter that truly matters, which will engender it to demonstrate solidarity and support for a state dedicated to the expression of nearly unconditional loyalty. Thus, Yerevan must continue to rely on its great power ally to maintain the status quo of occupation while feverishly encouraging its diaspora to convince rival great powers that genuine outreach on the part of Armenia to each of them will be forthcoming shortly.

This is to be contrasted with Baku's foreign policy posture until the Second Karabakh War (and certainly still): in continuing to reach out to the world, Azerbaijan will not allow itself to become dependent on any single line of access to the outside world. The country will strategically harness the fact that most of the world's great powers look at the South Caucasus and

conclude that they have intrinsic national security and economic interests. And it will take advantage of the fact that there is tension between those same great powers in terms of how they each define their respective interests in this part of the world by managing relations between them in such a way as to ensure that Azerbaijan becomes a subject of the international system instead of a mere object of great power rivalry.[10]

STATECRAFT

From such considerations in the halls of power in Baku emerged a bedrock principle of the statecraft of Azerbaijan: to formulate and execute a strategy that ensures it becomes sovereign and strong enough so that it—and it alone—may determine the time and manner of the restoration of its territorial integrity (given the fruitlessness of negotiations). Niccolò Machiavelli, the "father of modern political philosophy,"[11] had written pretty much the same thing more succinctly more than five centuries ago: "one should never fall in the belief you can find someone to pick you up." (NM, *P*. 24).

Accordingly, Azerbaijan's national strategy, conceived and executed first by Heydar Aliyev and then by Ilham Aliyev, may be formulated in accordance with Machiavellian terminology thusly: only by having recourse to "one's own arms" might *lo stato* become its own master in both peace and war; this requires the prudential execution of *virtù* (as opposed to the "profession of good") and the opportunities provided by *fortuna,* whose vicissitudes can best be tamed or resisted by its "most excellent" prince.[12]

Machiavelli is particularly instructive here for two more reasons. First, because perhaps more than any political philosopher before or since, he understood that the sovereign part of *lo stato* is not the deliberative one, as in classical political philosophy, but rather the executive endowed with "great prudence" acting "decisively" and "alone."[13] Second, because he did not place much trust on institutional designs intended to domesticate the executive power of the prince.[14] This development came later, first in the works of Thomas Hobbes and then, more directly, in those produced by John Locke, Montesquieu, and the authors of the Federalist Papers collectively writing under the pseudonym Publius.[15]

Be that as it may, no serious inquiry into the statecraft of Azerbaijan in the context of the Second Karabakh War—about how its leadership decided to fight a war of liberation, the preparations that took place, and the execution of these well-laid plans that brought about a victory that fundamentally changed the geopolitics of the Caucasus and perhaps beyond—can be complete without giving an account of the statesmanship of Ilham Aliyev, without whom the larger story of a nation's vindication would simply not have come about. A complete account is beyond the scope of this essay, but the following summary of what is "truly virtuous" from Machiavelli's standpoint can effectually serve as a stand in: "knowing what to do in order to achieve the common good, understood to be an aggregation of the desire of most people not to be oppressed and of the ambition of a few to rule."[16] From this same standpoint the "problem of government" is understood to consist in "rul[ing] the people without their developing the intolerable sensation that they are being ruled."[17]

Moreover, one cannot speak of vindication without noting that Azerbaijan's statecraft is predicated on a particularly sophisticated understanding of classical geopolitics, which I define as consisting of more or less prudential exercises in acceptable exceptions by major powers conducive to the continued operation of an international system. If a given international system precludes or disallows such exercises of acceptable exception—we can define these as a succession of power maneuvers understood in the context of the need to maintain equilibrium and legitimacy, operating according to a logic of restraint and proportioned reciprocity—it is either too rigid and hence ripe for renovation, or too amorphous and thus not really a system.

Furthermore, within such a conception of geopolitics, distinct regional orders can be established so long as they are anchored by what Giovanni Botero, a late sixteenth century political and economic thinker and diplomat (who claimed to write in direct opposition to Machiavelli), was the first to call in his *The Reason of State* "middle powers," which he defined as states that have "sufficient force and authority to stand on [their] own without the need of help from others" (Bot. *RS* I:2). In Botero's telling, which is not so different from that of his declared opponent, leaders of middle powers tend to be acutely aware of the dexterity required to maintain security and project influence in a prudential manner beyond their immediate borders;

and because of that, middle powers are apt to have facility in properly managing their finances and promoting trade and connectivity with their neighbors and their neighbors' neighbors.

Unquestionably, Azerbaijan is one such middle power—better described, given present circumstances, as a keystone state: a trusted interlocutor, reliable intermediary, and "critical mediator" between "status quo powers and revisionists."[18] This integrative power is supplemented by the fact that "an effective keystone state can serve as a pressure-release valve in the international system, particularly as the transition to conditions of non-polarity continues, by acting as a buffer and reducing the potential for conflict between major power centers."[19]

The story of Azerbaijan that emerges on the basis of such an account is thus one of leadership and success, foresight and perseverance, modernization and the consolidation of power. Certainly, it is also an Armenian story about tragedy, in the original Aristotelian understanding of the term[20]—about how the Armenian leadership committed geopolitical malpractice through a combination of strategic complacency, the blind ambition exhibited in the continued defense of maximalist goals, and both a fundamental misunderstanding and woeful underestimation of its main adversary.

Thus, for the Armenians, the outcome of the Second Karabakh War constitutes the passing of an illusion that consists primarily of a fantastic hope in the temporal sempiternity of the frozenness of the conflict. But for the Azerbaijanis, quite simply, the outcome of the war represents an exoneration. The story of Azerbaijan is truly an extraordinary one: how in less than a generation's time, Azerbaijan was transformed from a failing if not failed state so weak that it had no choice but to accept an armistice that effectually normalized the occupation of around 20 percent of its territory by a neighbor almost three times smaller and more than three times less populated, into a victorious, exonerated, and proud state that understands the classical distinction between justice and hubris.[21]

Machiavelli, who is famous for not strictly maintaining the line between the two, is nonetheless particularly instructive here for a further reason. His most thoughtful living exegetist, Harvey Mansfield, wrote a book on manliness, which he defined alternatively as "confidence and [the ability to] command in a situation of risk" or "the assertion of meaning when meaning

is at risk," that is to say, the necessary retention of humanity combined with the possibility of excellence, understood as prudent or courageous or spirited action.[22] An aim of this book on manliness, Mansfield suggested elsewhere, was to recapture the Greek notion of spiritedness (*thumos*), which he defined as the "part of the soul that connects one's own to the good. [...] It is first of all a wary reaction rather than eager forward movement, though it may attack if that is the best defense."[23] Thinking through the implications of the notion of *thumos* helps to explain why politics properly understood can never simply be about self-interest and at the same why it can never be simply about altruism. *Thumos* points to statesmanship, both the Machiavellian kind and a more ancient sort. One could even say that *thumos* properly understood is the ancient virtue closest to Machiavellian *virtù*, in the sense that the effectual truth of either and thus both is shown in its effect or outcome as opposed to its intention or inherent excellence.

EUROPEAN BELONGING: JERUSALEM AND ATHENS

I intend to take a further step in coming to terms with parts of the present inquiry through an indirect approach: a discussion of the question of the European belonging of my nation—the Serb nation—which in important ways is analogous to the same question with respect to the Armenian nation as well as many others in this part of the world and elsewhere.[24] The outcome of such an inquiry, however preliminary, will help us return directly to some of the main issues that determined the outcome of the Second Karabakh War and in so doing revisit the question of Azerbaijani statecraft and related matters.

Here it is salutary to begin by citing Leo Strauss and Pierre Manent, two of the most important political philosophers of the past one hundred years.[25]

First Strauss:

> All the hopes that we entertain in the midst of the confusions and dangers of the present are founded positively or negatively, directly or indirectly on the experiences of the past. Of these experiences the broadest and deepest, as far as we Western men are concerned, are indicated by the names

> of the two cities Jerusalem and Athens. Western man became what he is and is what he is through the coming together of biblical faith and Greek thought. In order to understand ourselves and to illuminate our trackless way into the future, we must understand Jerusalem and Athens.[26]

Now Manent:

> Europe defines itself as this ensemble of nations or peoples where the Platonic defense of philosophy was accepted *without any going back*. [27]

On such a basis, we can put forward the following proposition: for a nation to belong fully to Europe, understood as a civilizational reality, its initial encounter between revelation (Jerusalem) and reason (Athens) must have occurred at the right time and under the right set of circumstances *and* must have been accepted as integral to its self-conception, that is, incorporated into its identity and intellectual heritage.[28]

The Serb nation had this initial encounter only in the nineteenth century: we Serbs came to Athens via historicism, utilitarianism, and nihilism all tied together into the impossible knot that had become the culmination of the modern philosophical project. Late-modern philosophy was our first effectual exposure to philosophy. Late modern philosophy was for us first philosophy. This was neither an auspicious nor a timely start.[29]

This start was neither auspicious nor timely for a number of reasons. For reasons of space, here I will focus on only one: by the nineteenth century, the dialogue between Jerusalem and Athens on the fundamental question of the status of wisdom and much else had moved almost entirely beyond its original and most thoughtful manifestation. In the case of Athens, such a manifestation is "of special interest to us because [it] know[s] nothing of the Bible. Hence [the] thinking [of the Greek philosophers] aims neither at advancing the cause of biblical religion nor at opposing it. [...] If one wishes to know how the world looks to unbiased and dispassionate reason, one could not do better than begin by turning to the Greek philosophers."[30] An analogous argument can be made in the case of Jerusalem. To make even preliminary sense of the above requires a somewhat lengthy exegetical detour.

As originally conceived and understood, the Bible and philosophy share a concern with wisdom: the term in Greek is *sophia* and the corresponding term in Hebrew is *hochma*. Strauss differentiates philosophic wisdom and Biblical wisdom in the following way: the beginning of wisdom in the former is wonder; in the latter, it is fear.[31] The Biblical reference is to *Proverbs* 9:10. Earlier in the same book, wisdom—which is allegorized as the Bible itself—is said to be "a tree of life to those who hold fast to her."[32] In Judaism, the ascent (*etz hayim*) to wisdom brings about *tikkun*, the correction and repair of the world. God talks to humanity through the Bible (which is said to represent His "wisdom in the eyes of the nations"[33]), and humanity talks to God through observance (*avoda*) and prayer (*tefilah*). In the traditional Christian understanding, the Fall that occurs due to a combination of serpentine trickery (seduction) and human free will awakens an awareness of shame (and by extension, an awareness of good and evil) brought about by nakedness and results in the absence of the Holy Spirit in the life of humanity—a condition that is rectified through participation in the Eucharist. The Holy Spirit has the power to impart otherworldly wisdom, according to Saint Paul the Apostle,[34] who identifies divine wisdom with Christ and contrasts this higher "mysterious" and "hidden" wisdom with the discredited wisdom of "the wise."[35] Either way (Christian Orthodoxy tends to favor the latter interpretation), the firm association of wisdom with revelation is made in contradistinction to wisdom sought or acquired with unassisted human reason.

Both parts of the Bible make it clear that human beings have no access to the love of wisdom outside of God, or at least outside of a strong connection to the divine. The prophet Micah says that the achievement of wisdom is predicated on listening to what God has told humanity is good: the faithful servant has no extraneous need of the quest for knowledge of the good.[36] Thus, the pursuit of wisdom in the context of the Bible is neither accomplished through *eros* nor is it the way to *eudaimonia* (flourishing or happiness), as it is for Socrates. It would take too long to examine the architectural, iconographic, and liturgical significance of Holy Wisdom understood as the Divine Logos who became incarnate as Jesus Christ (as well as the evolution of that tradition into an association of the Theotokos with Sophia). It is enough to say for present purposes that "sophia" (in the Slavonic rendition the word is "*пре*мудрост," which can be translated as "greater wisdom") is proclaimed aloud by the celebrant at certain key

moments of the Divine Liturgy, especially in the context of the readings of Scripture. The intent is dogmatic, not dialectical: thus, the *sophia* of the New Testament is the antithesis of the *sophia* of classical philosophy. Similarly, the *Logos* of the New Testament—particularly as pronounced in the prologue to the Gospel of Saint John the Apostle—is the antithesis of the *logos* of classical philosophy. A clear articulation of this position is made by Saint Gregory the Theologian: "I have set forth for you our love of wisdom, which is dogmatic and not dialectical, in the manner of the fishermen and not of Aristotle, spiritually and not cleverly woven, according to the rules of the Church and not of the marketplace."[37]

This is not to say that, like Socrates, the Church Fathers did not spend time in the marketplace. The Bible mentions Saint Paul the Apostle's Athenian disputations with Epicureans and Stoics, his epistolary attack on those who search for mistaken wisdom, and his strict warning against being captivated by philosophy.[38] Each of these passages is noteworthy for the absence of textual evidence of an actual discursive engagement with philosophy. In the centuries that followed, there were attempts to make certain aspects of classical philosophy into handmaidens of theology. Much of this has to do with historical happenstance, namely the spread of Christianity into the Greek world (which became the Roman and Byzantine world, the former of which came to form the core of Europe and the West) and thus the prevalence of the Greek (and then the Latin) language. The appropriation of technical terms such as *logos*, *doxa*, *ousia*, and *hypostasis* is one example: the first is found in the New Testament; the seminal figures associated with the other terms were the Cappadocian Fathers (Saint Basil the Great in particular),[39] whereas Saint Clement of Alexandria focused more on propaedeutics,[40] as did Saint John Chrysostom,[41] Saint Gregory of Nyssa,[42] and Saint Cyril of Alexandria.[43] There are a number of other examples of Patristic Hellenism.[44] But none of them express doubt about divine wisdom or wonder about the alternative: the Biblical distinction that goes back to knowledge of good and evil is between obedient love and fear of the consequences of disobedience. This may have something to do with the fact that the New Testament is quite open about its revolutionary character[45] whereas philosophy in its original conception was either more circumspect or simply uninterested in changing the world: even in the marketplace, Socrates does not appeal to the multitude or to all humanity,[46] but instead to those who claim to be wise;

and he does so, by his own account, as a consequence of a companion of his having asked Apollo's oracle at Delphi whether there was anyone wiser than Socrates and the resulting answer by the Apollonian priestess that there was not. It is not unimportant to observe that Socrates says that he does not take the truth of the answer for granted while at the same time indicating that Apollo does not have sanction to say something false. His mission, as he suggests (in the only instance in which he addresses a multitude) is one of impious piety: in attempting to refute the oracle he ultimately vindicates it; thus unintentionally, by his own account, Socrates serves Apollo by obeying the god's command.[47] It is deeply ironic, perhaps even tragic, that his divine mission was the genesis of his conviction for capital impiety.

However that may be, the distinction between obedient love and fear of the consequences of disobedience, on the one hand, and between the antithetical understandings of *sophia* and *logos* in the New Testament and classical philosophy, on the other hand, raises the awkward fact that Aristotle nowhere lists piety as a moral virtue (all moral virtues are acquired and maintained through habituation and are thus voluntary) and that greatness of soul (*megalopsuchia*) is said to be the *kosmos* of the virtues whilst *mikropsuchia*, which is often translated as humility, is classified as a vice and labeled as erroneous conduct.[48] One could say that the analogous missing virtue in the Christian conception is *thumos*. To this one could add that without a sufficient, direct awareness of these two incompatible conceptions of moral virtue, one would be hard-pressed to understand the revolution produced by Machiavelli's presentation of his moral virtues in *Prince* 16-23 and the argument he makes in introducing them in *Prince* 15—a topic I have broached above and to which I will have recourse to return below. Here it is sufficient to point out that the revolution consists in Machiavelli's focus on the "prince's relationship with others, not on his own perfection."[49] The "effectual truth" of his focus is on statecraft, not soulcraft: Machiavellian *virtù* is primarily concerned with how the prince "should be with subjects and with friends" (NM, *P.* 15).[50]

But to come back to Athens for a moment longer: Greek or ancient or classical philosophy makes it clear that human beings, or at least some human beings, have direct access to wisdom outside of God, or at least outside of a strong connection to the divine: "Aristotle did not leave room, intentionally or unintentionally, for a revealed teaching which could be added to his rational teaching."[51] In the *Metaphysics*, Aristotle describes the science or knowledge

being sought as divine[52] and explicitly identifies it with *sophia*;[53] he also makes a point of saying that someone other than God, namely a human being, could come to fully possess this science or knowledge.[54] Human beings can possess (divine) wisdom without divine assistance; the scope of human knowledge encompasses the knowledge that is reserved for God; investigation of the divine by the human is not impiety but the most fully human of endeavors. This teaching appears to be fundamentally incompatible with the teaching of the Bible. The extreme consequence of Aristotle's teaching would require of a Christian to assert that human beings as human beings could themselves reverse the damage to their nature caused by the Fall: although created by God, through the divine science human beings becomes ontologically independent or free of God. Humanity could heal itself of the wounds of sin without recourse to salvation by dismissing God's prohibition against tasting the fruit of the Tree of the Knowledge of Good and Evil, which, when consumed together with the fruit from the Tree of Life, would endow them with wisdom and immortality: human beings that do not fear death whilst being equipped with the sort of *sophia* that would enable them independently not merely to seek but to attain knowledge about divine *ousia* would, as a matter of principle, find redundant the need for divine revelation of salvific truths (from the Incarnation of *Logos* to the Resurrection[55]) that transcend what is discoverable by reason alone.[56] They would further judge this neither to constitute rebellion or disobedience, nor to be a product of self-deception. One could say that a traditional Christian taking seriously Aristotle would put himself in the untenable position of having to make the nonsensical claim that the *logos* of classical philosophy incorporates the *Logos* of the New Testament, with human beings effectively becoming God,[57] instead of an image or likeness of His inexpressible glory.[58]

SEMPITERNAL OTHERNESS

The exegetical detour having been completed, as it were, we can begin again—*palin eks arches*—as Socrates says. Recall the proposition I put forward earlier with the assistance of Strauss and Manent: to belong fully to Europe, a nation's initial encounter between Jerusalem and Athens must have (i) occurred at the right time and under the right set of circumstances *and* (ii) effectually been accepted as an integral part of its identity.

We have seen that this had very much to do with the understanding of wisdom and love and whether this understanding could be gained in the marketplace (human guidance) or the temple (divine guidance). The initial encounter was predicated on the proposition that a life of obedient love was incompatible with a life of free inquiry (and vice versa), and its implication that a harmonization, much less a synthesis, of these two positions as originally understood was impossible: the syncretic attempt made by Philo of Alexandria and his followers is ultimately unpersuasive. Still, European civilization, which became in due course Western civilization, is at least partially if not largely the result of the dialogue between the two understandings—a dialogue replete with tension and dynamism that continued virtually unabated for a millennium or more. By the nineteenth century, this fundamental issue had been largely set aside or answered in a way that serious proponents of either Jerusalem or Athens would have found unacceptable. By the middle of the last century, much of Europe had begun to practice *en masse* what until then had been the reserve of the few: "atheistic humanism."[59]

And so we can now come directly to the matter at hand.[60] With regards to the initial encounter of the Serb nation with Jerusalem and Athens, the key seems to be whether or not Greek and its successor Latin was introduced and retained as languages accessible to educated human beings—what contemporary political science terminology would call a segment of the elite. When Christianity spread to the western Balkans thanks to the evangelization efforts of Saints Cyril and Methodius and their various disciples, the Gospel was translated into the vernacular and the liturgy was celebrated in what has come to be known as Old or Church Slavonic in various parts of the region. However, for reasons having to do largely with the Great Schism and the prevalence of Latin as the language of ecclesiastical and state administration in the areas inhabited by the Croats and Slovenes, these nations gained familiarity with the *lingua franca* of Europe and thence gained access to Greek through, inter alia, the penetration of various Roman Catholic religious orders and congregations. This allowed them, at least in theory, to have direct access to the original "Platonic defense of philosophy" (Manent's term) and come to accept its legitimacy if not to be persuaded by it. Contrast this to the Serbs: choice and circumstance ensured that, by and large, we were never given the opportunity to absorb in a serious way Greek, much

less Latin. Our version of Christianity was for too long unable to meet directly with ancient philosophy, much less to take seriously its original self-defense.[61]

When this encounter finally did take place—in the nineteenth century—philosophy's highest representatives were Hegel (and his pupil Marx), Mill, and Nietzsche (and not soon after, Heidegger). As a result, until almost yesterday we Serbs could hardly have been expected to be aware of—much less come to terms with—the writings originally produced in the classical languages. We failed to inherit even the echoes of the Platonic defense of philosophy that were residually present in some Byzantine circles during the centuries of national sovereignty we experienced in the medieval period: our liturgical, canonical, and theological texts were presented to us originally in such a way as to effectually cut us off from the rich diapason of the Byzantine tradition, as were our various royal charters and legal codes.[62] There were exceptions, of course, but these by and large demonstrate the veracity of the general point: literacy in Greek was not part of the bequest of sovereignty and did not become part of the legacy of the founders of our nation, including Saint Sava, who was responsible for securing the autocephaly of the Serbian Orthodox Church (and whose father and brother were responsible for securing the sovereignty of the Serb nation).

After this initial period of statehood, there came five centuries of occupation by an empire that was not European. Most Serbs think of our Ottoman experience as having been almost entirely negative on the grounds that it tore us further away from Europe (a proposition predicated on the supposition that we were somehow ever a part of the European mainstream). Most of the Serb nation was entirely isolated from Europe; most of those parts that were not were allowed to settle in European lands by imperial masters based in Vienna (and elsewhere) and were treated primarily as a military shield against the Ottoman Empire: the advancement of learning, to borrow from Francis Bacon, can hardly be said to have been prioritized in circumstances in which the authorities prized *thumos* much higher than *logos*. Unsurprisingly, no *Antemurale Christianitatis* ever gained renown in the annals of history for having produced men of great learning or erudition. Neither did Rumelia, in the classical Ottoman conception of the term.

We Serbs heroically regained our liberty and our sovereignty in stages over the course of the nineteenth and early twentieth centuries. There were periods of truly wondrous triumphs but also moments of heartbreaking tragedy and even flashes of unbecoming cruelty and delinquency that appeared for all the world to be incompatible with the conceptions of justice of both Jerusalem and Athens. The main point here is to underline that at virtually no time did our experience with constitutional monarchy, royal dictatorship, fascist and communist totalitarianism, and ultranationalist despotism attach (or reattach) us *as a nation* to the main currents of Europe. At the same time, we were always aware of the fact that Europe was near us, that we were close to it, and that some of our nation's neighbors belonged to it.

Today we Serbs struggle with all the usual problems associated with what is called by contemporary Western political scientists a "transition to democracy" as well as a challenging set of unique problems rooted in the fact that our nation resides on the outskirts of Europe. Thus, for us the consequences of not belonging fully to Europe is that Europe in particular and the West in general is seen in the Serb lands as somehow being both attractive and foreign.[63] At most we can say that our nation's journey has stopped short of its destination: the sinuous road to Europe has never been paved, much less completed. A sense of exteriority—of sempiternal otherness—in relation to Europe predominates still.

PARTICULARISM AND BLINDNESS

Before proceeding to the end of these particular considerations, perhaps it may be helpful to elaborate on a distinction first suggested by Homer—a distinction between the more spiritual, Odyssean-like character of today's Europe—of the West—and the more corporeal, Iliadic-like character of the nations of not only the Balkans but the Caucasus as well.

In the Homeric works, the great poet of ancient Greece shows that the hero of the *Odyssey* is a complete man (*anthropos*) even in the *Iliad*, where his quality of making the maximum use of whatever natural aptitude for reason he has is shown not to be persuasive to Achilles, the hero of the *Iliad*. Achilles' capacity to exercise reason (*logos*) is clouded by his all-

encompassing *thumos*, whereas Odysseus' strong *thumos* is kept under control by his even stronger *logos*. Odysseus is a less magnificent, less corporeal, more tamed, and more fully formed human being. The next step is made by Plato. In the *Apology of Socrates*, Socrates compares himself to Odysseus: the model for the Socratic hero is the Odyssean one.[64]

Consider that in the *Iliad*, the people (*demos*) are never given the choice of whether they should follow Agamemnon, Achilles, *et. al.,* whereas the consent of the *demos* is essential to the completion of Odysseus' mission as outlined by Teiresias—still the authoritative mouthpiece of the gods even in death—when Odysseus visits him in Hades as recounted in the *Odyssey* (XI:90-151). The consent of the *demos* is the will of the gods. But who is the mouthpiece of the mouthpiece? Homer, of course. *The* poet. Homer portrays himself to be the only human being to be able to transcend the commonly-held opinions of his own time, a fundamental point in line with what Aristotle says is the task of the poet: "to speak of what sort of things would come to be, of what is possible according to the likely or the necessary" (Arist., *Poet.* 1451a36-37). Ultimately, only Homer can cause the hero—the "resourceful" and polytropic statesman Odysseus—to modify the *nomoi* of the *demos*. Only the rational poet can change the heretofore unquestioned traditions or opinions of irrational and non-poetic men. Homer is thus the first politically responsible human being. His authority moved an entire civilization: his authority established the moral distance between the Greeks and the *barbaroi*. One could say that the poet opened up the possibility for the statesman to lead responsibly a nation out of the darkness of Antigone's autochthonic path to self-destruction rooted in a sort of unchanging and ignorant particularism. In this understanding—to borrow from Alfred North Whitehead—we might characterize in a general way the philosophic tradition of statecraft as consisting of a series of footnotes to Homer.[65]

Now, Homer's Teiresias was the mouthpiece of the gods of the Greeks. For us Serbs, the effectual mouthpiece of our god, of the Trinitarian God as understood by the teachings of the Serbian Orthodox Church, was for a long time Patriarch Pavle. More than almost anyone else in his time, he helped to shape responsibly and authentically the attitudes, emotions, and opinions of the Serb *demos* instead of merely reflecting them as has recently been too often the case. During the entirety of his stewardship of the throne of Saint Sava, which lasted from 1990 to 2009, the patriarch tried to moderate the

harshly Iliadic *nomoi* of the Serb nation—of the Serb *demos*—by setting the standard of right or just conduct that is not predicated on the approach taken by the likes of Antigone. To speak in political terms: properly-formed poets guide the less gifted to accept if not to understand what the more gifted understand without poetic adornment.

I remember the words he spoke in 1993 in Vienna on the centenary of the consecration of our first church in the capital of *Mitteleuropa*—the same day we Serbs liturgically commemorate the martyrdom of the fallen heroes of the 1389 Battle of Kosovo: "evil men deserve not to be preserved but to perish. For according to Christ's teaching, an evil man is dead even as he walks this ground, and the righteous man, who has laid down his life for justice, is forever alive before the living God." His statements were consistently on the side of the good and the just. "Do not listen to one side only, give ear to all, learn the whole truth, and then judge. We must never accept a half-truth," said the patriarch at a sermon pronounced at the Gračanica monastery in central Kosovo in 1999, an awful year for the Serb nation. "Let us not justify ourselves by blaming others," the patriarch often repeated, including on that occasion. To put this another way: for every nation to understand itself and its place in the world, it is necessary to understand other nations as they understand themselves.

This brief examination of Patriarch Pavle's pronouncements warrants the judgment that he would have wholly agreed that the future should lie in a moderate sort of nationalism that is not rooted in the dismal soil of suspicion but rather in what has been made on top of that soil. Additional evidence in favor of such an interpretation is provided by the condemnation of the conflation between church and nation—known as phyletism or ethnophyletism—at the 1872 Holy and Greater Synod of Constantinople, whereby it became integral to the Orthodox canonical tradition.[66] This canonical decree approaches Ernest Renan's articulation of the distinction between the French conception of the nation as a free choice or an "everyday plebiscite" and the German conception of the nation as a community of language and race given to "ethnographic and archeological politics," as Manent put it—a destructive notion of the nation as autochthony. However, the contrast is not simply that between the 'good' and the 'bad' versions of the nation, for "that which defines precisely the problem of the nation is that the nation comports at the same time the German idea and

the French idea: [the nation] is always the difficult amalgamation of birth and liberty."[67] This in turn requires the realization that blindness to one's errors is compatible only with barbarism. The patriarch had never wished to become like many of his flock, driven by *thumos*—whether it in various baser forms, the all-encompassing version represented by Achilles, or the versions praised by the likes of Plato and Machiavelli.

Now, amongst the Serbs as amongst the people of the Caucasus there is a long tradition of admiring thumoeidetic heroism. With regards to the former, it is enough to refer here to *The Mountain Wreath*, an epic written in 1847 in the classical style by Prince-Bishop Petar Petrović-Njegoš,[68] a masterwork both praised and disparaged for its treatment of three distinct civilizational realities: the Serb, the Ottoman, and the European. A great admirer of Njegoš was the twentieth-century Serb poet, Dušan Matić, who became friends with my father thanks to an introduction made by our Nobel laureate Ivo Andrić. Frequently my father would remind me of the title of one of Matić's books: *The Past Last A Long Time*. My father, himself a poet, would then frequently add his own corollary: "and the future arrives with difficulty."

EFFECTUAL TRUTH

With these words of poets in mind, we can take a few steps back and begin again for the final time, as it were, by making a restatement: to understand the outcome of the Second Karabakh War requires at least a grasp, if not an understanding, of what Machiavelli called the "effectual truth."[69] Although Machiavelli did not phrase it this way, it seems clear to me that a necessary part of effectual truth as he sees it is that history never ends, the future is uncertain, one's friends are always imperfect, power politics never go away, and no political cause is ever truly just. From this we can derive an important Machiavellian lesson: consistently guarding against the temptation to push aside the moderating insubordination of the ways of the world ought not to be seen as either reactionary cynicism or treason; but rather as a commonsensical and healthy caution against championing for a world as it never could be and advocating the use of all means to get there. This is effectually what happened to the Armenians, who managed to bluff themselves into a corner from which they could not extricate themselves: "Armenian statecraft [...] revealed itself

as a mix of delusional self-confidence and naive sentimentality [that led it] voluntarily to pursue self-destructive policies."[70] This assessment is consistent with Aristotle's understanding of tragedy.

Making use of the aforementioned commonsensical and healthy caution does not mean turning away from one's past achievements, but rather turning to face the real prospect of being outflanked because of one's inability to learn from past mistakes. What was required most was a clinical examination of what *could not* be achieved. It is still what is most required. And this requirement is exactly what was and is for the most part still *not* being fulfilled in too many corners of Armenian society. The national starting point for the Armenians, it seems to me, remains autochthony in combination with an allegiance to a halcyon past that fell to the wayside centuries, nay, millennia ago, and has no chance whatsoever of making a comeback. By this point in our inquiry, the tragic danger of falsely equating blind ambition with *thumos* misunderstood as *virtù* should be clear.

Perhaps the fundamental lesson that can be derived from the statecraft of Azerbaijan and the statesmanship of Ilham Aliyev is that the conquest of a nation's past represents the liberation of its future liberty. In the case of Azerbaijan, the result is plain to see: an exonerated state and its vindicated statesman.[71] And having recovered last year what had been taken nearly 30 years ago, it should come as no surprise that Aliyev has stated on various occasions that the territorial conflict over Karabakh is now resolved. In a strict sense it is but in a broader one it is not: the underlying conflict between Armenia anf Azerbaijan remains in some sense unresolved. One can say that the 10 November 2021 tripartite statement is more than a narrow ceasefire agreement but less than a general peace treaty: strictly speaking, only its first article deals with the cessation of hostilities in Karabakh; the others lay out various concrete measures aiming towards a future predicated implicitly on the establishment of peaceful relations between two sovereign states: Armenia and Azerbaijan. On the first anniversary of the end of the Second Karabakh War, a formal peace agreement remains elusive, but by no means illusive. Over the past year, Baku has made it clear that political autonomy or any other form of special status for Karabakh is no longer on the table, with Aliyev underlining, rightly, that the 10 November 2020 tripartite statement contains no reference to status.[72] That being said, Baku has over the past year signaled at times a readiness to build a principled peace with justice by doing the thing that peace

requires: demonstrating magnanimity and goodwill and, ultimately, achieving reconciliation with one's main adversary. His postwar rhetoric has not been flawless, but the thrust of his statements—his signaling—has been clear. For instance, on 25 June 2021, Aliyev told the foreign ministers of Austria, Lithuania, and Romania that "if we don't have a peace agreement with Armenia that means we don't have peace not only between the two countries but also in the South Caucasus. But we need peace and sustainable development and predictability, zero risk of war."[73] On 28 September 2021, Aliyev spoke of the need to "start to work on delimitation and demarcation of the borders, to start preparing for negotiations, comprehensive negotiations on peace agreement with Armenia" whilst underlining that "autonomy" is "off the table."[74] Until very recently, Yerevan had shown scant interest in reciprocating with similar such signals of its own: this has been perfectly understandable, given the tumultuous nature of the country's domestic political situation, which only began to stabilize over the summer. Obviously, doing so remains perceived as being fraught with perilous difficulties. Armenian prime minister Nikol Pashinyan's speech to a meeting of the Commonwealth of Independent States on 15 October 2021 in Minsk could portend a great shift in both Yerevan's public messaging and its policy towards Baku. If this turns out to be the case, then it will be welcomed indeed, for Armenia's tragedy would be compounded if it were to continue choosing to meet Azerbaijan's outstretching hand with a clenched fist.

Still, there is much talk of contestation and revenge in some Armenian circles—of rebuffing Azerbaijani overtures and instead choosing to pursue a strategy whose sole object would be to overturn the effectually definitive result of the Second Karabakh War. One intention of this essay has been to demonstrate the futility of the pursuit of that option, whose success would be predicated on the instauration of novel geopolitical circumstances that Yerevan simply does not have the capability to engender, much less set in motion.

Yet there are Armenians in positions of power or influence who nonetheless believe the opposite. By way of conclusion, we can lay out what, at a minimum, this sort of thinking would need to entail in practice. First, either the sudden discovery of massive hydrocarbon deposits (or its equivalent) in Armenia or the country's rapid transformation into the Singapore of the Silk Road region. Second, the aptitude to safely and thus successfully push Turkey back out of the South Caucasus. Third, the ability to incentivize the West to engage in the region more seriously than it ever has.[75] And fourth, the wherewithal

to entice Russia to actively and exclusively support Armenia's maximalist position by any means necessary—up to and including a readiness to engage in an offensive military campaign against Azerbaijan (and almost certainly Turkey) for the sake of land it has consistently recognized as being Azerbaijan's sovereign territory.

We cannot leave it unsaid that a necessary prerequisite to the successful instauration of these novel geopolitical circumstances on the part of Armenia would be the wholescale political isolation, economic constriction, and military disassembly of Azerbaijan taking place more or less concurrently with the above. This is, of course, effectually impossible; frankly, it would require the sort of divine intercession that so far has been limited primarily to the works and days of Moses and David: the founder and re-founder of a nation whose uniqueness is unbreakably tied to its covenantal status as *'am 'olam*—the eternal nation—or, as Strauss once defined it, of having "one's roots deep in the oldest past and committed to a future beyond all futures."[76] We can therefore only hope that sagacity and common sense prevail in Yerevan, for it would truly be foolhardy for Armenia henceforth to advocate, much less pursue, policies that would compound the effects of what amounts to a capitulation by burdening another generation of its citizens with the perpetuation of eschatological illusions and the reality of poverty. Verily, "it takes a particular kind of impudence to prescribe again the cure to the disease that incapacitated the patient and brought him close to death."[77]

No better way to end this essay rises to the mind than to refer to a passage in the magnum opus of the national historian of republican Rome, Titus Livy, now more often than not remembered, if at all, as a literary foil in the service of the execution of Machiavelli's *virtù:*

> I would ask each of my readers to devote his earnest attention to these subjects: what life and morals were like; through what sort of men and by which sort of arts, employed both at home and in war, empire was established and enlarged. Then let him note the gradual passage of discipline, as it were, and the decaying standard of morals, at first little by little and then more and more rapidly, and finally the start of the downward plunge, until we arrive at the present-day, where we can endure neither our vices nor their remedies. What is especially salubrious and

> fruitful in consuming knowledge of past deeds is that you behold, in a clear light, every sort of experience set forth as if on a conspicuous monument; from these documented examples you may choose for yourself and your state what to grasp and imitate, and also to avoid that which is marked as disgraceful in its inception and disgraceful in its result (Livy, *Ab urbe cond.* I:Pr.9-10).

NOTES

1. Kurt Riezler, "The Philosopher of History and the Modern Statesman," *Social Research* 13, no. 3 (September 1946), 375.

2. Ilham Aliyev, "Speech by Ilham Aliyev at the opening of Kharibulbul Festival in Shusha," May 12, 2021, https://en.president.az/articles/51466; Ilham Aliyev, "Speech by Ilham Aliyev at the opening of Vagif Poetry Days in Shusha," August 30, 2021, https://en.president.az/articles/52973.

3. See Tom Ruys and Felipe Rodriguez Silvestre, "The Nagorno-Karabakh Conflict and the Exercise of "Self-Defense" to Recover Occupied Land," *Just Security*, November 10, 2020, https://www.justsecurity.org/73310/the-nagorno-karabakh-conflict-and-the-exercise-of-self-defense-to-recover-occupied-land/. A convincing refutation of such farrago is provided by Dapo Akande and Antonios Tzanakopoulos, "Use of Force in Self-Defence to Recover Occupied Territory: When Is It Permissible?," *Blog of the European Journal of International Law*, November 18, 2020, https://www.ejiltalk.org/use-of-force-in-self-defence-to-recover-occupied-territory-when-is-it-permissible/. Cf. *Chiragov and Others v. Armenia* [GC], no. 13216/05, ECHR 2015, paragraphs 96, 170, 180, 186, and so on. For a general primer, see, e.g., Heiko Kruger, *The Nagorno-Karabakh Conflict: A Legal Analysis* (Berlin: Springer, 2010) and various chapters in the present volume.

4. See my "Armenia Needs to Sue for Peace Now: The Alternative is Even Worse," *The National Interest*, 5 October 5, 2020, www.nationalinterest.org/blog/buzz/armenia-needs-sue-peace-now-alternative-even-worse-170160; and "Geopolitics and the Second Karabakh War," *Caucasus Strategic Perspectives* 1, no. 2 (Winter 2020), 35-56. Parts of this essay draw liberally from both.

5. For an authoritative interpretation of the Melian dialogue, see Leo Strauss, *The City and Man* (Chicago: University of Chicago Press, 1964), 184-ff. Cf. Christopher Bruell, "Thucydides' View

of Athenian Imperialism," *American Political Science Review* 68, no. 1 (March 1974), 11-17.

6. For an account of the development of Azerbaijan-Turkey relations, see Cavid Veliyev, *The Strategic Partnership of Turkey and Azerbaijan: Historical and Present Dimensions* (Istanbul: Ötüken, 2020).

7. Ilham Aliyev, "Real TV interview with Mirshahin Aghayev," February 12, 2019, https://en.president.az/articles/31826.

8. This could be put even more starkly: how is the case of the 'Republic of Artsakh' so different from that of Republika Srpska Krajina? Well, there are in fact two major differences. First, there is no evidence that Azerbaijan planned, much less carried out, a campaign of ethnic cleansing. The second difference is that there is no evidence that Azerbaijan staged or conducted military operations from foreign soil during the Second Karabakh War. Both of these differences are unequivocal points in Azerbaijan's favor. Furthermore, with respect to the first, Croatia was awarded, effectually, unconditional support by the West prior to, during, and in the wake of Operations Winter '94, Flash, Summer '95, Storm, Phoenix, and Maestral, each of which resulted in the forcible expulsion of the local Serb population. With respect to the second difference, it is sufficient to note that the Croatian Army both staged and conducted military operations from neighboring Bosnia and Herzegovina during the period in question. Perhaps the beginning of an explanation of the difference of the Western reception of the wartime actions of Croatia and Azerbaijan could be sought in Plato's *Gorgias*, where Socrates has Zeus explain the respective judgeship roles he assigns to two of his sons, Rhadamanthus and Aeacus, in "determining the journey for human beings" (Pl. *Gorg*. 524a5).

9. Here one could add that Armenia "manages to enjoy as good relations with Iran as Azerbaijan does with Israel." See Farid Shafiyev, "What Armenia Won't Tell You About Its Occupation of Azerbaijani Land," *The National Interest*, October 2, 2020, https://nationalinterest.org/blog/buzz/what-armenia-wont-tell-you-about-its-occupation-azerbaijani-land-170038.

10. This strategic takeaway can be translated into contemporary international relations terminology: careful bandwagoning, pragmatic balancing, strategic hedging, finding a balance of interests, predictability, and strategic patience. On this, see Ilgar Gurbanov, "Relevance of Non-Alignment for Azerbaijan's Foreign and Security Policy," *Caucasus Strategic Perspectives* 1, no. 1 (Summer 2020), 16.

11. Leo Strauss, *What is Political Philosophy? and Other Studies* (Glencoe: The Free Press, 1958), 40. Cf. Leo Strauss, *Thoughts on Machiavelli* (Glencoe: The Free Press, 1958), 173, where he succinctly portrays the fundamental distinction between classical or ancient philosophy and modern philosophy, again with an emphasis on Machiavelli's parentage: "Classical political philosophy had taught that the salvation of the cities depends on the coincidence of philosophy and political power which is truly a coincidence—something for which one can wish or hope but which one cannot bring about. Machiavelli is the first philosopher who believes that the coincidence of

philosophy and political power can be brought about by propaganda which wins over ever larger multitudes to the 'new modes and orders' and thus transforms the thought of one or a few into the opinion of the public and therewith into public power." The term "new modes and orders" is found in NM, *D.* I:pr.

12. See NM, *P.* 6, 13, 15, and 25. We can note further that *P* 14 ends with a statement intimating that to tame or resist fortune's adversities appears to be the most that can be achieved by an excellent prince: there is no catch-all remedy (*rimedio*) for accidents, much less a cure. The excellence of a prince is measured in large part by his ability to properly practice Machiavelli's version of moral virtue: NM, *P.* 16-23 provides an account of these moral virtues. Cf. Riezler, "Philosopher of History," 378-380. Otto von Bismarck would effectually say the same thing centuries later: fortune is a river to be tamed (and, rarely, perhaps even resisted), thanks to the virtues of an excellent prince; but there are limits: the course of a river, like the course of time itself, cannot be simply reversed. This is expressed in two statements he made 40 years apart: "The stream of time flows inexorably along. By plunging my hand into it, I am merely doing my duty. I do not expect thereby to change its course." The second statement: "Man can neither create nor direct the stream of time. He can only travel upon it and steer with more or less skill and experience; he can suffer shipwreck and go aground and also arrive in safe harbors." The two statements can be found in *Bismarck: Die gesammelten Werke*, ed. Herman von Petersdorff et al. (Berlin: Otto Stollberg & Co., 1923-1933), XIV:249 and XIII:558, respectively.

13. Reference to the three terms in quotations marks can be found, respectively, in NM, *D.* II:26, II:15, and I:2 (and also NM, *D.* I:9, III:6, and elsewhere). In the original, they are written as *grandi prudenze*, *diliberazione*, and *uno solo* respectively. Aristotle made the best case for the deliberative as sovereign or authoritative (*kyrios*), which he calls "the work of political joining [or understanding]" as well as "judgments" (*kriseis*); see Arist. *Pol.* IV, in particular 1298a3-4, 1291a28, and 1299a2-3 as well as Arist. *Eth. Nic.* 1112a18-1113a14.

14. Cf. Harvey C. Mansfield, "On the Impersonality of the Modern State: A Comment on Machiavelli's Use of *Stato*," *American Political Science Review* 77, no. 4 (December 1983), 849-857. Mansfield concludes, rightly, with a discussion of the importance of "effectual acquisition" in coming to terms with Machiavelli's presentation of non-institutional executive power.

15. The lineage of executive power, including the process of its domestication, is brought to the surface brilliantly in Harvey Mansfield, *Taming the Prince: The Ambivalence of Modern Executive Power* (New York: The Free Press, 1989). With reference to the last sentence of the above footnote, a remark Mansfield makes in *Taming the Prince*, 25, seems warranted: "the whole story of executive power depends on understanding why it is absent in Aristotle." Mansfield devotes two (or rather, three) chapters to this topic.

16. Catherine H. Zuckert, *Machiavelli's Politics* (Chicago: University of Chicago Press, 2017), 476.

17. Harvey C. Mansfield, *Machiavelli's Virtue* (Chicago: University of Chicago Press, 1996), 307. As Mansfield points out, the fundamental logic of this way of thinking can be said to be encapsulated in the following passage: "Wounds and every other ill that man causes to himself spontaneously and through choice, hurt much less than those which are done to you by someone else" (NM, *D.* I:34).

18. Gregory Gleason, "Grand Strategy Along the Silk Road: The Pivotal Role of Keystone States," *Baku Dialogues* 4, no. 2 (Winter 2020-2021), 148, 156.

19. Nikolas K. Gvosdev, "Keystone States: A New Category of Power," *Horizons* 5 (Autumn 2015), 120.

20. See Arist. *Poet.* 1455b25-ff and 1460b6-ff. Cf. 1460b22, 1461b24, and 1453a8-23.

21. Excellent book-length accounts of Azerbaijan's time as a failing state—which corresponds roughly to the period between the forced retirement of Heydar Aliyev from the posts of Full Member of the Politburo of the Communist Party of the Soviet Union and First Deputy Premier of the Soviet Union in October 1987 and his return to power in Azerbaijan in June 1993—include: Tadeusz Swietochowski, *Russia and Azerbaijan: A Borderland in Transition* (New York: Columbia University Press, 1995); Thomas Goltz, *Azerbaijan Diary* (Armonk, NY: M.E. Sharpe, 1998); Svante E. Cornell, *Azerbaijan Since Independence* (Armonk, NY: M.E. Sharpe, 2011); and Tadeusz Swietochowski, *Azerbaijan: Legacies of the Past and the Trials of Independence* (London: Routledge, 2015).

22. Harvey C. Mansfield, *Manliness* (New Haven: Yale University Press, 2006), 216, 201.

23. Harvey C. Mansfield, "How to Understand Politics: What the Humanities Can Say to Science," *2007 Jefferson Lecture in the Humanities, U.S. National Endowment for the Humanities*, https://www.neh.gov/about/awards/jefferson-lecture/harvey-mansfield-biography.

24. To reiterate: my position is that the Armenian experience is in important ways *analogous* to the Serb one, not that it is identical. Since I will raise the matter of autochthony and the issue of direct and continuous access to Greek in what follows, it seems useful here to mention that Herodotus (whose works and days correspond roughly to those of a generation prior to that of Socrates) mentions the presence of Armenian tribes in the highlands of Anatolia, although he seems to suggest an origin that is not strictly speaking autochthonous yet is in some ways reminiscent of the circumstances that gave birth to the myth of Cadmus—a myth that stands at the fount of the Theban understanding of autochthony. Cadmus, it should be noted, was a Phoenician king—that is to say, a foreigner. Interestingly, early Armenian dynasties were also foreign in origin, mostly Persian or Macedonian (the latter, at least, are likely to have spoken Greek—Artaxias is a representative example). Moreover, Greek was apparently the court language under Tigranes the Great, who ruled a large multiethnic empire and was a follower of Zoroastrianism. This direct access to Greek, at that time, does not seem to have produced much in the way of philosophic inquiry, much less result in a meaningful encounter between Jerusalem and Athens—the implications of

which I will discuss in the present section and those that follow. In addition, the official substitution of Zoroastrianism by Christianity, which took place around the time of Constantine the Great under the direction of Saint Gregory the Illuminator during the reign of Tiridates the Great, also does not seem to have produced the aforementioned sort of encounter. In this context, the works of Grigor Pahlawuni Magistros, written hundreds of years and several imperial occupations later, seem worthy of detailed examination, although one should bear in mind the bottom-line assessment that "the major figures of the Silver Age did not seem to share the fascination of Magistros in Greek philosophers" and that "a renaissance of sorts began in Cilicia but under the circumstances, it stood no chance." The citations refer to Seta B. Dadoyan, *The Armenians in the Medieval Islamic World: Paradigms of Interaction Seventh to Fourteenth Centuries, Volume II: Armenian Realpolitik in the Islamic World and Diverging Paradigms Case of Cilicia: Eleventh to Fourteenth Centuries* (New Brunswick, NJ: Transaction Publishers, 2013), 224, 263-264. Also in this context see the author's treatment of the writings of Nerses Lambronac'i and similar others in the same book and elsewhere.

25. Manent, under whom I studied, is one of the teachers who most influenced my understanding of such and similar matters. The others were, in alphabetical order, Eve Adler, Seth Benardete, Allan Bloom, Christopher Bruell, Murray Dry, Daniel J. Mahoney, Harvey C. Mansfield, Paul Nelson, Stanley Rosen, and Marc Witkin. In one way or another, each was a student of Leo Strauss.

26. Leo Strauss, "Jerusalem and Athens: Some Preliminary Reflections" in *Jewish Philosophy and the Crisis of Modernity*, ed. Kenneth Hart Green (Albany: SUNY Press, 1997), 377. Cf. Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), 74-75.

27. Pierre Manent, *Cours familier de philosophie politique* (Paris: Fayard, 2001), p. 274.

28. My argument stands or falls on the proposition that this initial encounter is what is most characteristic of Europe—indeed, that this epistemological relationship is most characteristic *only* of Europe. Those who wish to challenge it would first need to begin by identifying convincingly some other civilizational characteristic unique to Europe or to assert that Europe is nothing more than a geographical designation.

29. See Leo Strauss, "A Giving of Accounts" in *Jewish Philosophy and the Crisis of Modernity*, 450: "Why Heidegger is truly important: by uprooting and not simply rejecting the tradition of philosophy, he made it possible for the first time after many centuries—one hesitates to say how many—to see the roots of the tradition as they are and thus perhaps to know, what so many merely believe, that those roots are the only natural and healthy roots. Superficially or sociologically speaking, Heidegger was the first great German philosopher who was a Catholic by origin and by training; he thus had from the outset a premodern familiarity with Aristotle; he thus was protected against the danger of trying to modernize Aristotle. But as a philosopher Heidegger was not a Christian: he thus was not tempted to understand Aristotle in the light of Thomas Aquinas. Above all, his intention was to uproot Aristotle: he thus was compelled to disinter the roots, to bring them to light, to look at them with wonder."

30. James Carey, "Liberal Education and the Orthodox Church" in *Liberal Learning and the Great Christian Traditions*, eds. Gary W. Jenkins and Jonathan Yonan (Eugene: Pickwick Publications, 2015), 12. Much of what follows in this section is the product of reflection on the basis of this invaluable essay.

31. Strauss, "Jerusalem and Athens: Some Preliminary Reflections" in *Jewish Philosophy and the Crisis of Modernity*, 379-380.

32. Prov. 3:18. See also Prov. 1:20-33 and 8:22-31, Wis. 7:22-8:1 and 8:2 and 8:4-6 and 9:9-10, as well as Sir. 1:4 and 1:9. Cf. Job 28:12-27 and Bar. 3:36-37 and Sir. 24:1-12. The allegorical tree of life recalls the original tree of life. Eating the fruit from this original tree, which was allowed (Gen. 2:16), would have presumably granted immortality. In combination with tasting fruit from the other named tree in the Garden, which was forbidden, Adam and Eve would have presumably received *hochma*.

33. Deut. 4:6

34. 1Cor. 12:8 and 1Cor. 2:6. Note that these passages ultimately lead back to *Proverbs*. Note also that in the first of the cited Pauline passages the provision of divine wisdom by the Holy Spirit is limited to "some." The context makes it clear that the choice to provide wisdom is accorded to the Holy Spirit, not by human beings. See Saint Irenaeus of Lyon *Adversus Haereses* 4.7.3 and 4.20.3; cf. 3.24.2.

35. 1Cor. 1:17-2:13 and 1Cor.2:6-7.

36. Mic. 6:8-9.

37. See Saint Gregory the Theologian, *Orationes* XXII:143-146. Cf. his *Carmen 4. Nicobuli filii ad patrem*, PG 37, 1510A-1511A. But consider *Orationes* XXVII:10, which is a general call to arms against philosophy: "attack the ideas of Plato, and the transmigrations and courses of our souls, and the unlovely loves of the soul for lovely bodies […]; Aristotle's petty Providence, and his artificial system, and his discourses about the mortality of the soul, and the humanitarianism of his doctrine."

38. See, respectively, Acts 17:18, 1Cor 1:18-31, and Col 2:3-8.

39. See Saint Justin the Philosopher, *Apologia II* 13, 4, PG 6, 465D.

40. Consider Saint Clement of Alexandria, *Stromata* I:5.28, PG 8, 717D: "Philosophy acts as a schoolmaster to the Greek, preparing them for Christ." Earlier (I:3.5), Clement had gone further, arguing that the Old Testament and Greek philosophy are two great tributaries of the same stream leading to closeness with God. Cf. *Stromata* VII:16.96.

41. Saint John Chrysostom, *Adversus oppugnatores vitae monasticae* I, PG 47, 321A-D and *In epistulam II ad Thessalonicenses hom*. 2, 1, PG 62, 472A.

42. Saint Gregory of Nyssa, *De vita Moysis* II 11-37, PG 44, 329B-D: "For truly barren is profane education, which is always in labor but never gives birth. For what fruit worthy of such pangs does philosophy show for being so long in labor? Do not all who are full of wind and never come to terms miscarry before they come to the light of the

knowledge of God, although they could as well become men if they were not altogether hidden in the womb of barren wisdom? [...] Indeed, moral and natural philosophy may become at certain times a comrade, friend, and companion of life to the higher way, provided that the offspring of this union introduces nothing of a foreign defilement."

43. Saint Cyril of Alexandria, *Adversus Julianum* VII, PG 76, 857C, 857D, and 860A.

44. For a survey, see John Zizioulas, *Hellenism and Christianity: The Meeting of Two Worlds* (Apostolike Diakonia: Athens, 2003). Attention should also be paid to Saint Augustine's *City of God*, especially VIII and X.

45. Compare Mk. 1:1-ff with Verg., *Aen.* 6.791-793 and with the text of the Priene Calendar Inscription in honor of Caesar Augustus (II.30-41). The Roman emperor is referred to as "*theos*" (god) and "*soter*" (savior), his "appearance" (*phainein*) is said to have excelled all anticipations and surpassed all those previously sent by Providence to "end war and arrange all things," with his birthday being described as the cause of the "*archein* of the *evangelion* for the *kosmos*." See Craig A. Evans, "Mark's Incipit and the Priene Calendar Inscription: From Jewish Gospel to Greco-Roman Gospel," *Journal of Greco-Roman Christianity and Judaism*, 1 (2000), 67-81. The essay argues, convincingly, that Saint Mark is "deliberately echo[ing] an important theme [and the language] of the Roman imperial cult," thus "boldly announc[ing] to the Roman world that the good news for the world began not with Julius Caesar and his descendants, but with Jesus Christ, the true son of God." The essay concludes that "one very important aspect of the Markan evangelist's portrait of Jesus is comparison to the Roman emperor and the emperor cult."

46. In a letter to Alexandre Kojève, Leo Strauss writes: "I do not believe in the possibility of a conversation of Socrates with the people [...]; the relation of the philosopher to the people is mediated by a certain kind of rhetoricians who arouse fear of punishment after death; the philosopher can guide the rhetoricians but cannot do their work (this is the meaning of the *Gorgias*)." One must also be mindful of the fact that Socrates was condemned to death on largely theological grounds: on the charge that he did not believe in the existence of the gods worshipped by the city of Athens and the related charge that he corrupted the young (see Diog. Laert. II.40; cf. Pl., *Ap.* 24b8-c1). Cf. Yehuda Halevi, *Kuzari* 4.13 (repeated almost *verbatim* at 5.14): "Socrates said to the people: 'I do not deny your divine wisdom, but I say that I do not understand it; I am wise only in human wisdom.'" This is a sort of paraphrase of Pl., *Ap.* 20d6-e3. The text of the letter to Kojève may be found in Leo Strauss, *On Tyranny: Revised and Expanded Edition*, eds. Victor Gourevitch and Michael S. Roth (Chicago: University of Chicago Press, 2000), 274-276.

47. Pl., *Ap.* 20e4-23c1.

48. Arist., *Eth. Nic.* 1103a14-26 and 1109b30-35; 1123a35-1125a35; 1124a1; 1125a17-27.

49. Mansfield, *Machiavelli's Virtue*, 20.

50. Cf. Strauss, *Thoughts on Machiavelli*, 262: "Machiavelli in effect makes a distinction between republican virtue and moral virtue, and sees in republican virtue 'the factual [effectual] truth' of moral virtue. Republican virtue as dedication to the common

good includes all habits which are conducive to the common good and in particular it includes opposite habits (e.g., severity and gentleness) to the extent to which each is conducive to the common good." This passage and what follows should be read in light of the Zuckert passage cited above and the various references to the Machiavellian texts contained therein.

51. Strauss, *What is Political Philosophy? And Other Studies*, 285.

52. Arist., *Metaph.* 982b29, which points back in a series of steps to previous passages (e.g. back to 982b21 and in turn back to 982b8; cf. 983a11-12 which also refers back to its preceding sentence).

53. Arist., *Metaph.* 982a3 (and 983a21) together with 982a6-19 (cf. 981b25-982a2).

54. Arist., *Metaph.* 983a9-10.

55. The truth of the Old Testament stands or falls on the Commandments; the truth of the New Testament and thus Christianity stands or falls on the Resurrection. With respect to the latter, see 1Cor. 15:14.

56. See Thomas Aquinas, *Sententia Metaphysicae* I.3.64 where the term "mutuatum" or "borrowed" is used instead of one that would show strict fidelity to the original Greek. I am grateful to James Carey's review of Christopher Bruell's *Aristotle as Teacher: His Introduction to a Philosophic Science* (South Bend: St. Augustine's Press, 2014) in *St. John's Review* 57, no. 1 (Fall 2015), 120-148, for this observation. One could point to numerous passages in the *Metaphysics* devoted to the divine science in which he makes it plain that even if there were any reason to believe in the existence of God, there would be no reason to believe that God could be capable of self-revealing. For instance: Arist. *Metaph*. 995a3-8; but also 983a3-4, 983b33-984a2, 989a9-12, 997b8-12, 1000a9-19, 1023a19-21, 1074b3-8, and 1091b4-8. Carey writes that Bruell infers that Aristotle thinks that there are "no separate *ousiai*, which is to say, there is no God and there are no gods." Carey later softens this: "since there is no way of actually demonstrating that there are no separate *ousiai*, a less strident version of this thesis would be simply that there is nothing in our experience of, and thoughtful reflection on, the given world that enables us to reasonably infer that separate *ousiai* exist. This version may be closer to what Bruell discerns in the *Metaphysics*." See Carey, "Liberal Education," 133, 134.

57. Plato's Socrates could call the process by which this might occur "noetic apprehension:" an intuitive grasping of true knowledge by the intellect (*nous*) as a culmination of discursive dialectic. See Pl., *Rep.* 511d9 and context.

58. See Gen. 1:26: "Let us create man in our image, after our likeness." See also Matt. 19:13-14 and 25:35-45. What is of course missing from the above account is love, as understood by both Jerusalem and Athens. It is hardly sufficient, even for present purposes, to note that *eros* (and somewhat to a lesser extent *philia*) is foreign to the New Testament as much as *agape* is to classical philosophy. But we should leave it at that for reasons of space.

59. See Henri de Lubac, *Le drame de l'humanité athée* (Paris: Éditions Spes, 1944).

60. The remainder of this section is the product of reflection on the argument set out in Rémi Brague, *Europe, la voie romaine* (Paris: Criterion, 1992)—an invaluable book.

61. Cf. Am. 3:3: "can two walk together without having met?"

62. The Nomokanon and the Synodikon, the two original Hilandar charters, and the various versions of Emperor Dušan the Great's constitution appear to have all been written in the vernacular.

63. An integral part of the contemporary understanding of the European mainstream involves belonging to a nation whose regime is understood to fall within the institutional framework of representative democracy. If that is so, then there is a prevalent sense of sempiternal otherness characterizes the Orthodox world's disposition towards the institutions of representative democracy, for they are in truth allochthonic to our traditions of statecraft. As a matter of historical fact, we played no part in their original conception, initial construction, and subsequent development. We can go still further: no Orthodox country is today a representative democracy. The objection on constitutional grounds—namely that the nations in question operate politically with institutional frameworks characteristic of democracies—is rooted in either sophistry or ignorance. Either way, this (and any similar) objection is evidently dismissible on the basis of an examination of, *inter alia*, the substance of parliamentary conduct and discourse, the state of press freedom, the protections accorded to individual rights, and the level of corruption in the West and making the appropriate comparisons *vis à vis* the Orthodox world. The best that can be said is that these institutions may be formally democratic, but our nations effectually are not. In fact, they may never have been.

64. The key to uncovering this requires an exegetical treatment of the phrase "from an oak or a rock" as employed by Socrates (Pl., *Ap.* 34d2-4), which is found twice in Homer: once in the *Iliad* (Hom., *Il.* XXII:126), and once in the *Odyssey* (Hom., *Od.* XIX:163). A full treatment is beyond the scope of this essay. Here it is enough to say that in the *Iliad*, the phrase is uttered by Hector near the end of a soliloquy that precedes his battle with Achilles in which he is killed. In the *Odyssey*, Penelope employs the phrase during a coded conversation with a man she strongly suspects, rightly, to be her long-lost husband Odysseus in disguise. Socrates rejects the Achillean model whilst portraying himself as being closer to the Odyssean one. Both Odysseus and Socrates are resourceful in speech, and both are unsuccessful in their attempts to reason with those who look up to the heroic ideals of the *Iliad*. Both possess virtue or excellence independently of their reputations and, in the end, independently of the gods. Both lived unhappy lives before they discovered a way of life that allowed them to seek knowledge about the true nature of things. Both reject love of one's own as *the* principle which formulates just actions. Both redefine what constitutes a noble and a courageous act. Finally, both Socrates and Odysseus piously respect the supremacy of the good over the just and the noble, and both behave in a way which is respectful of the human situation and its place in the natural order of things (the *kosmos*). What is arguably most Socratic about Odysseus is his *polutropia*: in Plato's *Lesser Hippias*,

Socrates defends Odysseus on the grounds that he is a *polutropos*—a man of many ways. On this, see Michael Davis, "Lies Like the Truth: On Plato's Lesser Hippias," *Cogent Arts & Humanities* 3, no. 1 (January 2016), 1-19.

65. What Whitehead said of Plato can in this context be said of Homer: "I allude to the wealth of general ideas scattered through [his writings]. His personal endowments, his wide opportunities for experience at a great period of civilization, his inheritance of an intellectual tradition not yet stiffened by excessive systematization, have made his writings an inexhaustible mine of suggestion." See Alfred North Whitehead, *Process and Reality: Corrected Edition*, eds. David Ray Griffin and Donald W. Sherburne (New York: The Free Press, 1978), 39.

66. See *Conciliorum Oecumenicorum Generaliumque Decreta, Editio Critica, IV/1: The Great Councils of the Orthodox Churches: Decisions and Synodika From Constantinople 861 to Constantinople 1872*, ed. Alberto Melloni (Turhout: Brepols Publishers, 2016), 360-373.

67. Manent, *Cours familier*, 99, 133, 99.

68. Njegoš's influence as a national poet parallels that of Homer in classical Greece, Shakespeare in the English-speaking world, Goethe in the German-speaking one, and Pushkin in the Russian.

69. As noted earlier, the expression *verità effettuale* is originally found in NM., *P.* 15. Here is the expression in context: "But since my intent is to write something useful to whoever understands it, it has appeared to me more fitting to go directly to the effectual truth of the thing than to the imagination of it. And many have imagined republics and principalities that have never been seen or known to exist in truth; for it is so far from how one lives to how one should live that he who lets go of what is done for what should be done learns his ruin rather than his preservation. For a man who wants to make a profession of good in all regards must come to ruin among so many who are not good. Hence it is necessary to a prince, if he wants to maintain himself, to learn to be able not to be good, and to use this and not use it according to necessity." Cf. Friedrich Nietzsche, *Beyond Good and Evil* aph. 136: one cannot be a statesman in the full Machiavellian sense without coming to terms with the implications of the meaning of this Nietzschean aphorism.

70. Michael R. Reynolds, "Confidence and Catastrophe: Armenia and the Second Karabakh War," *War on the Rocks*, January 11, 2021, https://warontherocks.com/2021/01/confidence-and-catastrophe-armenia-and-the-second-nagorno-karabakh-war/.

71. Earlier in this essay I referred to the classical distinction between justice and hubris. One could say that the middle ground between these constitutes the sort of statesmanship that can result in exoneration and vindication, all of which presupposes the possession by the statesman of the right combination of *logos* and *thumos*. In the context of the Second Karabakh War, a representative example of this is Ilham Aliyev's address to the American and French Co-Chairs of the Minsk Group on 12 December

2020, which was delivered, in English, in the presence of the Russian ambassador to Azerbaijan. The text is available online at https://en.president.az/articles/48908. To my mind, this speech, properly understood in its geopolitical context, is reminiscent of more than one speech contained in Thucydides and constitutes a good example of one aspect of the practice of Machiavellian *virtù*.

72. The status issue was a cornerstone of the Minsk Group negotiation parameters. Cf. Thomas de Waal, "Unfinished Business in the Armenia-Azerbaijan Conflict," *Carnegie Europe*, February 11, 2021, https://carnegieeurope.eu/2021/02/11/unfinished-business-in-armenia-azerbaijan-conflict-pub-83844: "The OSCE's Basic Principles framework document, which was the basis for negotiations since 2006, looks even less viable than before. The Armenian side did not embrace it strongly before the conflict and the Azerbaijani side has disavowed it as a result of the conflict."

73. Ilham Aliyev, "Ilham Aliyev received Romanian, Austrian, Lithuanian FMs and European Union delegation," June 25, 2021, https://en.president.az/articles/52310.

74. Ilham Aliyev, "Interview to France24," September 28, 2021, https://en.president.az/articles/53255.

75. Cf. Mike Pompeo, "Secretary Michael R. Pompeo With Amy Kellogg of FOX News," October 1, 2020, https://2017-2021.state.gov/secretary-michael-r-pompeo-with-amy-kellogg-of-fox-news/index.html: "So our view is that this has been a longstanding conflict between these two countries in this particular piece of real estate. We're discouraging internationalization of this. We think outsiders ought to stay out. We're urging a ceasefire. We want them both to back up. We've spoken to the leadership in each of the two countries, asking them to do just that. We're hopeful that in the days ahead they'll see that violence won't resolve the conflicts that are there, the ethnic and political conflicts and strife that are there, and having third parties—other nations—join in that only exacerbates the problem."

76. Strauss, "Memorial Remarks for Jason Aronson," in *Jewish Philosophy and the Crisis of Modernity*, 475. It almost goes without saying that neither political Zionism nor Israeli statecraft take much stock in the likelihood of miracles. Cf. Ps. 137. The best response to the tendency in some Armenian circles to compare what their country ought to become with what Israel has been and remains is that of Jirair Libaridian, who quotes a phrase Saul Bellow wrote of Jean-Paul Sartre in *From Jerusalem and Back*: "a great deal of intelligence can be invested in ignorance when the need for illusion is deep." I was reminded of the existence of this sentence upon reading the missive written by the author referenced in the succeeding footnote.

77. Jirair Libaridian, "Response to Vahan Zanoyan," *The Armenian Mirror-Spectator*, February 7, 2021, https://mirrorspectator.com/2021/02/07/jirair-libaridians-response-to-vahan-zanoyan/.

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