

Conflict in Nagorno-Karabakh: The Azerbaijani perspective on the route to peace

*Since the end of September, the conflict between Armenia and Azerbaijan over the region of Nagorno-Karabakh has been reignited. **Rovshan Ibrahimov** and **Murad Muradov** present the Azerbaijani perspective on the roots of the current escalation and the way forward to a peaceful resolution.*

Between 1988-94, in the shadow of the break-up of the Soviet Union, Armenia and Azerbaijan fought a war within the borders of Azerbaijan. The outcome was the occupation of the enclave of Nagorno-Karabakh – where there was at that time and remains today an ethnic Armenian majority – and an additional seven neighbouring districts surrounding Nagorno-Karabakh where Azerbaijanis had always constituted an overwhelming majority. As a result of the invasion, 600,000 ethnic Azeris lost their homes and became Internally Displaced Persons (IDPs). A further 400,000 Azeri refugees also fled their homes within Armenia to Azerbaijan as a result of persecution.

The debate over the cultural ownership and heritage of Nagorno-Karabakh and the seven occupied territories are today subject to widespread debate – but not widespread appreciation of the historical facts. It cannot be disputed that both Azerbaijani and Armenian, Christian and Muslim history and culture run deep across this region and for over one and a half thousand years. It is perhaps though to be expected that the further the journey is taken back into that history, the further it becomes subject to mythmaking.

Yet wind forward to the 1988-94 Armenia-Azerbaijan conflict, and the facts are much clearer: that balance was broken by the mass eviction of one ethnic group by and in favour of another, with the current ethnic make-up further majoritised by the re-location over the last two decades of tens of thousands of additional Armenians to the occupied territories from Armenia itself. The organised re-engineering of the ethnic balance of these territories was indeed decisively condemned at the time, when in 2005 the Council of Europe's Parliamentary Assembly (PACE) [condemned in the strongest possible terms](#) "large-scale ethnic expulsion and the creation of mono-ethnic areas which resemble the terrible concept of ethnic cleansing" (Resolution 1416).

Negotiation

Negotiations have in theory been taking place ever since the 1994 ceasefire, mediated by the Organization for Security and Cooperation in Europe (OSCE) Minsk Group – co-chaired by the United States, Russia and France, and founded in 1992, while the last conflict was still being fought.

The Minsk Group set out with the good intentions of resolving the conflict within the fundamental framework of the United Nations Security Council resolutions 822, 853, 874 and 884, requiring the urgent withdrawal of Armenian armed forces from the occupied Azerbaijani territories. This has never happened. It is the failure of the Minsk Group process that has directly led to the current conflict.

Essentially this brings to the forefront of the return of the fighting today a fundamental question over priorities for the international community: *what matters most, principles of international law, or the acceptance of de facto situations which are at odds with those principles?*

Territorial integrity vs the 1991 'referendum'

In 1991, some three years before the end of the last conflict, while the war still raged – but after the forced ejection by Armenian forces of hundreds of thousands of ethnic Azeris – an illegal 'independence referendum' was held in Nagorno-Karabakh. The fact that the war was still ongoing and that the only voters were the ethnic majority and their supporting occupying forces should alone be enough to conclusively reject the result. Yet added to that, we can see parallels with the cases of Catalonia, Scotland or Corsica where independence referendums cannot be held without the consent of the Spanish, UK or French governments respectively – these being the legally recognised sovereign countries of which those territories are constituent parts. For the 1991 referendum to have any validity, it required the consent of the Azerbaijan Government, and that consent was quite obviously not given.



Ilham Aliyev, President of the Republic of Azerbaijan, Credit: World Economic Forum (CC BY-NC-SA 2.0)

Referring to Article 72 of the 1977 Soviet constitutional law (which was still in place, with the USSR existent in 1991) the right for unilateral secession was retained exclusively by 15 constituent republics, but not for lower-level administrative entities – and not for Oblasts, of which Nagorno-Karabakh was one.

Even more decisively, on the international stage, not a single UN member state has ever recognised the validity of the vote, with the unsurprising result that the 'Republic' remains to this day unrecognised by any country. Even the Republic of Armenia has not granted recognition to Nagorno-Karabakh, nor sought to publicly contradict this tenet in international law. Additionally, the European Court of Human Rights, commenting in 2015 on the [Chiragov and others v. Armenia](#) case regarding the property rights of Azerbaijani nationals living in the district of Lachin currently under occupation, ruled that Armenia had been exercising effective control over the Nagorno-Karabakh without any legal basis in international law to do so.

The evolving, regressing Armenian position

It is known that the first President of Armenia, Levon Ter-Petrosyan, had a pragmatic view regarding the resolution of the conflict. Ter-Petrosyan clearly understood the future prospects of Armenia – landlocked without direct sea access, and without an abundance of natural resources – were limited without better relations with its neighbours. To improve them he sought better relations specifically with Azerbaijan and Turkey, seeking Armenia's participation in regional infrastructure projects, including the transportation of energy resources.

Despite the fact that Ter-Petrosyan actively participated in the negotiations to resolve the conflict, the growing presence of nationalists in the Armenian government who publicly supported Nagorno-Karabakh separation and separatists stymied his attempts at resolution. When in 1998 Ter-Petrosyan was forced to resign, that initial progress went with him.

Hopes were again raised twenty years later with the 2018 election of current Armenian Prime Minister, Nikol Pashinyan, brought to power on the wave of the 'velvet revolution' – a nationwide mass protest movement against institutionalised corruption, lack of freedoms and economic stress.

It was widely expected by the international community that Pashinyan would be an ally in supporting the negotiations, held in the preceding years between Azerbaijan and Armenia with the mediation of the Minsk Group, which had led to what is known as the 'Madrid Principles'. These state that the seven occupied regions adjacent to Nagorno-Karabakh should be liberated and restored to Azerbaijani control, a corridor should be formed between Armenia and Karabakh, and the subsequent status of Nagorno-Karabakh should be determined on the consensual basis of the Azerbaijani and Armenian communities of Karabakh.

It is now clear these hopes have been dashed. Far from being the progressive force that was expected, Pashinyan has sabotaged the process by demanding the inclusion of representatives of the unrecognised 'Nagorno-Karabakh Republic', to the dismay of the three national co-chairs of the Minsk Group. Further regression to a nationalistic position was evident in abundance when Pashinyan visited Karabakh and surprised observers with his public declaration that "Karabakh is Armenia".

The way forward

At a time of armed conflict, against the tragic background of thirty years of invasion, occupation, and resistance, it requires both vision and courage to work toward a better future beyond the battlefield. Yet the core principles on which that future can be built are well known. They are the principles that have been the Minsk Group's basis for negotiations for nearly three decades; they reflect the UN Security Council's resolutions, as well as the positions of countless international bodies – from the UN's own General Assembly to the European Parliament; and they, inevitably, would result in the withdrawal of Armenian forces from Azerbaijan.

With that in place, the region can and must return to its true multi-faith, multi-cultural and multi-ethnic character. Clearly this will not be easy. But it is possible: already an example exists in today's Azerbaijan itself – where ethnic Azeris live with some 30,000 Armenians (not including those in the occupied territories), Russians, Turks, Lezgins, Avars, Talyshs, Georgians, Tsakhurs and more. Azerbaijan's leadership has made it clear what is on offer.

The legitimate ethnic Armenian population will be fully recognised and protected as citizens of Azerbaijan, and they will be joined by those of their former ethnic Azeri neighbours who choose to exercise their right, as refugees, to return. Homes, towns and villages razed to the ground both by previous conflict, and today's, must be rebuilt. The horrors of a grey state, existing outside the norms of international law, can be addressed: environmental abuses and drug trafficking – well-documented under the occupation – must be tackled, and cease. The future holds a promise for economic, cultural and environmental renewal in this remote mountain region, a renewal whose positive effects will be felt far beyond.

Armenia's tragedy is that it has been painted by the rhetoric of its leaders into an impossible, indefensible corner. The country's leadership bears a heavy responsibility – but particularly the Pashinyan administration – when it had the open opportunity to set a new course that would both address injustices in the occupied territories and the economic fears voiced in the mass protests that brought Pashinyan to power in Armenia itself.

The current position of regression into nationalistic extremism is both economically and militarily indefensible. Inevitably, for Pashinyan and his government this is a truth that must – sooner or later – be aired publicly with his own populace: not doing so would likely lead to a heavy price being paid at the ballot box. It is an unenviable choice, to be sure. Yet the faster the facts and fiction are separated and the reality of Azerbaijan's legal ownership and offer to build something better for both countries is acknowledged, the sooner the conflict can end and a better life can begin.

Note: This article gives the views of the authors, not the position of EUROPP – European Politics and Policy or the London School of Economics. Featured image credit: [World Economic Forum \(CC BY-NC-SA 2.0\)](#)
