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Lebanese American University

Ethno political conflict in the Transcaucasus  
The case of Nagorno-Karabakh

By  
Heba Dabliz

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Thesis advisor: Dr. Walid Moubarak

Byblos, Lebanon  
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LEBANESE AMERICAN UNIVERSITY

GRADUATE STUDIES

We hereby approve the thesis of

Heba Dabliz

Candidate for the Master of Arts  
Degree\*.

(Signed) WALID E. MOUBARAK Ph.D

(chair)

Latif Abul-Nash

George NASR

Date JUNE 24, 2004

\*We also certify that written approval has been  
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## Abstract

The world has witnessed in the past few years, a tremendous increase in ethnic conflict, mostly located in the third world. Since this study aims at understanding ethnic conflict, it becomes important to take a look at the dramatic tensions that took place within the IUSSR between the Armenians and the Azeris that got involved in a conflict over the enclave of Nagorno-Karabakh. In an attempt to realize this objective, a historical review of crucial events as well as geopolitical factors that intensified the conflict will be taken into consideration; for further study. Moreover, the attitudes of the Great and regional powers( Turkey, U.S, Iran and Russia) as well as the role of major international organizations (the U.N, the OSCE) will be surveyed, including the interests of Armenia, Azerbaijan role and perspective vis-à- vis the conflict.

In support of what has been stated and what I will attempt to examine throughout this study, the Armenian-Azerbaijan case study will help us understand: why people(ethno-political) fight and how does the world community contain those rebellions. To find an answer to those questions, precise analysis will be granted to the available methods that promise a solution to those brutal conflicts. Those methods, vary from ignoring the conflict and its basic causes to taking measures in regards to the conflict in order to solve the case. The latter approach was used in this case study; therefore, a careful consideration will be offered in this case study about third party intervention, their roles as well as to the outcome of their negotiations.

Finally, this study will revise whether the behavior of the rebellious parties (Armenians and Azeris) who have struggled for autonomy, causes a breach to the regional and international norms of self-determination. In brief, those are the questions that I will be studying throughout this study while having in mind that this case-study presents an internal-regional conflict that called for the interference of major super-powers because they further discovered that natural resources in Azerbaijan could be endangered. It's then that the U.S., among other nations, participated into trying to solve the conflict that endangered the lives of civilians and military personnel.

*To Zuka & Abdul*

## Acknowledgment

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## Introduction

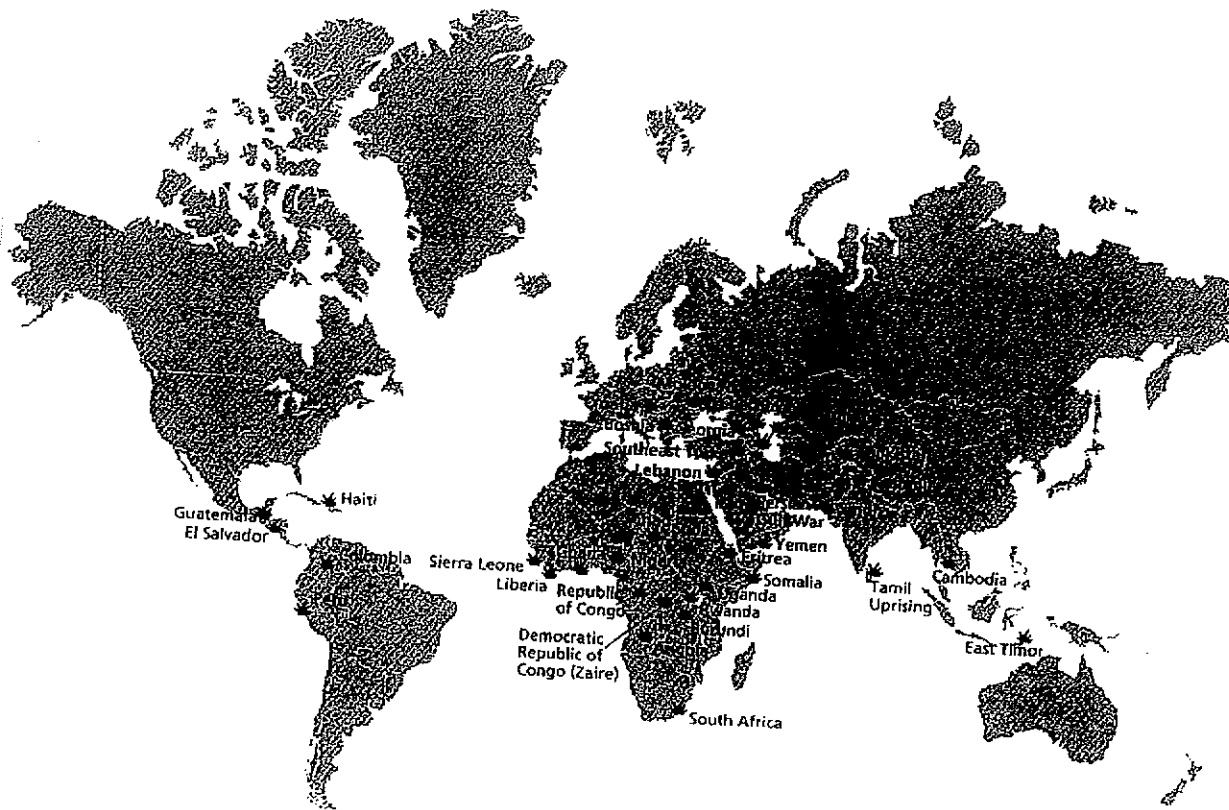
In the last couple of years, the concept of ethnic conflict became the main interest of scholars' research. Among those scholars who were interested in studying the concept is Tedd Robert Gurr, a professor at the University of Maryland who demonstrated amply that ethnic conflict commenced with the cold war, and continues to be spread and utilized among people as a means to seize a particular autonomy such as the grasping of a piece of territory.<sup>1</sup> By 1997, the concept of ethnic conflict was more familiar and common since the media showed great concern and interest in various ethnic conflicts that were taking place around the globe. Some of those conflicts that were regularly broadcasted on the news were those located in the Balkans (Bosnia and Croatia), the Caucasus (Armenia and Azerbaijan), Africa (Somalia and Rwanda) and Asia (Cambodia)—all judged as violent or semi-violent, resulting in high

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<sup>1</sup> Gurr, Robert. Minorities at risk: A Global view of Ethno political conflicts. Washington DC: United State Institute of Peace Press, 1993: 78.

death tolls. In addition, according to the Sirpi calculations, the death of over 20,000 people is registered as a high density of death <sup>2</sup> (see map 1).

Map 1<sup>3</sup>:



<sup>2</sup> Yeganyan, Ruben and Badurashvili Irina, (eds). "Life expectancy in the Caucasian countries." *Demographic Research*, Vol. 5, Article 7, Dec. 14, 2001: 56.

<sup>3</sup> Pedersen, Duncan. "Political violence, ethnic conflict, and contemporary wars: broad implications for health and social well being." *Social Science & Medicine*, Vol.55 (2002) 175-190.

Observing a map that illustrates amply the frequency of ethnic conflict on our terrestrial globe, the term ethnic conflict becomes better understood by giving reference to the definition given by the United Nations Special Rapporteurs: A. Alkwasawneh and R. Hatano who defined ethnic conflict in their 1993 Report on Human Rights Dimensions of Population Transfer, as an instrument used by nation-states to wield control over a territory that belongs to another ethnic group, depriving the latter of his identity.<sup>4</sup> Taking into consideration the complexity of the topic, it is important to clarify that ethnic wars are not a new phenomenon. Rather, what is new is the breakdown of the structures that contributed to the formation of several types of ethnic conflicts. Among the most recognized ones in the global community are the socio-economic, the cultural-linguistic, the territorial-status and the political type.<sup>5</sup>

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<sup>4</sup> Preece, Jennifer. "Ethnic cleansing and the normative transformation of international society". *Human Rights dimension of population transfer* (1993) 1-2.

<sup>5</sup> Horowitz, Shale. "Explaining Post-Soviet ethnic conflicts." *Nationalist Papers*, Vol.29, No.4, Summer 2000, p.56.

First, the socioeconomic conflict, results in demands for the equalization of a given discrimination such as the standards of living. Such prejudice is normally directed against ethnic minorities or against the ethnic minority's national-state union.<sup>6</sup> Second, the cultural-linguistic conflict requires the protection of an aboriginal culture and language. Third, the territorial-status conflict, is mainly reserved for the national structure of the U.S.S.R. Essentially, these conflicts occur in demand for changes in boundaries, augmentation in the status quo and the hierarchy of state formations, the implementations of formal rights and the creation of an autonomous state or oblast. The position in which these national movements are carried out is directed towards the government and other ethnic units that collaborate with them.<sup>7</sup> Fourth, there is the political conflict that includes demands for full independence and secession from a state. The case of Nagorno-Karabakh is an ideal example that could be used to illustrate the concept of ethnic conflict best identified as ethno-

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<sup>6</sup> Yamskov, A. "Ethnic conflict in the Transcaucasus." *Theory And Society*, Vol. 20, Issue 5, p.635.

<sup>7</sup> Dragadze, Tamara. "The Armenian-Azerbaijan conflict: structure and sentiment." *Third World Quarterly*, No.2 (1989).

nationalism since it is a mélange of territorial, cultural, linguistical and socio-economical entities.

Whatever rancor it caused in the short term, the national authority of Armenia and Azerbaijan (formerly part of the U.S.S.R) called for cessation from the central (Soviet-union government) after its collapse in 1991, calling for independence. In other words, due to the collapse of the old Soviet structure, notions of language, history, religion, race, and other cultural identities became exclusive claims for a particular ethnic minority who aimed for self-acknowledgment.

In regards to all those types of ethnic conflicts, assumption, theories, and hypotheses, there is abundant data that demonstrates that of the major armed conflicts that were waged, most were intrastate in character, and located in the third world<sup>8</sup>. Therefore, we can classify the causes of the conflict in general as being targeted towards developing

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<sup>8</sup> Tambiah, Stanley. "Ethnic conflict in the World today." *American Ethnologist*, Vol. 16, Issue 2, May 1989: 335-349.

countries that tend to struggle with past animosities, hatred, power transition and coups.

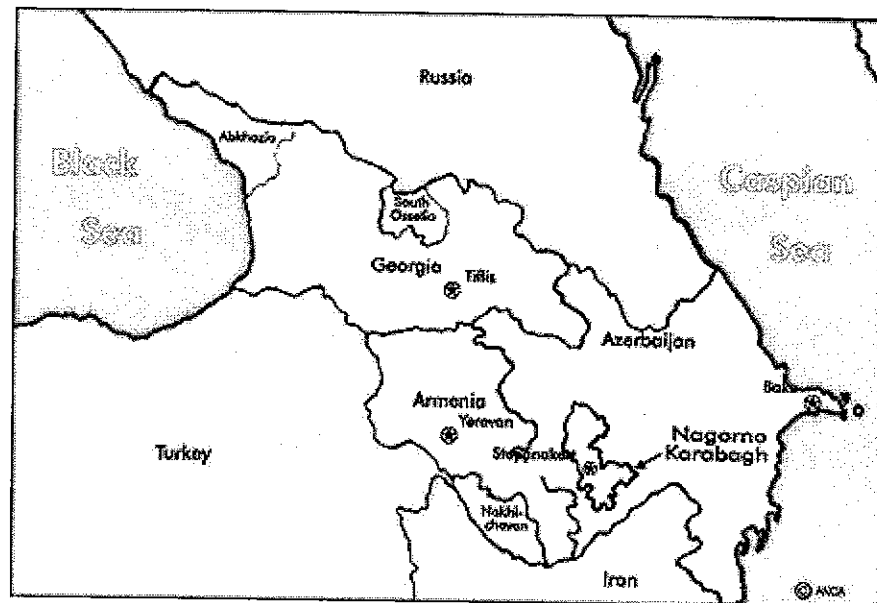
In that matter, the central-Transcaucasus, and the periphery-Nagorno-Karabakh were victims of power transition, coups, and changes in civil-military relations. All four types of ethnic conflicts increased the tendency of a state to engage in perilous foreign and domestic policies.<sup>9</sup> Other factors, present in the Transcaucasus, notorious to regional tranquility are the contribution of the so-called spoilers of settlements in a conflict since third party interveners tend to favor their own interests while bargaining over a resolution. Indeed, similar situations have been witnessed around the globe when what was thought to be a peace agreement fell apart because some groups whether motivated by greed or need, remained unsatisfied with their bargained share and sought ruse and brutality as means to compensate their anger. In general, all those deplorable factors emerged within the sovereign domestic arena of the Transcaucasus. They all led to a brutal confrontation between Armenians

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<sup>9</sup> Gurr, Robert.T and Harff Barbara. Ethnic conflict in World politics. Boulder & Oxford: Westview Press, 1994: 50-51.

and Azerbaijanis who were caught up in a battle over the autonomous oblast of Nagorno-Karabakh, located within the Azerbaijan Soviet republic that in turn is unlawfully occupied by Armenians<sup>10</sup> (see map 2).

Map 2<sup>11</sup>:



<sup>10</sup> Starovoitova, G. and Yamskov, A. "Nagorno-Karabakh." *Journal of Ethnography*, September 1998.

<sup>11</sup> Map is taken from: *Transcaucasus a chronology*.  
Available at: < <http://www.anca.org> >.

Regardless of heinous factors and accumulated hatred and animosities between groups caught up in combat, abundant solutions remains available once a cultural group acknowledges the cause of its conflict and takes the initiative to work on it. Amid the four options available, we detect: a) secession and independence, b) secession and accession, c) division of territory and partial secession and accession, d) continued *status quo* and e) self-governance and regional integration. Referring to the Nagorno-Karabakh case study, one realizes that as weak states, their struggle falls under the call for self-determination. The outcome of their fight in the name of territorial integrity and independence is ethnic strife. This is indeed what occurred in the autonomous oblast of Nagorno-Karabakh (located at that time inside Azerbaijan) until they managed to proclaim their independence successfully in December 1991.<sup>12</sup>

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<sup>12</sup> Deutsch, Karl. Nationalism and Social communication. Cambridge Press, 1953.

Walker C. "Armenia and Karabakh: the struggle for unity." Minority Rights (1991): 33-34.  
Newman Saul. "Does Modernization breed Ethnic political conflict?" World politics, April 1991: 451-478.

"Freedomhouse, Armenia/Azerbaijan:Nagorno-Karabakh", Washington: Freedomhouse,2001.  
Available online at: <[www.freedomhouse.org](http://www.freedomhouse.org)>.



Undeniably, the question remains on how do these states being neither totalitarian nor yet democratic are capable to aim for autonomy and self-determination? The answer is finding the will to struggle in a battlefield between those who will win or lose within a global village in tension.<sup>13</sup> For instance, Nagorno-Karabakh was indirectly imitating the Transcaucasus in its struggle for self-determination. As a result, ethnic conflict was the only available means used to fight in the name of self-determination and ethno-nationalism. Relating to the above, the scholar William Riker in his work on federalism writes that federal institutions are created out of necessity since there are responses to external or internal threats that menace their existence.<sup>14</sup> Consequently, the state's response to regional demands affects greatly the eventual institutionalization of center and periphery relations. A recent example is the emerging federal structure of the Russian Federation, where president Yelstin and President Vladimir Putin have worked hard to unleash the power away

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<sup>13</sup>Nordlinger Eric. "Conflict regulation in divided societies." Cambridge Center of International Affairs: Harvard University press, 1972.

Horowitz Donald. Ethnic groups in conflict. Berkley, California: University of California press, 1985: 60.  
Lijphart, Arendt. "Self-determination versus pre-determination of Ethnic minorities in power-sharing systems." The Rights of Minority cultures. Oxford University Press, 1995: 89-92.

<sup>14</sup> Riker, William. Federalism: origin and operation. Boston: Little, Brown and Co, 1964: 33-34.

from ethnic unities. This was done in order to establish the most favorable balance of power between center and periphery. Referring to the Russian federalism, one realizes that it has managed to solidify its inner structure after over a decade of institution building, bargaining, and strong-arming.

Without contradicting the above, the Azerbaijan post-Soviet experience has differed from the Russian experience since the Nagorno-Karabakh issue is more of a conflict in the name of secessionism and recognition. For better clarification, ethnicity is defined in the sense where Azerbaijan inherited Nagorno-Karabakh and left it pending. In other words, Nagorno-Karabakh, after being integrated within the Azeris territories, found itself, struggling with finding the most appropriate administrative structure for its region once its parliament called for independence in 1991. Thus, there is the struggle between the center and the periphery since there is a call for secessionism and self-determination on the part

of Nagorno-Karabakh, formerly, part of the Transcaucasus (Armenia, Azerbaijan).

Having presented the various roots, causes and solutions of ethnic conflict in regards to the Transcaucasus and Nagorno-Karabakh, this study consists of four parts. Chapter I will serve as an introduction. A general overview of the historical background of the Transcaucasus will be given in Chapter II, while applying it to the Nagorno-Karabakh case study. This Chapter will also reflect the seriousness of the ethno-political conflicts to the Caucasus in order to understand the historical perspective in Nagorno-Karabakh. Further, the causes of the conflict in Karabakh (in terms of Azerbaijan territories and political history) will be studied in Chapter III. This section will also examine the causes and events in Nagorno-Karabakh under Soviet rule during 1920-1988 and 1988-present, while trying to appreciate the importance of self-determination for Nagorno-Karabakh. In the next chapter, the motivation of the various participating parties who got involved in solving the conflict will be

studied. Those groups who were motivated by greed included the inner circle of the Russian Federation, Turkey, and Iran. In addition, it is recognized that the mediation of the outer circle that regroup the organization for Security and Co-operation in Europe (OSCE), the US and the UN were also motivated by own interests. Finally, the last chapter will serve as a conclusion.

## Chapter I

### History of the conflict in the Transcaucasus and its effect on Nagorno-Karabakh

As mentioned in the previous chapter, ethnic conflict has been the world's most common source of insecurity for several decades. Since the aim of this study is understanding ethnic conflict, it is important to take a look at the dramatic tensions that took place within the USSR which draw attention to the extent to which the multinational nature of this state continues to cause numerous problems. Comparing the Transcaucasus to other regions such as Central Asia, the latter has witnessed in turn several ethnic clashes, leading to the death of thousands of people. Relatively, in the Transcaucasus, most of the chaos has taken place in the non-Russian republics located along the periphery of the USSR, which forms the East Transcaucasus republics of Armenia, Azerbaijan, and Georgia who fought over the political, territorial and cultural future of an adjacent province- established in 1923 and known as Nagorno-Karabakh.

In order to better understand the roots of the conflict in Nagorno-Karabakh, it is essential to go back to the early 1900's where the Soviet Union established its three Transcaucasus Republics which were known as: Georgia, Armenia and Azerbaijan, leaving the region of Nagorno-Karabakh as an autonomous oblast within the state of Azerbaijan. Relying on history, its narration dictates chronologically, the following data which covers the history of Nagorno-Karabakh before Sovietization.

#### History of Karabakh before Sovietization:

According to history, Nagorno Karabakh is a historic Armenian territory which, in different eras, has formed part of Armenia. Its Armenian roots reach back to before the first millennium BC. Armenian princely dynasties successively guaranteed Karabakh sovereignty through treaty arrangements with neighboring powers. For instance, the Russian Empire, which expands southwards in the Transcaucasus, annexed Karabakh in 1805. An action which was officially recognized by Persia in 1813. After the 1917 Russian revolutions, the briefly independent Republics of Armenia and Azerbaijan emerged. Therefore, the dispute over Nagorno

Karabakh between the Karabakh Armenians and Azerbaijan, on whose side the Ottoman Turkish army intervened, dates from this period. It is in July 1918, that the first Armenian Assembly of Nagorno Karabakh created a National Council and government. In August 1919, the Karabakh National Council entered into a temporary treaty agreement with the Azerbaijani government. Despite the Agreement, the Azerbaijani government violated the terms of the treaty. An act which resulted in the massacre of a large number of Armenians in Karabakh's former capital, Shushi. In this light, the Ninth Karabakh Assembly nullified the treaty in whole and pronounced union with Armenia.

Having presented the history of Nagorno-Karabakh before 1920, one can easily conclude that the direct factors underlying the central Transcaucasus conflict is linked to the fact that the local Armenians were discontent with the status-quo, previously drawn by the Russian government in 1980 and that called for Nagorno-Karabakh recognition inside Azerbaijan. Thereafter in 1991, Armenians' worst fear became genuine when Nagorno-Karabakh possessed all necessary attributes of

statehood, including an army and legitimate authorities, As a result of the Armenian-Azerbaijani aggression during that period, an estimated 30,000 refugees on both sides became homeless. Fortunately, the Armenians' managed to safeguard their kinship whereas as Azeris failed to do so (see Table 1).

Table 1<sup>15</sup>:

	Armenians	Azeris
Population before 1970	94.5%	5.6%
Population after 1970	120,800	Below 120,000 in 1979

For those who wonder about the importance of this data, it is to prove that after the proclamation of Nagorno-Karabakh independence in 1991, its troops conquered over 20% of the Azerbaijani territory- including

<sup>15</sup> Great Soviet Encyclopedia. Vol.17. Moscow, 1974: 351.

Bennigsen, Alexandre and Wimbush, Enders. Muslims of the Soviet Empire-A Guide. London: Hurst &CO., 1985: 50.



regions beyond Nagorno-Karabakh. This was achieved with the support of Armenia.<sup>16</sup> Furthermore, according to the estimates of two scholars, T.Sarkisian and G. Starovoitova, there were by early 1987 around 133,200 Armenians in Nagorno-Karabakh (74% of the population) and 43,900 Azeris (24% of the population).<sup>17</sup>

For that, it is essential to emphasize that in the Transcaucasus, the consciousness of the ethnic minority in regards to their kinship is relatively high. In addition, the socio-economic factors played an important role in the first stage of the conflict, despite the fact that they have played or received a disproportionate coverage in the international media (the U.S media in particular). Having read the news from an Armenian perspective, one can understand that the Armenians' primary emphasis was for economic issues. As the ethnic conflict became more severe, the frequency of these needs declined. In support of the above, threatening cause of the Transcaucasus inconsistency is the significant

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<sup>16</sup> Shaffer, Brenda. "One conflict that can be solved". Wall Street Journal Europe. Belfer center for science and International Affairs, 26 July 2002.

<sup>17</sup> Starovoitova, G. and Krupnik. "Report on the situation in Nagorno-Karabakh." Institute of Ethnography, September 1988.

poverty in the Soviet Transcaucasus of Azerbaijan, relative to the higher standards of living of the Armenians in Nagorno–Karabakh (see Table 2).

Table 2<sup>18</sup>:

	Azerbaijan	Armenia	Nagorno–Karabakh
Life expectancy	70.6%	N/A	73.3 %
Infant mortality	30.5 %	N/A	23.6 %
Consumer Goods/person	625	N/A	1190
GDP per capita	\$ 2,550	\$ 450	\$ 149.6

It seems obvious that although the population of Nagorno–Karabakh lives in a mountainous area, it enjoys a level of social and economic development that is somewhat higher than that of the Transcaucasus that covers Armenia and Azerbaijan. In parallel, the government of Azerbaijan,

<sup>18</sup> Andrea ,Andrew. UN Department of Humanitarian Affairs. Available online at: <<http://www-2.cs.cmu.edu/afs/cs.cmu.edu>>.

Yeganyan, Ruben and Badurashvili, Irina. Demographic Research, Vol. 5, No. 7.

comparing the living conditions in the Transcaucasus with the living standard in the Mountainous oblast of Nagorno-Karabakh, concluded that life there was more luxurious. Indeed, this particular point could not be taken for granted since this kind of behavior leads to the accumulation of type II conflict where the shortage in arabesque land and economic resources encourages one group to envy the prosperous wealth of the neighboring state. Precisely this is what happened in Nagorno-Karabakh, regarded as an autonomous oblast with some degree of self-governance over its policies, national culture, and linguistical benefits. Factors that contributed to that, dates back mainly to the Soviet period where territorial autonomy has been recognized in terms of the hierarchical inferiority of certain national populations to others. The example of the Armenian population in Nagorno-Karabakh and other republics in Azerbaijan illustrates that point since they have been guaranteed the right to safeguard their own culture, a privilege for any ethnic minority group.

Moreover, according to scholars who have interviewed some people from Armenia and Azerbaijan, they report that a lot of discrimination has

taken place in the Transcaucasus. The proof is that the history of Azerbaijan is taught in Armenia, whereas Armenian schools in Nagorno-Karabakh are not permitted to teach courses related to their aboriginality. In addition to that, the only Armenian language broadcasted on television is the one spoken in Nagorno-Karabakh. As one realizes, the Armenians residing in the oblast were subjected to discrimination and prejudice due to the undermining of their culture in Karabakh. This led them to believe that those policies of discrimination were dictated by the Azerbaijani republican government in Baku that holds grudge over the Armenians in Karabakh. In parallel, those situations are similar to other Soviet regions inhabited by other ethnic minorities such as the Lezgins who in turn suffer from the same type of discriminations.<sup>19</sup> Undeniably, groups involved in Type II conflict do so, being eager for cultural and social recognition. Certainly, those causes cited above, best known as ethno-demographic causes, appeared to have played a major role in the conflict in 1970-1980. To assume, as many skeptics, that a country's degree of

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<sup>19</sup> "Nagorno-Karabakh: An Analysis of the causes and possible means of resolving Ethnic conflict," Institute of Ethnography , August 1998; 135-138.

peace is related to the behavior of its ethnic population is accurate. After all, it is unfortunate that Nagorno-Karabakh, like other Transcaucasus regions, struggled with its diverse mixed Armenian-Azeri population in the Eastern Transcaucasus. In parallel, those situations are similar to the regions in Georgia that are populated by Armenians and Azeris. However, a different situation has arisen in regions inhabited by other ethnic minorities such as the Lezgins who don't have an autonomous oblast. In a similar case, comparing the Lezgins minority with the Armenians in Karabakh, it becomes obvious that the status of these groups is more or less undermined and destroyed along with their native language, churches and all the symbols that illustrate their existence as a cultural group. Certainly, those causes cited above, best known as Ethno-demographic causes, appeared to have played a major role in the nineteenth century where most of the ethnic conflicts fell under the category of Type II conflict labeled as ethno-demographic conflict.

Indeed, all ethnic conflicts despite their roots, appear at a certain point to have a certain logic in their internal development and, as time passes by, they come to be defined in terms of their struggle in the name of self determination and nationalism. Mainly this is what happened in Nagorno-Karabakh that has gone through several distinct stages in their fight. Fights that are classified in terms of a struggle for the sake of economic, linguistic and national-cultural differences belonging to the Armenian Diaspora and not to the Karabakh community. In other words, living under the realm of a Soviet state does not mean that all ethnic groups agree upon the same cultural, religious beliefs and linguistical characteristics.

In that matter, a Soviet ethnic group that has its own national state structure will have difficulties coping with significant demographic changes, fearing the loss of their social structure. With special reference to the Transcaucasus and to Nagorno-Karabakh in particular, it is clear that those dilemmas were in progress in the contemporary Soviet Republic. Since the fear of losing a particular identity created so much

disorder, it's relevant to study the causes of the conflict in Karabakh, in terms of Azerbaijan territories and political history.

## Chapter II

### Causes of the conflict in Karabakh

#### Causes of the conflict in Karabakh in terms of Azerbaijan territories and political history

Recent decades have revived concerns about ethnicity and nationalism. Back in 1988, under the rule of Mikhail Gorbachev, a major ethnic conflict took place between the Trans-Caucasian republics of Armenia and Azerbaijan over the disputed area of Karabakh. At this point, it is pertinent to provide clarity on the essence of ethno-political conflict while examining its pros and cons when compared to ethnic-conflict. In those terms, "ethno-political strife" can be defined as competition among groups within the same political system who share the indistinguishable ethnic, linguistic, racial or religious identities.<sup>20</sup> In this part of the dissertation, we have two communal groups: Armenia and Azerbaijan functioning within the same Soviet political system and



competing over the region of Nagorno-Karabakh. As history sheds light on that issue, it becomes obvious to what extent the competition caused severe uprisings and social economic strife. On one hand, the ethnic Armenians of Karabakh, backed by their ethnic kin in neighboring Armenia had extremely strong demands to have the region of Karabakh join Armenia. On the other hand, Azerbaijan, backed up by the central government in Baku, rejected the appeal as it has previously done during the long history of struggle against alien rule, ethnocide, and war with the Turks and the Azeris. Furthermore, the presence of the Soviet balance of power was regarded as unfavorable to Armenian aspirations— since both the Armenians residing in Karabakh and the Armenians feared the Soviet support for Azeris. In this sense, competition grew more alarming between Armenians residing in Karabakh, Armenians residing in Armenia and Azeris supported by neighboring Iran. As a consequence, violence occurred resulting in a major refugee crisis from both sides since each group blamed the other side for hostility. As the fight in the name of self-determination stimulated hatred, violence continued to grow more alarming. Around 1989, the Supreme Soviet of Armenia passed a

resolution demanding the unification of Karabakh and Armenia. As a result, ethnic intolerance grew even more within and between the Armenian and the Azerbaijani communities. As one can predict, the consequences were dreadful since humanitarian violations and major economic losses took place in both republics. On one hand, Armenia, poor in natural resources had suffered deeply from a blockade initiated by Azerbaijan and supported by Turkey, leading to shortage of energy for Armenia. On the other hand, Azerbaijan, had suffered economic losses as well, due to Resolution 907 that forbade Azerbaijan from pumping out crude oil or receiving any form of U.S assistance<sup>21</sup>. To alleviate the strain, interior parties (Iran, Turkey, Russia) and exterior parties (U.S.) intervened, offering their good wills for solving the conflict. Such pretext is unquestionably false since, as history showed, the reason behind third parties' participation into solving the conflict is the need to secure common interests. For the interested groups, this was only seen possible by the alleviation of the oil embargo off Azerbaijan. The explanation for

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<sup>21</sup> Marseca, John. "U.S ban on aid to Azerbaijan (section 907) how it started in 1992 and why it should be lifted." Azerbaijan International Winter 1998: 1-4.

Goltz, Thomas. "Catch 907 in the Caucasus." The National Interest, No.48, Summer 1997: 37.

such skepticism is that the Karabakh conflict remains unresolved and the two republics continue to reject any compromises which could be helpful for the settlement of the conflict.

At first stance, one can classify the Nagorno-Karabakh conflict as an internal one because a major population exchange took place between Azerbaijan and Armenia in 1988-1989 and during which, Azeri were driven out of Karabakh by the Armenians. Evidently, as Cohen stated, it is wrong to label the conflict as strictly interior because he sees it more or less as a result of elites using the "ethnic conflict" as a pretext for political and power struggle. For those who wonder about the major shift on behalf of the major power decision makers regarding the war in Karabakh, the answer is simple: personal interests as well as natural resources and oil. The above is well supported by Jonathen Cohen theory as stated below:

[...] ethnic conflicts were [...] at consequences of elites and societies grappling with past grievances and present insecurities, changing power constellation, and access to resources in the context of a disintegrating empire and were very much political power struggles.<sup>22</sup>

Now that we have an overview of the roots of the conflict, the analysis of this case study will concentrate on the legal aspect of the conflict and on the attitude of the world community towards it. In support for what has been stated and to what will be examined throughout the dissertation, getting familiar with the historical background of the Armenia–Azerbaijan case–study is important since it facilitates one’s understanding of the following questions: why people (ethno–political rebels) fight, how does the world community contain those rebellions? To find an answer to those questions, one has to look at the methods judged as satisfactory and proficient enough to solve conflicts similar to the one in Nagorno–Karabakh. Indeed, those methods are numerous and could vary from ignoring the conflict and its basic causes or to take tolerable measures

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<sup>22</sup> Huttenbach, Henry R. "Post-Soviet Crisis and Disorder in Transcaucasia" Political Culture and Civil Society in Russia and the New States of Eurasia, (1995) 59.

for solving the conflict. Since the previous approach was used in this case study, a study of the outcomes of the attempt to solve the conflict, as well as the study of third parties' intervention in the conflict will be observed thoroughly. Finally, an analytical judgment will be held in order to determine to what extent the conflict involving the fight of the indigenous people of Azerbaijan, Armenia and Armenians in Nagorno-Karabakh violate the regional and international norms. In brief, those are the questions that will be studied throughout the case study, having in mind that this case study deals with an ethnic and territorial claim between Azerbaijan and Armenia- each accusing the other of territorial extension and hostility.

Causes and events in Nagorno-Karabakh under Soviet rule  
(1920-1988)

To begin with, the roots of this conflict results in the accumulation of ancient hatred between the Armenians and the Azeris who have long been in conflict with each other despite the similarities in their cultures and their living alongside one another.<sup>23</sup> The core of the conflict focuses on the disputed region of Nagorno ("mountains") Karabakh -a predominantly Armenian enclave located inside Azerbaijan's territories. Classifying the Karabakh question as ultimately territorial is incorrect since those who do so, tend to neglect the underlying causes of the conflict, that is to say, the historical accumulation of animosities between the Christians of Armenia and the Muslims living in Azerbaijan and its adjacent areas. The evidence of accumulated hatred is that Azerbaijan, at several occasions, refused to enter into negotiations or trilateral meetings, with Armenians in Karabakh.

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<sup>23</sup> Croissant Michael. The Armenia-Azerbaijan conflict. Library of Congress, 1988: xii.

Other notions that help explain the long-term animosities between Armenians and Azeris is that Armenians and Azerbaijanis, throughout history, were subjects to neighboring empires, and were forced to live under Persian, Ottoman and Russian empires. For one, Armenians did not undergo such a transformation since they continued to be mercantilists under the Ottoman and the Persian Empires. Later under the Russian empire, they remained an entirely ethno-religious community (the millet) while occupying important posts in the tsarist administration, while the Armenian church retained its separate existence.<sup>24</sup> As to Azerbaijanis, they were forced to undergo a complete cultural integration under both Ottoman and Persian rule and were denied citizenship by the Russians because of their religious practice.<sup>25</sup> Undeniably, these factors added to the level of animosities among the Azeris since the Russian empire tended to favor Armenians and not Azeris. Moreover, most scholars and politicians argue that the establishment of a strong national church and the invention of the Armenian alphabet early in the fifth century were

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<sup>24</sup> Ibid., p. 28.

<sup>25</sup> Ibid., pp. 6-7.

essential factors in preserving Armenian unity; therefore another reason that explains the Armenians' attachment to their self-nationalist identity; whereas Azeris perceived themselves as part of the Turko-Persian community.<sup>26</sup>

The second phase spanning hatred on behalf of Azeris, goes back to the period when the Soviet-Tsar captured the territory in 1805 and in 1828, creating an Armenian territory excluding Karabakh. Furthermore, the Bolshevik revolution added to the violence. As to spans of hatred on the Armenian side, it dates back to World War I when Turks under the Ottoman Empire took the opportunity to get rid of the Armenian population -which at that time was increasingly demanding autonomy. Estimates register, in spite of Turks' denial of genocide, around 1.5 million Armenians were executed by the Turks between 1915-1917.<sup>27</sup> Animosity in the region were further aggravated by the arbitrary

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<sup>26</sup> Hunter, Shireen and Bremmer, I. "Azerbaijan search for identity". Nations and politics in the Soviet successor states, Institute for national strategic studies: Cambridge university press, 1993: 262.



imposition of borders in the aftermath of the War. Fortunately, tension did not stay pending because Armenian and Azerbaijani leaders agreed to settle their differences at one point by negotiations held at The Paris Peace Conference. At the conference held in Paris, Armenians relied on promises of self-determination and independence from Turkey and went to the Peace Conference with plans to stretch their country from the Black Sea to the Mediterranean.<sup>28</sup> Conversely, the allies did not fulfill the Armenian demands and applied the recommendations made by Ataturk; suggesting that Karabakh and Zangezur should be confirmed as part of Azerbaijan, while Nakhichevan, Sharur and Daralagez "should become part of a neutral zone to keep the Turks out of Caucasus."<sup>29</sup> Attentive to the rules of the game, Armenians did not accept the solution provided by the Turks and went on a confrontation-war with the nationalist Turks led by Ataturk.

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<sup>27</sup>Melson, Robert. Revolution and genocide: on the origins of the Armenia genocide and the Holocaust. University of Chicago Press, 1975: 42-53.

<sup>28</sup> Wright, John, and Goldenberg, Suzanne. "The Armenian presence in mountainous Karabakh". *Transcaucasian Boundaries*. New York: St Martin's Press, 1996: 89-112.

<sup>29</sup> Altstadt, Audrey. "National conflict in Mountainous Karabakh." Boulder: Westview Press, 1992: 102.

By mid-1920, the Turks had decided for the reoccupation of Anatolia, while the Soviet Army conquered Azerbaijan recognizing all Azerbaijani territorial claims<sup>30</sup>. In this context, Armenians thought it would be preferable for them to lose their independence and rely on Russian support than to be exposed to a Turkish attack in alliance with the Azerbaijanis. Armenia was therefore occupied by Soviet troops during the following winter. Both, Armenia and Azerbaijan, separately called for joining Karabakh to their land when they received their independence in 1918. The Armenians tried to form a federation with the Georgians and Azerbaijanis, but failed to agree on a common plan. After the fall of the Ottoman Empire in October 1918, Armenia and Azerbaijan were put under the military control of the British until August 1919. Then, the Transcaucasus (Armenia and Azerbaijan) was incorporated into the Soviet Empire in 1920-1921. During that period of time, Karabakh was given briefly to Armenia. Further, it is noted that Armenians in Karabakh were voting in favor of joining Karabakh to their territory. A consideration, totally refused by Stalin since the latter favored unification of Christian

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<sup>30</sup> "Towards peace in the Caucasus." *The Christian Science Monitor*. July 23, 1997: 1-5.

Armenians and Azeri Muslims while boosting the economic ties between Azerbaijan and Karabakh. This strategic efficacy helped preserve Karabakh as part of Armenia. Therefore, Karabakh remained part of Azerbaijan. Stalin, persuaded the Azerbaijanis to offer Zangezur to Armenia as a "symbol of friendship" which has since formed the strip of Armenia between Nakhichevan and the rest of Azerbaijan. In this regard, the conflict perceived as territorial and ethnic, maintained its strong religious characteristic there. Moreover, Armenia has powerful lobby communities in the West (U.S.) that defends strongly the Armenian cause. Thus, after the Russian–Armenian treaty of December 1920, Zangezur went to Armenia and Karabakh remained in Azerbaijan.<sup>31</sup> In contrast, Azerbaijan depends more on support from Turkey and other Muslim countries. Indeed, this settlement served Russian strategic needs since Moscow followed the "divide and rule" strategy by fostering discontent with a neighboring republic rather than Moscow.<sup>32</sup>

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<sup>31</sup> Dudwick, Nora. "The Nation awakes." Nation and politics in the Soviet Successor states . Cambridge University of California Press, 1967: 264-266.

<sup>32</sup> Dimitri, Trenim. "Russia's security interests and policies in the Caucasus region." Chapter III. Available online at: < <http://poli.vub.ac.be/publi/contBorders/eng/ch301.htm>>.

At present, the center of the discussion is the disputed region of Nagorno-Karabakh, a predominantly Armenian enclave situated inside Azerbaijan that became an autonomous region (*oblast*) within the Soviet Republic of Azerbaijan in 1924.<sup>33</sup> Inside the oblast, Armenian was to be the language of education. It's then that Karabakh seceded from Azerbaijan in 1988. In the following part of the analysis, the causes and events of the Nagorno-Karabakh conflict will be examined.

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<sup>33</sup> "Towards peace in the Caucasus." *The Christian Science monitor*. (July 23, 1997).  
Pustilnik, Maria. "Caucasian Stresses." Transition March 15, 1995: 16-18.

### Causes and events in Nagorno-Karabakh from 1988 to the present

After a rapid halt, another dispute was set in motion with the Armenian initiative to accomplish the transfer of the Nagorno-Karabakh from the jurisdiction of Azerbaijan to Armenia in 1986-87. Violence erupted in 1988 as Azerbaijanis and Armenians clashed, resulting in the forced population transfer of a large number of Azeris from Armenia, and an equal number of Armenians from Azerbaijan and Nagorno-Karabakh. Violent conflict escalated even more with the breakup of the Soviet Union; mainly between local militia and local military forces. From June 13, 1988 onward, after the death of thousands of casualties, the Supreme Soviet rule denied the application of the Karabakh Assembly as sovereign; to be challenged later by Armenia's Supreme Soviet ruler, which he called for the approval of the Karabakh proposal. Under such circumstances, the Soviet government was assigned to resolve the matter. On July 18, 1988, the USSR Supreme Soviet relied on Article 78 of the Soviet constitution, which prohibits any territorial change to a Union Republic without its consent. Meaning, Nagorno-Karabakh will be left under the jurisprudence

of Soviet Azerbaijan.<sup>34</sup> By mid 1989–1990, the Soviet Supreme authority established a special authority in the Nagorno–Karabakh known as the Republic Organizational Committee. The purpose of this unit, under the direction of Azerbaijan communist party deputy Victor Polianichko, seemed to have an objective and that is to override Karabakh of its Armenian majority. Therefore, with some military action, he increased the size of Azeris in Karabakh. By 1991, the inhabitants of 24 Armenian villages in Karabakh were driven out from their homes. As a consequence, Soviet Azerbaijan placed more than half of Nagorno–territory under military occupation. On August 30, 1991, the Soviet Azerbaijan adopted its declaration on the reestablishment of the national independence of the Azerbaijani Republic. Days later, Nagorno–Karabakh initiated the same process through the joint adoption of the “declaration of the Republic of Nagorno–Karabakh; demanding for the formation of an autonomous region where minority issues are settled in the same republic.”<sup>35</sup> Faced with a powerful aggression, president A. Mutalibov of

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<sup>34</sup> See Law of the USSR concerning the procedure of Secession of a Soviet Republic from the Union of Soviet Socialist Republics, Register of the Congress of the peoples Deputies of USSR and Supreme Soviet of USSR, issue No.13, April 3, 1990. Taken from the USSR Embassy Archive in Canada.

<sup>35</sup> Ibid.

Azerbaijan signed on November 23, 1991 the law on dissolution of the Karabakh autonomous region. Following the adoption of this resolution, the Azeris' parliament redrew the Karabakh borders in favor of Azeris districts, changing names of its cities. This act, means that Baku, the capital of Azerbaijan breached Article 86 and Article 87 of the Soviet constitution that prohibits the change without the consent of the original territory; since it is a violation of the law<sup>36</sup>. After this brief analysis, it's seen clearly that nationalism serves as a means of orientation in times of profound social and political change. This is indeed what happened in the southern Caucasus in the late 1980s and early 1990s due to Gorbachev's reform policies. In this context, the nationalist aims to defend historical territories served as the most powerful catalyst for the need for a call for independence in both countries: "National sentiments were directed against members of another ethnic group only insofar as its members

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Socialist Law of the USSR Available online at <[www.personal.ccu.hu](http://www.personal.ccu.hu)>.

<sup>36</sup> The constitution of the Soviet Union, 1918. Available online at: <[www.abc.net.au](http://www.abc.net.au)>.

were perceived as a threat or impediment to preserving control over the territory in question".<sup>37</sup>

In this context, the course of the war has profoundly influenced the evolution of domestic political regimes in both countries. For example, In Armenia, the moderate nationalist government of Levon Ter-Petrosian came to power in 1990 as a result of his party's, the *Armenian National Movement* (ANM) winning the parliamentary elections in October of that year. However, political extremism -with a deeper nationalist feeling calling for a "Greater Armenia", posed a real threat to the country's present leadership. The radicals, led by the *Armenian Revolutionary Federation* (ARF), known as *Dashnak* -the second strongest political party in Armenia, and also a majority in control of the parliament of the self-proclaimed Nagorno-Karabakh Republic, has vowed to overthrow the local government and assume power. The Armenian outlook on the political issues was worsened when in Nagorno-Karabakh, the Armenian

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<sup>37</sup> Fuller, Elizabeth. "Russia, Turkey, Iran and the Karabakh mediation process." *RFE-RL Research Report* July 1994: 39.



Revolutionary Federation (ARF) has split into a militant and a relatively moderate faction, with the former accusing the latter of betraying the party's nationalist and socialist ideals. The Armenian military victories in the Spring of 1992 were perhaps the most powerful factor behind the rise of the Azerbaijan Popular Front that was behind many of the blockades and insanities that took place in the country. Moreover, the nationalist movement founded in July 1989 by Abulfaz Elchibey, won an overwhelming victory in the June 1992 elections, ousting former Communist leader and President Ayaz Mutalibov. The program of the Popular Front affirmed its commitment to "the satisfaction of Azerbaijani national needs as the dominant ethnic group in the republic", demanding separation<sup>38</sup>. By August, violence escalated more and more and many villages like Khollagy and Lachin were badly destroyed. At a later time, the Front divided among moderates and radicals—who claimed for pan-Islamism and rejection of CIS membership—called for the adoption of a

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<sup>38</sup> "Joint electoral observation mission in Azerbaijan". OSCE/UN report of the OSCE/UN, 12 November 1995. Available online at: <[www.OSCE.org](http://www.OSCE.org)>. Cutler, Robert. "Nagorno-Karabakh:preparing peace in the South Caucasus."Self determination in Focus April 12, 2001.

"civil accord" in order to transform Azerbaijan. However, under conditions of economic collapse and growing political tension, this approach proved hard to sustain. By 1993, many Azeri villages surrendered to Armenian violence where they seized the town of Khelbajar; an act condemned by the UN because heavy weaponry and mass destruction and killings were at the scenes. On November 24, 1996 national elections were held and Robert Kocharian was reelected president by popular vote, under the supervision of international observers. After Robert Kocharian accepted the position as the Prime Minister of Armenia, new presidential elections were held in August 1997, through which former foreign minister Arkady Ghoukasian was elected for a five year term.<sup>39</sup>

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<sup>39</sup> Elections of the NKR President." Available online at: <[www.Armeniadiaspora.com](http://www.Armeniadiaspora.com)>.

### Why is the Nagorno–Karabakh conflict important?

Initially, the important strategic location of the Caucasus as a gateway to Europe and the Middle East and Central Asia created in the Azerbaijanis, the fear of losing their land. A land much envied and fought over by its neighboring states: the US, Turkey, Iran, Russia, and other European countries. The Azeris also fear that the West, eager to take Azerbaijan's rich oil resources, will pressure the Karabakh district to make concessions with them. Why are major parties from the international community took interest in trying to solve the Armenian–Azerbaijani conflict? Mainly because the conflict that was first seen as an interstate conflict which was taking place within the Soviet territory, occurred to be a conflict which threaten the international peace. Next, the mediation of the Organization for Security and Co–operation in Europe (OSCE) as well as other groups' interests and involvements into solving the Nagorno–Karabakh conflict will be discussed in the following chapter. Yet before discussing the various groups involvement into solving the conflict, it's essential to note down that there were three attempts of negotiations. Those attempts could be classified as follow:

the first attempt is best known as the western intervention in foreign conflicts prior to the fall of the Russian Empire; also the Minsk group which consists of the U.S, Russia, Turkey, Italy, Armenia and Azerbaijan falls under attempt one. The second attempt which began in January 1993, involves Russia's role. The third attempt which began in the fall of 1994, involves the Turkey and Russia's desire to take care of the peace-keeping mission in the region. Having gained a clearer outlook on the three attempts of solving the conflict in Nagorno-Karabakh, the following chapter will study the mediation role of the parties who got involved in solving the conflict.

### Chapter III

#### Parties involved into solving the conflict in terms of a peace process

Mediation by the Russian Federation and the Commonwealth of Independent States: peace process and strategic interests

In late 1991, Russia offered to mediate the dispute between Nagorno-Karabakh and Azerbaijan. As a result, the President of Russia at the time, Boris Yelstin, and the President of Kazakhstan, Nursultan Nazarbayev, visited Nagorno-Karabakh and, then, the representatives of Armenia and Azerbaijan signed a joint declaration. The mediation efforts were only capable of providing the call for recognition for Nagorno-Karabakh as an independent political and territorial entity, as well as the call for a cease-fire that took effect in May 1994.

Russia's interests as a Minsk group member: politically and militarily

In regards to Russia's sphere of influence in the South Caucasus, it occupies a significant position in the region. The disintegration of the Soviet Union created the desire for independence and economic prosperity for the republics of Central Asia and the Caucasus. Simultaneously, it created fear for their political and economic viability since Russia has been known to the world as a rival in the exploitation of the region's wealth and as a tormenter of regional instability. Until now, this regional instability has hindered the flow of oil. As one of the major powers in the region, Russia has had to compete with Turkey and Iran. Regarding Russia's interests, they are more of political, military, and economic significance.

On the political-military level, Russia wishes to retain as much influence as possible over the new republics since this will enable it to influence the decisions on oil transportation routes, grasping leverage in the market arena. On the economic level, Russia cannot afford to stay detached since the Russian oil- industry officials recognize that Western

participation in the development of the Caspian region ensures access to advanced technology. For that, LUKE OIL as a member of the Azerbaijan International Operating Company (GIOC) is working side by side with western oil companies.<sup>40</sup> Indeed, Russia has the resources to be a very active participant with an existing infrastructure at its disposal, but its economic interests are undermined by the political decisions. A recent example of the conflicting Russian policies is the agreement that was signed by the Azerbaijani State oil company (SOCAR) with the Russian LUKE OIL and Rosneft on July 4, 1997<sup>41</sup>. One month later, President Yeltsin announced that this agreement was invalid after the Turkmen president protested that the Kyapaz oil field (called Serdar by Turkmenistan) is situated in the Turkmen territorial sector of the Caspian Sea. This policy shows that the Russian foreign policy is not consistent with its economic policy, and that its political decisions outweigh economic considerations. According to the Western school of thought, Russia has alienated the region's governments by putting obstacles to the

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<sup>40</sup> Holoboff, Elaine. "Russia and oil politics in the Caspian." *Jane Intelligence Review* Feb. 1996.

<sup>41</sup> Knott, David. "A closer look at Luke Oil." *The Oil and Gas Journal* June 20, 1994.

transportation of oil; speculating that ethnic conflicts and coups d'état in the South Caucasus have been instigated by Moscow in order to keep its control over the new states. That's why the "multiple pipeline" concept agrees with all involved in the Caspian Game. Russia also warns that the question of the Caspian regime must be resolved because the danger of conflict over territorial waters and economic zones is real. In addition, Russia denies that it is in any way involved in the ethnic strife that has crippled the development of the South Caucasus while there is enough evidence to prove that Russia took advantage of the territorial conflict to fortify its position in the region and has little interests in finding a solution to the conflicts.<sup>42</sup>

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<sup>42</sup> Gurer, Heidermaria. "Conflicts in the South Caucasus, An Overview". P.95.



## 2. The legal aspect of the conflict and the role of the OSCE

The Karabakh conflict is an international conflict between Armenia and Azerbaijan. This was set by the Organization of Security & Cooperation in Europe (OSCE) which recognized both Armenia and Azerbaijan as direct members of the conflict and “elected other representatives of Nagorno [...] as interested parties”.<sup>43</sup> This framework constituted the OSCE mandate for the Minsk group, where the OSCE has focused on resolving the conflict. Azerbaijan party insists on the preservation of the country’s territorial integrity and sovereignty, while the Armenian party argues the right to self-determination for the Karabakh Armenian community. However, the question of self-determination is not the core reason of the conflict, as Armenia claims it to be; since the Armenian people have already exercised their right to self-determination by establishing the Armenian Republic and the ethnic Armenian minority of Azerbaijan living in Nagorno-Karabakh. Hence, the latter are not eligible to external self-determination because, in accordance with historical reviews, the

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<sup>43</sup> Maresca John. *Helsinki CSCE*, March 24, 1992. Available online at: <[www.osce.org](http://www.osce.org)>.

Maresca, John. “Resolving the conflict over Nagorno-Karabakh lost opportunities for international conflict Resolution.” Helsinki CSCE, March 24, 1992. Available online at: <[www.osce.org](http://www.osce.org)>.

Armenians in mountainous Karabakh are considered as "national minority". Meaning, their claim for independence is recognized as illegitimate under international law and by international organizations despite having some attributes such as the right for self-determination due to the fact that Nagorno-Karabakh still lacked, at the time a defined territory .<sup>44</sup>

Despite all, ever since 1992, Armenians from Karabakh have been seeking for an independent state, claiming the "right for self determination" in accordance with the international legal norms. [...] [in addition], it has been reported that Armenia has been supporting Karabakh only to exercise its rights for self-determination.<sup>45</sup> In sum, since both Armenians and Azerbaijan are claiming their rights over Karabakh based on historical argument as well as international law, a study on the right for self-determination is necessary. Moreover, it is indisputable that Armenia is indirectly involved in the conflict by assisting the ethnic Armenians in Nagorno-Karabakh both militarily and financially

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<sup>44</sup> Laitin David and Grigor Robert. "Armenia & Azerbaijan: thinking a way out of Karabakh". Middle-East Policy Journal, Vol.7, No.1, October 1998: 7-8.

<sup>45</sup> Nassib, Nassibi. "The Karabakh problem". Speech given in the U.S institute of peace conference. University of Chicago Press, March 24, 1998. Available online at: <<http://scf.usc.edu>>.

in the Nagorno-Karabakh republic (NKR).<sup>46</sup> Thus, in regards to international law, Armenia's military involvement in Azerbaijan makes Armenia a party in the conflict escalating the conflict in Karabakh to the international level. In brief, the conflict that is taking place between Armenians and Azeris in Karabakh has double motive since Armenians are fighting in the name of self-determination and Azeris are trying to preserve their territorial integrity as well as their national and cultural identity associated with Karabakh.

Now that we have an idea about the OSCE involvement in the neighborhood, lets observe the mediation efforts by that organization.

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<sup>46</sup> Carley, Patricia. "Nagorno-Karabakh-searching for a solution." United States Institute of Peace, December 1998. Available online at: < <http://www.usip.org/pubs/pworks/pwks25/keypts25.html>>.

## Mediation efforts of the OSCE in terms of the peace process

On March 24, 1992, during the Helsinki Additional Meeting of the CSCE Council (now, OSCE), it was decided by the ministers that the Chairman-in-Office should visit the region in order to help in the establishment of a peace settlement.<sup>47</sup> As a result, the OSCE Ministers decided that it was important for the Chairman-in-Office to prepare a peace conference in the Minsk as soon as possible. However, the conference, never took place due to a failure on behalf of the states to agree on whether the Nagorno-Karabakh delegation would participate directly or indirectly as part of the Armenian delegation. Despite all, the designated participants continued to meet and as a result the "Minsk Group" was born having an objective to resolve the dispute. After a while, Mediation efforts by the Russian Federation in cooperation with the Minsk Group led to the parties' agreeing to a formal cease-fire on 12 May, 1994. In December, 1994, at its Budapest meeting, the OSCE was determined to form a multinational OSCE peacekeeping force to support the cease-fire. For that, the OSCE

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<sup>47</sup> Hakala, Terhi. "OSCE Mission Survey: Minsk Process." *HelsinkiMonitor*, No. 1, July 2002.  
Gurer, Heidermaria, "Conflicts in the South Caucasus, an overview. Roving ambassador for the Southern Caucasus and the Central Asian States, Ministry of Foreign Affairs, Vienna: 100.

established a High-Level Planning Group (HLPG) comprised of military experts and complemented by participating members of the OSCE. The

HLPG's mandate has a role to:

Make recommendations for the Chairman-in-Office on developing a plan for the establishment, force structure requirements and operations of a multinational OSCE peacekeeping force for Nagorno Karabakh; and make recommendations on, *inter alia*, the size and characteristics of the force, command and control, logistics, allocations of units and resources, rules of engagement and arrangements with contributing States.<sup>48</sup>

In August 1995, the Chairman-in-Office of the OSCE appointed a "personal representative of the Chairman-in-Office on the conflict that dealt with the OSCE members at the Minsk Conference whose role is to monitor the line of contact between the parties.<sup>49</sup> Further, it is during the OSCE's 1996 Lisbon Summit, representatives of Azerbaijan threatened to veto all summit documents unless its territorial claim to Nagorno Karabakh appears in an official OSCE document. As a result, a compromise was reached whereby the Chairman-in-Office made a non-

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<sup>48</sup> "OSCE Mission Survey: Minsk Process." Online. Internet. Available online at: < <http://www.state.gov> > .

<sup>49</sup> Ibid., 48.

binding statement that a settlement of the Nagorno Karabakh conflict must be based on the following three principles:

The territorial integrity of the Republic of Armenia and the Azerbaijan Republic; legal status of Nagorno Karabakh defined in an agreement based on self-determination which confers on Nagorno Karabakh the highest degree of self-rule within Azerbaijan; and guaranteed security for Nagorno Karabakh and its whole population, including mutual obligations to ensure compliance by all the parties with the provisions of the settlement.<sup>50</sup>

The consequence of this non-binding statement caused problems on the part of Azerbaijan since it refused to negotiate on any proposal, which was not consistent within the territorial integrity agreed upon in The Lisbon letter. As a result, the OSCE summit held in Istanbul in November, 1999 adopted a resolution calling upon the parties to resume trilateral negotiations, while refusing to confirm the language of The Lisbon letter.<sup>51</sup> In 1997, France, Russia, and the United States, the three co-chairs of the Minsk Group, announced a new initiative that involves a two-stage settlement of the conflict which includes a demilitarization of

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<sup>50</sup> "Lisbon document-an overview of the summit". Turkish Daily News. December 3, 1996: A1-A6.

<sup>51</sup> "Lisbon document-an overview of the summit". Turkish Daily News. December 3, 1996: A1- A6.  
President Heydar Aliyev speech at the summit of the OSCE in Lisbon, December 2 1996.  
Available online at: <[www.president.az/azerbaijan/ref4.htm](http://www.president.az/azerbaijan/ref4.htm)>.

the line of contact, including troop withdrawals, deployment of a multinational peacekeeping force, the return of refugees, the establishment of measures to guarantee the security in the area, the removal of blockades and embargoes, and the normalization of communications throughout the region.<sup>52</sup> As to the second stage of the negotiation, it was to determine the status of Nagorno Karabakh, despite the failure of the Minsk group to reach an agreement on this proposal. Once again, in November 1998, the Minsk Group prepared a proposal for a settlement to the Nagorno Karabakh conflict that also deals with the issue concerning the status of Nagorno Karabakh. Once again, Azerbaijan has rejected the proposal while Armenia and Nagorno Karabakh have accepted the Common State proposal for negotiations. Then, in 2001, more efforts to resolve the conflict over Nagorno-Karabakh led by the co-chairs of the Minsk group and by the Armenian and Azeri president increased expectations for a resolution. Sadly, no support for compromise was heard.<sup>53</sup>

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<sup>52</sup> "OSCE Mission Survey: Minsk Process." July 2002. Available online at: <<http://www.state.gov>>.

<sup>53</sup> Justin Burke. *Armenia daily digest*, November 30 2000. Available online at: <[www.eurasianet.org](http://www.eurasianet.org)>.

#### 4. Identification of Strategic Interests for the participating groups of the inner circle

Turkey: An outpost of the West in the East ( OSCE Minsk group member)

Turkey has historic, linguistic, and cultural ties with Azerbaijan. Turkey was the first to recognize Azerbaijan sovereignty on November 9, 1991, prior to December 31, a date that marked the end of the Soviet–Union existence.<sup>54</sup> As for Turkey's relationship with Armenia, it is very complex and remains tense ever since the 1915 genocide of Turkish on Armenians; Turkey still refuses to acknowledge those atrocities until this date. The steps that were taken by Turkey (mediation efforts) differed in shape and context. In June, 1992, Ter–petrosyan signed the Black–Sea economic cooperation treaty that called for bilateral relations without any preconditions. Such a treaty was believed to provide a bridge for Turkey to Central Asia and an alternative route for an oil pipeline from Azerbaijan to the Mediterranean<sup>55</sup>. Over the course of 1991–92, the fighting escalated; Armenia gained the upper–land (shusha) that led to

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<sup>54</sup> Foreign region broadcast. *FBIS-WE*: western Europe series, March 5 1992: 4.

<sup>55</sup> Laitin, David and Grigor, Robert. « Armenia and Azerbaijan : thinking a way out of Karabakh. »

*Middle East Journal*. Available online at:<[www.meipc.org](http://www.meipc.org)>.



the replacement of the ex-communist leader, Mamedov in Azerbaijan by the popular front leader, A. Elchibley who made efforts to strengthen his relations with Turkey<sup>56</sup>. With the increase of the death toll (5000)<sup>57</sup>, Armenian forces that were operating separately from the Armenian government created a land corridor between NKAO and Armenia. In March 1993, they launched an offensive war, which succeeded in capturing a large part of Azerbaijani territory, North of NKAO. Turkey refused Azerbaijan's demands for help in evacuating refugees from the region.<sup>58</sup> As a result, Nagorno-Karabakh with the support of Armenia took more of the Azeris territory, including regions outside the Nagorno-Karabakh district such as the Lachin corridor between Nagorno-Karabakh and Armenia.<sup>59</sup>The defeat of Azerbaijan in the conflict lead to an unstable situation until President Elchibley was ousted and replaced by the former communist leader, Aliyev. In September, President Aliyev tried to persuade Russia to send peacekeepers into the region. However, Russia

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<sup>56</sup> Ruthland peter. "Democracy and nationalism in Armenia." Europe-Asia studies. No.5 (1994).

<sup>57</sup> --- Europe-Asia studies. V.46, September 1994.

<sup>58</sup> Robins, Philip. "Between sentiment and self-interests: turkey's policy towards Azerbaijan and the central Asian states." The Middle-East Journal, V.47, Autumn 1993.

<sup>59</sup> Rieff, David. "Without rules or pity." Foreign Affairs (1997).

refused to play the role of mediator using the excuse that the armies of Karabakh republics were operating independently of Armenia.<sup>60</sup> This decision can be seen indeed as a need for Turkey to adopt a neutral stance in its way of solving the conflict through mediation. Another explanation can be given to Turkey's behavior in its carefulness not to endanger its relations with Russia, since Russia and Turkey have important commercial ties with each other. Furthermore, at every occasion, Turkey has shown its intentions to involve itself in Karabakh and Moscow has responded negatively showing its discontent with regards to Turkey's decision-making.<sup>61</sup>

In general, Turkey's struggle for influence in the region has more of a commercial purpose. Apparently, the Turks are interested mostly in building their infrastructure and boosting their economy by widening their commercial scope. In few words, Turkey is interested in Azerbaijan for the oil resources. Turkey is also interested in the route that runs from Baku to Supsa and the route that runs from Baku to the Mediterranean

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<sup>60</sup> Fuller, Elizabeth. "Russia, Turkey, Iran, and the Karabakh mediation process". *RFE-RL, Research Report*, v.3, February 25, 1994.

<sup>61</sup> Cornell, Svante E. "Turkey's role and perception in Nagorno-Karabakh conflict and regional implications." *Marco polo Magazine* May 4, 1998.

port of Ceyhan in Turkey.<sup>62</sup> As to what regards Turkey's support of Azerbaijan, it has been deceiving for the Azeri enclave since they have expected some sort of support from the U.S and Turkey. However, they haven't received any, rather they were left to starve and die in a land deprived from any humanitarian assistance.

#### Iran's interests

In Iran, the Azeris constitute the second largest ethnic group, after the Persians. This factor, makes the case to be a substantial influence as to Iranian participation in the Caucasus where it played a vital role in mediation from February to May 1992, seeking to broker a deal in the

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<sup>62</sup> Ertan, Nazlan. "Baku-Ceyhan: Pipeline or pipe dream." Turkish Probe May 17, 1996: 19-20.  
Bulent, Aras and Foster, George. "Turkey: looking for light at the end of the Caspian pipeline." Oil and Geopolitics in the Caspian Sea Region: .230-247.

Caucasus situated on the Northern side of its borders<sup>63</sup>. For that, the political leadership of Iran has no choice but to take an active role in the negotiation process in regards to war over Nagorno-Karabakh. The following analysis goes along describing Iran's attitude towards Nagorno-Karabakh and takes strict measures into the motive for not allowing Turkey to mediate between the parties in the dispute (Armenia and Azerbaijan). As Edmund Herzig has noted, "the Karabakh war has been the most direct threat to Iran's national security emanating from the north since 1940."<sup>64</sup>

### Iran's mediation

Iran started its mediation role back in March 1992, when it invited high-ranking delegation from Armenia and Azerbaijan to Tehran in an attempt to begin a negotiation circle.<sup>65</sup> As a result, a number of issues were discussed in the Tehran delegation of March 15. The declaration

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<sup>63</sup> Ramezanzadeh, Abdullah. "Iran's role as mediator in the Nagorno-Karabakh crisis". ChVII. Online book. Available online at: <<http://poli.vub.ac.be/publi/contborders/eng/ch0701.html>>. :1.

<sup>64</sup> Khajepour, Bijan. "Survey of Iran economic interests in the Caspian". The Caspian region at a crossroad. Hooshang, 2000: 75-86.

consisted of a temporary cease-fire, the demand for the exchange of prisoners of war, the lifting of the blockade by Armenia, among other issues. Moreover, a seven-day cease-fire was announced as a first step in the peace-process. As a result, former UN secretary-general Boutros Ghali congratulated Iranian foreign minister for its efforts in the mediation and for his acknowledgment of the Agenda for Peace that refers to peace making and peace keeping.<sup>66</sup> However, the war intensified despite the signature on behalf of disputed parties on their pledge to restore stability in the region by respecting the principles of the UN charter and of international law.<sup>67</sup> Furthermore, with the continuation of the war, the Armenian forces took over the region of Shusha. This victory was followed by the capture of Lachin, another region in Azerbaijan, which opened a corridor between Armenia and Karabakh.<sup>68</sup> Indeed, Armenian behavior (conquest of a town belonging to Azerbaijan) complicated Iran's mediation efforts. At this point, the government of

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<sup>65</sup> Ramezanzadeh, Abdullah. "Iran's role as mediator". *Contested Borders in the Transcaucasus*.

<sup>66</sup> Ghali- Boutros, Boutros. An agenda for peace: preventive diplomacy, peacemaking and peace-keeping. New York: United Nations Press, 1992: 6.

Ghali-Boutros, Boutros. "Boutros Ghali speech, March 9, 1992." Available online at: < www.UN.org >

<sup>67</sup> Ibid., (1992). Available online at: <www.un.org>.

<sup>68</sup> Ibid., (1992). Available online at: <www.un.org>.

Iran, in charge of mediation, got influenced by external factors such as public opinion at home that was calling for more lenient rules on the adversary. This was indeed what happened in regard to Iran–Armenia mediation process. In addition, Iran’s Foreign–Ministry protested against what took place and invited both parties (without sympathizing with one side over another), calling both parties (Armenia, Azerbaijan) to act in accordance with the Tehran Declaration that stated the following: “[...] Iran demands that its neighbors, Armenia and Azerbaijan [...] should refrain from any military action which could aggravate the crisis”<sup>69</sup>.

After the victory of the Azerbaijan popular front (APF) in the presidential elections of June 1992, Iran’s conciliatory role ceased since the new elected president, Elchibley rejected any mediation coming from Iran.<sup>70</sup>

Despite the deteriorating relation between Azerbaijan and Iran, the latter succeeded in establishing a friendly relationship with President Geidar Aliyev in 1993 (back then the leader of Nakhichevan). Iran as a mediator

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<sup>69</sup> Ahmadi, Amir. Iran’s Regional Foreign Policy, Vol.8, October/November 1993: 4-8.

<sup>70</sup> Cornell, Svante. “Iran and the Caucasus.” Middle East Policy, Jan. 1998: 23.

in the Nagorno–Karabakh conflict, supported and approved President Aliyev efforts to preserve peace in Nakhichevan (an autonomous region in Azerbaijan) by giving it financial aid; a tool used to put pressure on Armenia in order to “refrain from attacking the enclave—something which clearly could have led to an escalation of the conflict, as Turkey considers itself a guarantor of Nakhichevan security by its 1921 treaties with the Soviet–union”.<sup>71</sup> In June 1993, the (APF) was ousted from power in Baku. President Aliyev, described as a clever and experienced man who understands the region’s concerns and does not work for his own interests, replaced President Elchibley.<sup>72</sup>

After careful analyses of the mediation, one gets a clear clue out of Iran’s message that it prefers a stable balance of power in the region. However, in September 1993, the Armenians launched another attack on the region of Nakhichevan. At this point, Iranian army crossed the border aiming to secure the joint managed dams over the Aras river.<sup>73</sup> Russia,

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71.----. “Iran and the Caucasus.” *Middle-East Policy*. Vol.58, No.4, January 1998, pp. 23-27.

72 Gaidar Aliyev. “Azerbaijan.” *APS Review Downstream Trends*. Vol.59, August 5, 2002.

unpleased with the consequences, responded to the Iranian military action; warning Iran not to intervene. The Iranian intervention was followed by a Russian presence in the region. The Armenian foreign minister assured the Iranians that "there would be no more attacks on Nakhichevan".<sup>74</sup> Meanwhile, Iran continued the mediation efforts. Another cease-fire was reached, to be broken days later.

#### Iran's part in the mediation

If we take a look at the historical background of Iran and Azerbaijan, we can conclude that, at first glimpse, Iran's policy is to preserve the status-quo on its Northern borders. It also wants to safeguard and counterbalance the influence of its neighbors: Turkey, Saudi-Arabia, Russia; fearing a spillover of the conflict across its borders. Another factor that could be taken into consideration is that Iran aims to be portrayed as a regional power, pursuing a foreign policy in the region and

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<sup>73</sup> Cornell, E. Svante. "Iran and the Caucasus." Middle East Policy January 1998: 37.

<sup>74</sup> ---, "Iran and the Caucasus." Middle East Policy January 1998: 380.



dealing "successfully with the new threats and challenges"<sup>75</sup>. Additional motives for Iran's mediation could be:

(a) Iran needs to monitor Turkish influence in the region, an ancient rivalry that goes back to ancient times. The present conflict in the region could benefit Iran because it could take advantage of the present enmity between Turks and Armenians that opposes Turkish and U.S policies in the region. Furthermore, Turkey being considered by the U.S as a "leading role-model which all newly independent states in the region [are] encouraged to follow; aggravates sentiments of hatred among Armenians, already at war with the Turks."<sup>76</sup>

(b) A prolongation of the conflict could lead to an increase in the refugees, an issue not very welcomed by the Iranians; according to UNHCR, Iran was hosting at the end of 1992, 4.150,7000 refugees.<sup>77</sup>

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<sup>75</sup> Chubin, Shahram and Tripp, Charles. "Domestic politics and territorial disputes in the Persian Gulf and the Arabian Peninsula". Vol.35, No.4, Winter 1994: 25.

<sup>76</sup> Reuter, "20 die, dozens hurt by Azeri attacks," *Windsor Star* Windsor, Ont, February 17 1992.

Maresca, John. "Resolving the conflict over Nagorno-Karabakh Lost opportunities for international conflict Resolution": 263-265.

<sup>77</sup> "The state of the world's refugees." UNHCR Data (1993).

(c) A balance of power between Armenia and Azerbaijan could be seen as a major goal for Iran's mediation process since Iran favors neither a Christian Armenian unity nor a Muslim Shii unity in the area.<sup>78</sup>

### Consequences of the mediation

Iran's mediation could be considered as a fair mediation since it led to some cease-fires between the belligerents in 1992 and 1993. On its part, the UN acknowledged that. In other words, Iran's mediation managed to stabilize the region for a while despite the U.S attempt to exclude Iran from participating in the conflict resolution attempt. Another factor responsible for Iran's failure in the mediation is the lack of support from other countries that were obviously seeking their own interests. A third factor that encouraged Iran was its attempt to deliver arms to the Armenians while working with the Azeris. The forth factor is the Armenians' overconfidence in their military strength- demanding either the annexation of Karabakh to Armenia or a recognition of the

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<sup>78</sup> Sobhani, Rob. "The United States, Iran, Russia, and Turkey: the struggle for Azerbaijan." *Demokratiya* winter 1998.

independence of the Karabakh Republic (NKR)- an option totally rejected by the Azeris.<sup>79</sup> Moreover, Iran lacked leverage to force the belligerents to make a compromise. It seemed that Armenia and Azerbaijan, although they have accepted Iran's participation in the negotiation/mediation process, they refused its proposals.

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<sup>79</sup> Aves, Jonathan, "Politics, parties and presidents in Transcaucasia.", *Caucasian Regional Studies*, N0.1 (1996). Available online at: <<http://www/poli.vub.ac.be>>

5. United States–outer circle (member and co–chair of the OSCE Minsk group) involvement

As to the U.S., it plays an active role in the region, favoring the Armenians' mediation process. The U.S has exercised a tough lobbying on the Azeris by implementing on them Resolution 907 in 1992, punishing them for cutting off one of the rail routes that carries fuel to Armenia. Azerbaijanis justify this behavior as wanting to take revenge from Armenians with whom they are at war. Unfortunately, the Azeris' behavior only made things worse because the U.S forbade any humanitarian assistance to Azerbaijan, limiting assistance to Azerbaijan with respect to:

Humanitarian assistance for refugees, displaced persons and needy civilians affected by the regional conflict; (2) activities to support democracy or assistance in connection with nonproliferation and disarmament programs and activities; (3) any assistance provided by the Trade and development agency; and (4) any activity carried out by a member of the U.S and foreign commercial service while acting within his other official capacity.<sup>80</sup>

These forbidden items were further reinforced in 1999. The argument lies on the fact that there is a strong relationship between the U.S and

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<sup>80</sup> Nichol, Jim. "political developments and implications for U.S interests". Foreign Affairs Defense And Trade Division. Library of congress, 2002.

Armenia, perhaps due to the fact that there is a large Armenian-American community in the U.S. –which makes the conflict in the Caucasus a major issue for many members of the Congress. In addition, the appointment of Raffi Hovanissian as the Republic of Armenia's first Foreign Minister was another support to what has been stated above.

Moreover, delegations visiting Armenia in the past have not always gone to Azerbaijan. Indeed, such a behavior undermines the U.S. government as an "honest broker" from Azerbaijan point of view.<sup>81</sup> Also, the lack of a lobby for Azerbaijanis similar to the Armenians is seen as a weakness. One cannot say that Azerbaijan refused to cooperate at a later date because in June 1992 when the Popular Front came to power in Azerbaijan, President Elchibley made it clear that Azerbaijan would give priority to its foreign policy to relations with the United States and NATO's member countries. Another indication that Azerbaijan was ready to become a U.S. ally in the region was Baku's official active campaign against Iran where Elchibley accused the Iranian regime with human

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Goltz, Thomas. "Catch- 907 in the Caucasus." The National Interest, Summer 1997: 37.

<sup>81</sup> Cornell, Svante. "Turkey and the conflict in Nagorno-Karabakh: a delicate balance." Middle Eastern Studies, Frank Cass: London. Vol. 34, Jan. 1998: 51-72.

rights violations. Nevertheless, both Baku and Turkey hoped that a friendly relation would continue between them and the U.S. foreign policy regarding the issue of Nagorno-Karabakh.

In brief, although the United States may not have direct interests in the Caucasus, U.S. oil companies' interests in the region are potential risk since energy interests "came to the forefront after the signing of the so-called contract of the century to export Caspian oil".<sup>82</sup> Thus, encouraging friendly relationships and free flow of foreign capitals with Azerbaijan could be one major objective of U.S. policies in the region. Furthermore, a strategic alliance between American and Turkish capitals could be an opportunity for the U.S to obtain access to the Azerbaijani flourishing economy.

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<sup>82</sup> Kurbanov Erjan. "Oil, Ethnic relations and Azerbaijani security." Analysis of Current Events October 1997.

## 6. Actions taken by the United Nations Security Council (the peace process)

For many, the best organization to mediate in such a conflict is the United Nations. Concerned about the bloody fighting taking place in the Transcaucasus, the UN has taken part in the peace process of the region. However, it has been proven that the United States and the Russian Federation influenced the UN in its lack of involvement in that neighborhood. The U.N role was limited to adopting a series of resolutions in 1993, like calling for the cessation of hostilities, providing humanitarian relief, calling for an immediate withdrawal for all ethnic Armenians from the disputed territories and calling for a peacekeeping force in the region, a mission that never took place. In addition, the United Nations High Commissioner for Refugees (UNHCR) granted assistance to 53,000 people. This assistance was increased to cover about 300,000 refugees by the end of 1994, but the UNHCR only provides aid to refugees that have crossed an international border, thus excluding the thousands of displaced persons within Azerbaijan). Foreign aid continued to be distributed unfairly and disproportionately

due to the hatred that some nations harbor towards Azerbaijan; also because Armenia has a strong lobbying over policy-making within these nations. In March 1997, during a meeting of the Human Rights Commission that aimed at discussing the right to self-determination, the Armenian delegate announced that the conflict in Nagorno-Karabakh had already displaced over one million people and that stability in the region continues to be at stake, yet the international community kept on neglecting the seriousness of the conflict. Moreover, according with Armenian media, the inhabitants of Nagorno-Karabakh have been longing for independence; Azerbaijan has condoned their behavior and disregarded the UN resolutions that call for the cessation of all fighting. However, Azerbaijan could not be blamed because the UN has failed to recognize the sovereignty of the territories:

Noting with alarm the escalation in armed hostilities [...] Reaffirming the territorial Integrity of the Azerbaijani Republic and all other states in the region [...] and the Inadmissibility of use of force for the acquisition of territory [...] Expressing grave Concern at the latest displacement of a large number of civilians [...] the General Assembly condemns the recent violations of the cease-fire [...] and particularly Condemns the occupation of the Zangilan district and the city of Goradiz, attacks On civilians and bombardments of the territory of the Azerbaijani Republic; [...] calls upon the government of Armenia to use its influence to achieve compliance by



the Armenians of the Karabakh region of the Azerbaijani Republic of the Resolutions 822, 853 and 874. In conflict, and they have failed to name a particular participant in the conflict as an aggressor. The following resolution serves to clarify what was stated above<sup>83</sup>:

To sum up, Azeris have received no support at all in the region. The only country that stood besides Azerbaijan was Turkey.

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<sup>83</sup> United Nations General Assembly Resolution on "Emergency International Assistance to Refugees and displaced persons in Azerbaijan." Resolution 822 (1993), adopted by the Security Council at its meeting, on 30 April 1993. Resolution 853 (1993), adopted by the Security Council at its meeting, on July 29 1993. Resolution 874 (1993), adopted by the Security Council at its meeting, on October 14 1993. Resolution 884, adopted by the Security Council at its meeting, on November 11 1993. Embassy of Azerbaijan: Washington DC. Available online at: <[www.president.az/azerbaijan/nk/un.html](http://www.president.az/azerbaijan/nk/un.html)>

## The Right of Self-Determination for Nagorno-Karabakh

Azeris view Armenians in Karabakh as latecomers, being present ever since Russia encouraged them to emigrate from Iran. For that, they disdain Armenia's claim for self-determination, mainly because they had offered Armenians cultural, religious, and other freedoms, except for political autonomy. Since the issue of self-determination is being discussed, there will be a debate on whether or not Armenians' claim is justified. In order to achieve this goal, referring to international law might be of necessity in order to support or prove certain notions. To begin with, self-determination is not a new issue, it appeared as a political force in the twentieth century. Further, countries like the Soviet Union demanded the inclusion of self-determination into the UN charter. Ever since, self-determination was being recognized as an internationally legal principle, but not as a fundamental right. The pressure for self-determination grew over the following years (UN Resolution 514).<sup>84</sup>

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<sup>84</sup> Hannum, Hurst: "The Right to autonomy: chimera or solution?" Ethnicity and power in the contemporary world. The United Nations University Press, 1996: 76.

For instance, at the end of 1960, the declaration on the granting of independence to colonial countries (UN Resolution 1514) was adopted. Further reaffirmation on that issue was added as part of the international covenant on Human Rights, adopted in 1976.<sup>85</sup> For further confirmation, Article 1 of the international covenant on civil and political right, proclaims that: "All people have the right of self determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development."<sup>86</sup>

In parallel, Article 46 of the International Covenant on civil and political rights and Article 24 of the International Covenant on economic, social and cultural rights have the same documentation:

"Nothing in the present covenant shall be interpreted as impairing the provisions of the charter of the United Nations and of the constitution of the specialized agencies which define the respective responsibilities of the various organs of the United Nations and of the specialized agencies in regard to the matters dealt with in the present covenant."<sup>87</sup>

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<sup>85</sup> ----. "The Right to autonomy: chimera or solution?. Ethnicity and power in the contemporary world: The United Nations University Press, 1996: 89.

<sup>86</sup> ----. "The Right to autonomy: chimera or solution?. Ethnicity and power in the contemporary world: The United Nations University Press, 1996: 91. Goltz, Thomas. "Catch- 907 in the Caucasus." The National Interest, Summer 1997: 37

<sup>87</sup> "International covenant on civil and political rights". Available online at: <[www.unhchr.ch](http://www.unhchr.ch)> .  
International Covenants on Economic, social and cultural rights. Available online at: <[www.unhchr.ch](http://www.unhchr.ch)>.

For further clarification, the break-up of the Soviet-union reinforced the means to differentiate between self-determination, secession, and the right for territorial integrity granted to colonized nations only. Meaning, only territories that are geographically separated from the colonizing country were defined as colonized territories. For that, it can be argued that the Nagorno-Karabakh case is not a self-determination case, but a case of Armenian aggression against Azerbaijan. As a matter of fact, Human Rights Watch states that, although not officially admitted, the evidence shows that Armenian military forces did take part in the Karabakh conflict.<sup>88</sup> In that matter, the conflict represents a case where state A (Armenia) uses force against state B (Azerbaijan), an act prohibited by international law, despite the fact that the war between Armenia and Azerbaijan is more to be classified as an unofficial declared war; keeping in mind that Armenia did denounce its December 1989 claim to Karabakh.<sup>89</sup>

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<sup>88</sup> "Azerbaijan: Seven years of war." Human Rights watch/Helsinki ( 1994): 63-73.

<sup>89</sup> Mollazade Jeyhun: "The legal aspects of the Karabakh conflict." Winter 1998.  
Available online at: <[www.scf.usc.edu](http://www.scf.usc.edu)>.

A detailed examination of the declarations of international law reveals a lack of clarity in regards to whether this case study should be classified as legal or not. As Hurst suggests in his article: "The right to autonomy: chimera or solution, a new definition of self-determination evolves under which" autonomy and self government may be the primary expressions of a people's right to self-determination [...].<sup>90</sup>

#### Is Nagorno-Karabakh's demand for self-determination justified?

As a reminder, back in 1988, Armenia-Azerbaijan belonged to the same state-U.S.S.R. To the claim of considering Karabakh as a territory apart from Azerbaijan, the question arises whether the 600,000 internally displaced be classified as refugees, since the borders between Armenia and Azerbaijan is not internationally recognized. In this regard, the claim of the Armenians of Nagorno-Karabakh is based upon the "right of the peoples to self determination, in accordance with Article (1) of the

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<sup>90</sup> Hannum Hurst. "The right to autonomy: Chimera or solution". Ethnicity and power in the contemporary world. The United Nations University Press, 1996: 175-178.  
Tomuschat, Ch. "Self-determination and indigenous people." Modern law of self-determination: Dordrecht, London: Marticon publishers, 1993: 55-81.

international Covenant on civil and political rights, it considers that if Armenians in Azerbaijan are national minority, they should be allowed to: "[...] enjoy their common culture, to profess their own religion, or to use their common language."<sup>91</sup> Meaning, the Armenians of the NKAO have the rights to internal self-determination, giving them the chance to participate in the political life of Azerbaijan and to pursue their economic and cultural development; not necessarily meaning secession. Moreover, as confirmed by the UN Security Council<sup>92</sup>:

Nothing in the foregoing paragraphs concerning the principal of equal rights and self determination of people shall be construed as authorizing or encouraging any action which would dismember or impair...the territorial integrity of sovereign and independent states.

In brief, the claim of Azerbaijan-Armenia conflict illustrates a contradiction between the two important principles of international law:

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<sup>91</sup> Tomuschat C. "Internal aspects of the right to self-determination: towards a democratic legitimacy principle?" Modern law of self-determination, Dordrecht, London: Martinus Publishers: 278-282.  
Alfredsson, G. "The Right of Self-determination and indigenous peoples." Modern Law Of Self-Determination, Martinus Nijhoff publishers, 1993: 41-54.

<sup>92</sup> Inter-American commission on Human Rights (OAS). Available online at: <[www.oas.org](http://www.oas.org)>.

the question of peoples' self-determination versus states' territorial integrity. This issue indeed represents the Karabakh-Armenian struggle for self-determination. Indeed, the struggle for self-determination reflects the desire of Armenian policy over Karabakh. However, what is illegal is the practices of brutal attacks on civilians, especially in areas that have a homogeneous Azerbaijan population, with the intention of gaining as much territory as possible.<sup>93</sup> Also in accordance with the charter of Paris for New Europe, it was recognized that Armenia violates the territorial integrity of Azerbaijan by sending armed forces into Karabakh.

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<sup>93</sup> Latin D. David and Grigor, Robert, "Armenia and Azerbaijan: Thinking a way out of Karabakh". Middle East policy council Journal, Vol. VII, No.1, Oct. 1999.

## Evaluation of the conflict in Nagorno-Karabakh in regards to the issue of self Determination

The realization of Nagorno-Karabakh's right to self-determination may be achieved through peaceful means within the OSCE peace process. In this regard, it is important to consider the implementation of proposals for achieving self-determination. In order to achieve this objective, a detailed analysis of previous approaches will be helpful. As noted in the introduction, the intermediate sovereignty consists of two phases. The first phase, intermediate sovereignty, would run over a period of three to five years, and would demand a consistent mechanism for the creation of mechanisms for joint co-operation between the government of Nagorno-Karabakh and the government of Azerbaijan. The second element would demand the establishment of specific commitments on the part of Nagorno-Karabakh and Azerbaijan to encourage the return of refugees; provide the protection of human rights and minority rights, and engage in a series of re-construction. The third phase would entail the assistance of the international community in implementing and monitoring the



interim arrangement and assisting with the preparations for eventual independence.

In order to manage the relationship between Nagorno Karabakh and Azerbaijan during the interim period, it will be necessary to establish mechanisms for cooperation and interaction between them. For instance, to prepare Nagorno Karabakh for its right to self-determination, it should allow Nagorno-Karabakh to enter into formal relationships with neighboring states and international organizations and to allow both entities to cooperate together through high-level joint committees. Examples of this kind of joint-committee arrangement can be found in the Israeli/Palestinian peace process. For instance, under The Oslo Agreement, Israel and the Palestinians agreed to form a Joint Israeli-Palestinian Liaison Committee to ensure smooth implementation of the Declaration of Principles<sup>94</sup>, as well as a Joint Israeli-Palestinian Economic Cooperation Committee to ensure mutual benefit of cooperation and the

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<sup>94</sup>“The Oslo Peace Accord between Palestinians and Israel.” Almashriq online (1993). Available online at: <<http://almashriq.hiof>>.

development of the West Bank, Gaza and Israel. Other joint committees mentioned in the Wye River Agreement include the Monitoring and Steering Committee, the Civil Affairs Committee, the Legal Committee and the Standing Cooperation Committee.

With these examples in mind, Nagorno Karabakh should establish Joint Committees providing cooperation at the highest political levels of Nagorno Karabakh and Azerbaijan, as well as between agencies concerning rail, commerce, and culture. These Joint Commissions may also include the participation of an OSCE observer/facilitator. In addition, a Joint Military Commission should be created as a confidence building measure. The Joint Military Commission should be the primary entity, along with international representatives, for planning the demilitarization of territories to be exchanged.

## Return and Exchange of Territory

In certain circumstances, states have exchanged occupied territories in order to promote the development of peaceful relations. In the case of the Nagorno-Karabakh conflict, Azerbaijan currently occupies approximately 750 sq. km (20%) of territory considered to have traditionally been a part of Nagorno Karabakh, while Nagorno-Karabakh controls 7,059 sq. km (8%) of territory considered to have traditionally been possessed by Azerbaijan.<sup>95</sup> Taking into account security considerations, the exchange of some or all of this territory as part of the peace package may significantly promote the development of peaceful relations and remove a contentious issue from the future relations between Nagorno-Karabakh and Azerbaijan. The Wye accords focus on the commitments of Israel to give up land in exchange for a number of defined reciprocal commitments made by the Palestinians<sup>96</sup>. In parallel,

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<sup>95</sup> Migdalovitz, Carol. "The process of the settlement of the Armenian-Azerbaijani conflict." *Foreign Affairs And National Defense Division* 3 Dec. 1996. <sup>96</sup> "WYE River Memorandum." *American-Israeli cooperative enterprise*: Jewish virtual library, 2004.

<sup>96</sup> "WYE River Memorandum." *American-Israeli cooperative enterprise*: Jewish virtual library, 2004. Available online at: <<http://www.us-israel.org/jsource/peace/wyetoc.html>>.

Nagorno-Karabakh and Azerbaijan could benefit from such an example whereby territory is exchanged for political commitments.

In the case of the Nagorno-Karabakh conflict, it would be necessary for such demilitarization, as the territory would serve as a buffer security zone between Nagorno-Karabakh and Azerbaijan armed forces. Given the nature of the security concerns, the parties may choose to exchange only a portion of the territory currently under their control.

Indeed, these steps could benefit the situation in Nagorno-Karabakh in terms of encouraging the return of refugees, the restitution of properties, the implementation of laws within each entity's territory and to adopt international conventions.<sup>97</sup>

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<sup>97</sup>Maresca, John. "A proposal settlement of the conflict over Karabakh." United States Institute Of Peace: Washington, 1994.

### Lesson drawn

In general terms, before policies of any sort towards the Caucasus are considered by any foreign administration, national interests must be defined and their relative importance determined. Only then, interests will form the basis for consistent policies in the world, within boundaries set by the other countries' foreign policies (the U.S or others)-that aim at including other nations' participation in resolving a conflict; as it was the case in Nagorno-Karabakh.<sup>98</sup> Furthermore, it will be necessary to decide how much interest groups (Armenians, Turks, Iranians) will influence their foreign policy.

Also, after careful study, it has been made obvious that no state will be able to manage the Armenia- Azerbaijan conflict without having the political determination to play a direct role in the conflict. For example, neighboring states like Russia, Turkey and Iran have the means to become involved in resolving the conflict. However, only Russia, for whom the area in conflict was part of an empire and a key to domestic economic recovery, played a major role in trying to solve the dispute. On

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<sup>98</sup> Schlesinger, James. "Quest for a post-cold war foreign policy." Foreign Affairs (1993): 28

the other hand, in the post-Cold War era, the U.S. had military powers, however, it didn't have the political will to play a major role in the Armenian-Azerbaijani conflict. In general, the major lesson that can be learned from the Caucasian conflict is that mediators cannot be successful in their mediation unless they understand the root of the conflict; which requires detailed knowledge of the issue's evolution, in addition to each disputant's perception of what is at stake.<sup>99</sup> On the other hand, U.S. policy-makers must understand fully the self-defined interests of other states in the Armenian-Azerbaijani conflict. For instance, if Iran and Turkey want to play a role in the former Soviet republics (Nagorno-Karabakh) and, if Russia on the other side, decides to take control over those territories due to some national interests, then U.S. policies in those areas might be influenced by U.S. relations with each of the interested neighboring states.<sup>100</sup> Also, The establishment of a free trade area, with unrestricted flow of capitals would encourage

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<sup>99</sup> Altstadt, Audrey. "National conflict in Mountainous Karabakh." Nationalism and Regional conflict. The former Soviet Union and Yugoslavia. Boulder: Westview Press, 1994: 125.

<sup>100</sup> Rostow, Eugene. "The United States foreign policy after the Soviet collapse." SAIS Review. Vol. 12, No.2: 15-21.

investors from both sides. However, if the U.S. chooses to base its policies toward the southern Caucasus on its commitment to independence, and guarantees of human rights, then these principles should be applied abroad as impartially as they are used domestically.

In general, the best way to intervene in the Armenia–Azerbaijan case is not unilaterally, but under the umbrella of the United Nations or through a joint UN–CSCE peace–making effort where the U.S. as well as Russia, Turkey, and Iran, play a role in the negotiations. Tolerance and reconciliation seem to be the only way to reach an agreement between the republics in conflict.

To generalize, the case varies in the extent to which the integrity of the conflict and its identity affect the international community and push them into action. This case could be studied based on two scopes: the scope of involvement (the number of outside parties involved) and the nature of international community relations arising from such an involvement. Indeed, the more helpers get involved, the greater perspective for peace is available; the clash in interests increases. Thus, if

one refers to the diagram studied in ethnic conflict and international relations one can see that two categories will be seen: (a) the number of outside parties involved from the international circle and (b) whether they were cooperative or conflicting.

Having this in mind, the case of Armenia–Azerbaijan falls in quadrant B, mainly because it is considered to be a low intensity conflict since little arms were used in the combat.<sup>102</sup> In addition, both cases shared the following characteristics: One of the local fighters received active support from the outside and that is Armenia receiving help from Russia and the U.S. Also, the partisan's involvement that took place created considerable conflict between the states in conflict. Having in mind Russia's aid to Armenia, despite protests from a number of nations, Russia was supplying Armenia with arms; despite the fact that Russia is one of the judges in the Nagorno–Karabakh dispute. Also, Russia and Armenia were at different times working on a joint military exercises in

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<sup>102</sup> Zveres, Alexei. "Ethnic Conflicts in the Caucasus: 1988-1994". Contested borders in the Caucasus. Ed. Bruno Coppieters edition, VUB University Press, 1996:80-85



Armenia in protection for several blockades and threats that were taking place in Azerbaijan<sup>103</sup>. It was not until 1996, that Russia signed a treaty with Azerbaijan (in Baku, the capital), under which the two countries (Russia and Azerbaijan) renounce intervention in each other's internal affairs. Unfortunately, with the recent appointment of Yeugeny Primakov<sup>104</sup>, Prime Minister, Russia seems to have reverted to its old beliefs and views, seeing the oil market as the only method of maintaining Russian influence in the neighborhood. Apparently, to him, Turkey, the U.S and other regional and international countries' involvement is seen as a potential threat to Russia's influence on the oil market. The continuation of Russian intervention in Armenia supports this point. In brief, if Russia (as a partisan being involved) in the Armenian-Azerbaijan conflict, keeps on exploiting the Karabakh conflict, further complexity will be involved in the Azerbaijan case. On the other hand, Armenia, has received support from the US in the past. The latter, provided Armenia financial aid and other kinds of support that are worth

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<sup>103</sup> Croissant, Michael. *The Armenian-Azerbaijan conflict*. Library of Congress, 1998: 120.

<sup>104</sup> -----: 120.

billions of dollars. Also, the strong Armenian community in the U.S supported a political lobbying, ensuring that the American–Armenian relations are in good terms.

### Possible recommendations for the conflict in Nagorno–Karabakh

Finding possible solutions to the conflict in Nagorno–Karabakh has been long awaited and it called for the involvement of many third party participants. While Armenia was viewed as a strong democratic ally of the West in the early 1990's, whereby a resolution seemed possible, this possibility faded away as soon as President Ter–Petrossian became the nation's leader in 1996 because his government has destroyed all the hopes for a possible negotiation. In their view, the best solution is a preemptive strike on Azerbaijan because this could help them ensure their sovereignty. As a matter of fact, since Nagorno–Karabakh serves as a buffer between Armenia and Azerbaijan, the region's position is indeed crucial. For Azerbaijan, being conscious of its oil wealth has attracted the attention of Western nations; yet continues to suffer greatly from human

losses and the Armenian occupation. For that, Azerbaijan seeks both a resolution to the refugee crisis and a method of maximizing its oil resources. The mistrust between Azeris and Armenians is due to the fact that Armenians do not trust the Muslim and Turkish speaking Azeris to govern Armenians in Nagorno-Karabakh. The refugee dilemma adds more trouble, since there is about 600,000 to 700,000 displaced persons in Azerbaijan and another 200,000 to 300,000 refugees living in Armenia and Karabakh. For that, the international community must focus on building confidence between the two. One possible way to achieve this would be to withdraw the Armenian troops occupying Azerbaijan. A negotiation is indeed not an option because there is a certain difficulty in deciding who should be involved in the negotiation process. President Aliyev for one, considers the conflict an interstate one and thus views Armenia as the aggressor state. Although both sides claim to be abiding by the Nagorno-Karabakh Peace Process of 1994, which established the cease-fire, and military aggression has subsided, the political battle is now at its peak. Several resolutions to the parties in conflict have been proposed: The Minsk Group Co-Chairs, which include the United States,

Russia, and France, have proposed a direct dialogue between the presidents of both nations, Heydar Aliyev of Azerbaijan and Robert Kocharian of Armenia, that began in 1999. These relations definitely bring hope, yet the international community must be aware that strong efforts must be made to include President Arkady Gukasyan of Nagorno-Karabakh, who is seeking a compromise (unification or independence) with Armenia for his people.

## Chapter IV

### Conclusion

As we have realized, ethnic conflict can be a response to stimuli of all kinds: It can be a response to the removal of alien rule, it can be the result of interference from political or economical entrepreneurship or it can be the response to premature elections resulting from a weak government structure. In addition, ethnic conflict can arise from the collapse of a state or an empire, as it did with the collapse of the Soviet Union. Undeniably, it is obvious that there are some triggers that one should take more into consideration when dealing with ethnic conflict due to the diversity of the topic.

In order to simplify things, ethnic conflict could be defined, up to this point, as a struggle in the balance of power, as the crumbling of old and decayed structures that results in the creation of vacuums that get filled in the near future by a new set of factors and regulations; all leading to an intense ethno-political conflict.

In addition, a large segment of ethno-political conflict is due to elite hunger for power and wealth, which augment people's misery. Other crucial notions that should be taken into consideration while dealing with ethno-political conflict is not to underestimate the role of mediators. Nevertheless, other possibilities often disliked by the public include military intervention and separation at gunpoint. Variations in objective are indeed critical, but these factors often have different connotation for policy making, all depending upon whose interests are being pursued. For instance, mass opinion may view past oppression by state authorities via other ethnic groups as a means of seeking political autonomy and economic wealth. Therefore, it is necessary to analyze how different political factors influence policymaking and how their policies measure up to their proclaimed objectives.

A close examination of the study of this conflict demonstrates that the Republic of Armenia repeatedly violated the territorial integrity of Azerbaijan and has been waging a war against the Azeris. This aggression has remained unrecognized by the major international powers; therefore leading to massive flow of refugees which has caused great damage to the economics, political and social structure of Azerbaijan. Indeed, the conflict studied in this paper reflects an internal one that was perceived as an internal conflict and called upon international attention only once the safety and the interests of neighboring countries became at halt.

For instance, the Russian Federation's interests have been to reestablish its sphere of influence within the borders of the former Soviet Union; bringing back Georgia, Armenia under Russian de-facto control and weakening Azerbaijan in order to accomplish their goal. As for the US, its policy towards the conflict has been characterized by two factors: (1) the US had priorities to their partnership with Russia rather than to pursue an active policy in the Caucasus, (2) The US has been influenced by the Armenian pressure groups in the US Congress. As of today, there seems

to be no change in the position of the international community on the conflict in Nagorno-Karabakh since third parties are more involved in fulfilling their interests.

In general, ethnic conflict is most commonly explained by using three objective factors: (1) ethnic kinship ; (2) geopolitical interests of external factors, typically states, in preserving their territorial integrity and establishing spheres of influence in strategic regions and (3) the expected balance of power that would follow from more aggressive intervention in a conflict. As to the objective factors contributing to ethnic conflict, they include historical and contemporary factors making political self-rule seem as a more desirable alternative to the international status quo<sup>105</sup>. In addition, other objective factors could be inserted: the balance of power between the restless minority and its host

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<sup>105</sup> Gurr, Robert.T and Moore, Will. "Ethnopolitical Rebellions." American Journal Of Political Science, vol. 41, No.4 (1997).

Ingrao, Charles. "Understanding Ethnic conflict in central Europe: A Historical perspective." Nationalities papers, vol. 27, No.2 (1999).

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Williams Robin. "The sociology of ethnic conflicts: comparative international perspectives." Annual Review Of Sociology, vol.20 (1994).

<sup>106</sup> Lake, David and Rotchild, Fearon. "Commitment, problems and the spread of ethnic conflict." The international spread of ethnic conflict: fear, diffusion and escalation . Princeton University Press, 1998: 68.



state that includes the impact of any foreign intervention<sup>106</sup>. Moreover, the nature of the ethnic minority pre-conflict demands such as greater autonomy, secession, increased rights, all play a part in the objective factors.<sup>107</sup>

In brief, the case-study of Nagorno-Karabakh demonstrates clearly that that in totalitarian regimes, ethno-political conflict is more likely to occur and to be suppressed by third parties interveners, since those groups tend to accommodate their own security and interests, neglecting the mission of peace they pledged to work on in countries involved in bloody interstate conflict. Indeed, after studying the Nagorno-Karabakh case-study, one can easily conclude that ethno-political conflict is less likely to get violent in democratic countries since democratic countries are more equipped with allowing ethnic minorities to co-exist in a multicultural society; which wasn't the case in the republic of Nagorno-Karabakh that had lived long enough under colonialism. In general, the national remedies for ethno-political conflict could be to provide an elaborate

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<sup>107</sup> Fearon James. "Commitment problems and the spread of ethnic conflict". world politics, volume 43, No.2 (1991).

mechanism for the protection of the rights of ethnic minorities in a communal group. In conclusion, when dealing with ethno-political conflict, it's always important to keep in mind two factors: first, it is important to find the balance between the conflicting rights of self-determination and territorial integrity; and second, all conflicts are unique, and there is no single solution to the management of ethnic conflict. Practically, this is what occurred in the Transcaucasus and more precisely in Nagorno-Karabakh.<sup>108</sup>

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<sup>108</sup> Dawisha Karen and Parrott Bruce. "Azerbaijan struggle towards democracy". Conflict, cleavage, and change in central Asia and the Caucasus. Cambridge: Cambridge University Press, 1997: 111-114, 141-144.

Appendix

Location of the War	Duration of the conflict	Intensity of the Conflict	Fatality Level of the dispute	Third Parties involved in the conflict:
<p>Armenia is a country located in the Mideast of the continent Asia on 11,600 square miles. Armenia is bordered by Turkey in the West; Azerbaijan in the East; Georgia in the North; Iran and Azerbaijan in the south.</p> <p>Azerbaijan, has an area of 33,440 square miles and is bordered by Russia in the North, Georgia in the Northwest, Armenia in the West, Iran in the South, and the Caspian Sea in the East. It is situated on the western coast of the Caspian Sea, occupying one of the Asian continent's best strategic crossroads between East and West.</p>	1988-1994	High interstate conflict	Military and Civilian fatalities	<p>The U.S, Russia, Turkey and Iran. The United States, Russia, and Turkey, showed interest in creating a stable region without resorting to coercive intervention (war) in the Caucasus since the states in conflict have oil resources; therefore, there is a need to ensure Caspian oil. In that matter, ensuring regional stability becomes a must and calls for third parties intervention.</p>

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