Nagorno - Karabakh - a conflict lasting for more than three decades

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Abstract

Since the beginning of 1988, there has been a conflict between Azerbaijan and Armenia over the disputed Nagorno-Karabakh region. It grew out of the interstate conflict, and since the beginning of the 1990s and the collapse of the Soviet Union, it has an interstate dimension. Although the conflict culminated in the war between 1992 and 1994, after which a peace agreement was signed, it was never fully concluded, but further escalated with the four-day war in 2016, as well as the war in 2020. The international community is involved in resolving the conflict through the Minsk Group of the Organization for Security and Co-operation in Europe. For more than two decades, the Minsk Group, co-chaired by the Russian Federation, France, and the United States, has been involved in the Nagorno-Karabakh conflict resolution process, but no final solution has been reached. The paper describes the conflict between Armenia and Azerbaijan over Nagorno-Karabakh, as well as numerous attempts by the Minsk Group to finally resolve the conflict, concluding that, although described as “frozen”, the conflict is fluid, dangerous and can escalate at any moment.

1 The term “frozen” refers to a situation in which the war ended, but where the peace agreement did not lead to a final solution that would satisfy the conflicting parties.
Introduction

The area known as Nagorno-Karabakh has been the subject of debate between Azerbaijan and Armenia for many years. Although located within the territory of Azerbaijan, it is under Armenian control.\(^2\) The conflict over this disputed area began a few years before the states gained independence from the Soviet Union in 1991, growing from an intra-state to an inter-state conflict. Unfortunately, even after more than thirty years, no final solution has been reached on Nagorno-Karabakh. Although numerous peace agreements have been concluded over the years, the violence has never wholly stopped, and tensions remain very high. Negotiations in which the conflicting parties participated did not lead to a final solution, and numerous ceasefire violations have occurred in the area of conflict over the years.

In order to reach a final solution to the conflict in Nagorno-Karabakh, the Minsk Group was established by the Organization for Security and Co-operation in Europe in the early 1990s. The group, chaired by the United States, the Russian Federation, and France, organized a large number of meetings between the leaders of Azerbaijan and Armenia, at which they presented their proposals for resolving the conflict, but the conflicting parties did not accept any.

The aim of this paper is to present the scope of the conflict itself, as well as the role of the international community in resolving it, starting from the assumption that the proposals made by the international

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community did not contribute to reaching a final solution acceptable to both parties. Such developments have caused numerous violations of peace agreements and ceasefire over the years, suggesting that it will be long before the Nagorno-Karabakh dispute is finally resolved.

Crisis escalation

After Azerbaijan and Armenia fell under Soviet rule in the early twentieth century (the Red Army entered Baku in April 1920\(^3\), while Soviet rule in Yerevan was established in November of the same year\(^4\)), a political struggle for Nagorno-Karabakh began after the predominantly Armenian population Nagorno-Karabakh, against its will, was annexed to Azerbaijan by the Soviet authorities. Although at first, it seemed that the situation was beginning to turn in Armenia’s favor, after the decision to transfer Nagorno-Karabakh to Armenian rule was made on December 2nd, 1920, the Azerbaijani leadership soon changed its mind and began making new efforts to establish control over Nagorno-Karabakh. Four months later, a Friendship Agreement was signed in Moscow between the Soviet Union and Turkey, which included, among other things, a provision on the transfer of Nagorno-Karabakh to the rule of the Azerbaijani SSR.\(^5\) After this decision, the Bolsheviks convened a seven-member commission for the South Caucasus, the so-called Kavburo, whose members voted on July 4th, 1921, to include Nagorno-Karabakh in the Armenian SSR\(^6\), but the next day the Azerbaijani leadership protested against this decision, so Kavburo then modified it and agreed to stay in Nagorno-Karabakh in the Azerbaijani SSR.\(^7\)

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Despite the decision to remain part of the Azerbaijani SSR, the status of Nagorno-Karabakh was still not fully resolved in the early 1920s. Finally, by a decree from Baku on July 7th, 1923, a decision was made to grant the region the status of an autonomous region within Azerbaijan, despite complaints from the Armenian side. A month later, the autonomous region’s capital was moved from Shusha to Khankendi, and the city was renamed Stepanakert. The autonomous region of Nagorno-Karabakh was officially proclaimed in November 1924.

As a result of such a decision, the Armenian elites continued to try to turn the situation in their favor and persuade Moscow to hand over Nagorno-Karabakh to the Armenian SSR. After the dissolution of the Transcaucasian Federation in 1936, Nagorno-Karabakh was further distanced from Armenia, and the only administrative contact between them was now the fact that they both belonged to the Soviet Union. All attempts to unite Nagorno-Karabakh and Armenia during that period were suppressed and will remain so throughout the existence of the Soviet Union until the end of the 1980s, when the crisis escalated.

Namely, at the end of the 1980s, especially with the reforms of the then Soviet President Mikhail Gorbachev, better known as Glasnost and Perestroika, a new, more open atmosphere was created in which it was safer to express one’s demands. Thus, in August 1987, the Armenian Academy of Sciences prepared a petition, with hundreds of thousands of signatures, requesting the transfer of the Nagorno-Karabakh region to the Armenian SSR. Further demands for

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11 It existed from 1922 to 1936, and consisted of three Soviet republics: Armenia, Azerbaijan, and Georgia.
the unification of Nagorno-Karabakh with Armenia are beginning to multiply on this petition.

A few months later, in February 1988, at an extraordinary session of the Supreme Council of the Gorbo-Karabakh administrative region, an appeal was sent to the Supreme Council of Armenia, Azerbaijan, and the Soviet Union with a petition to transfer the region from the Azerbaijani SSR to the Armenian SSR. After the expected changes did not occur, the Karabakh Armenians established the National Council in August 1989 and reaffirmed their goal of unification with Armenia, to which consequent skirmishes between armed gangs became the rule rather than the exception.

After Azerbaijan and the Soviet Union rejected another request for the annexation of Soviet Armenia with the Nagorno-Karabakh region, the so-called miatsum, the Armenian parliament decided on December 1st, 1989, to unite Armenia and Nagorno-Karabakh. Azerbaijan responded to such developments with even more radical measures, prompting numerous bloodsheds and ethnic cleansing of Armenians in Azerbaijani cities, first in Sumqayit, then in Kirovabad and Shamkhor, and later in Baku, and throughout Azerbaijan wherever there were Armenians.

Following the declaration of independence of most of the republics of the Soviet Union, on September 2nd, 1991, the Karabakh National Council declared the independent republic of Nagorno-Karabakh. Namely, the rights of the newly formed states were adopted by a special law, according to which the peoples of the former Soviet

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14 Miatsum is a concept and slogan used during the Karabakh movement in the late 1980s and early 1990s, which consequently led to the war in Nagorno-Karabakh, which lasted from 1992 to 1994. The idea arose among Armenians, who were dissatisfied with the fact that the area, inhabited mainly by Armenians, remained under the administration of Azerbaijan and demanded its transfer to Armenia.
Union have the right to unite into a state through a referendum, which Nagorno-Karabakh itself intended to use in the end. Thus, on December 10th, 1991, in the international community’s presence, a referendum was held in Nagorno-Karabakh, which was attended by 82.2% of the total number of voters, and 99.89% of those participants voted for independence. While in the earlier phase, Armenians from Armenia and Karabakh Armenians advocated an alliance of the two entities under the rule of Yerevan, the situation changed after the declaration of independence, and Karabakh Armenians advocated an independent state.\textsuperscript{18} Armenia supported the right to self-determination of the Karabakh Armenians, according to which the Armenian government was no longer responsible for their actions, nor could it impose any policy on them.

In addition, the collapse of the Soviet Union led to the loss of the only factor that could keep the situation in Nagorno-Karabakh under control. When Azerbaijan and Armenia gained independence, the borders they had within the Soviet Union became international borders, and the intra-state conflict turned into an interstate, a conflict of two sovereign states.\textsuperscript{19} With the withdrawal of the forces of the former Alliance, although an independent republic, Nagorno-Karabakh has become the scene of conflicts between Armenia and Azerbaijan, which have escalated into a real war over the years.

\textsuperscript{18} Uzer, Umut, \textit{Nagorno-Karabakh in Regional and World Politics: A Case Study for Nationalism, Realism and Ethnic Conflict}, \textit{Journal of Muslim Minority Affairs} (2012.), 250.
\textsuperscript{19} Shaw, Malcolm, \textit{The heritage of States: The principle of “uti possidetis juris” today}, \textit{British Yearbook of International Law} (1997.), 75.
Armed conflicts

One of the events that further contributed to the escalation of war conflicts in Nagorno-Karabakh refers to the expulsion of the population from the two countries. Azeri, who at that time lived in Armenia, about 300,000 of them, were forced to escape from the Armenian SSR as a result of growing anti-Azerbaijan feelings by Armenia. On the other hand, these events followed the expulsion of Armenians from Baku and other Azerbaijani cities and villages.²⁰

After the collapse of the Soviet Union, the conflicts between Armenia and Azerbaijan around the area of Nagorno-Karabakh became more and more frequent, and Armenians in early 1992 decided all their energy to the region of Agdam, the main Azerbaijan settlement in the east of the Nagorno-Karabakh, as well as the regions of Fuzula and Jabrayil, the south and southeast. Within a few days, the massive attack on Agdam pierced Azerbaijan's defense, and soon, the whole area was under her siege. After a long siege and heavy fight, Armenians took the city, and the civilian population was forced to flee.

Soon after the siege of Agdam, Armenians concentrate troops on the territories of Fuzuli and Jabrayil. Fuzuli was strategically immensely important for Azerbaijan, given that the same represents the entrance to the belt of the territory that passes south of the Nagorno-Karabakh and stretches through the Armenian border with Iran in the south. The offensive did not last long, and Armenians further assumed control over the Lachin corridor, connecting Armenia with the Nagorno-Karabakh. Although before the end of 1993, Azerbaijani forces initiated a major counteroffensive, they were soon stopped and forced to withdraw.

²⁰Kruger, The territorial Status of Nagorno-Karabakh, 15.
After it became clear that the war was impossible to stop without the involvement of a third party, the Russian Defense Minister announced a ceasefire in May 1994. Thus, the Ministers of Defense of Armenia and Azerbaijan, as well as the head of the Ministry of Defense of the Armed Forces of Karabakh Armenians, signed an agreement on the ceasefire on May 12th, 1994, in Bishkek, the main town of Kyrgyzstan, ending the war in Nagorno-Karabakh. The area of Nagorno Karabakh has fallen under the Armenian government, which also assumed control in seven Azerbaijan provinces that were used as a buffer zone around the enclave.21

In the years that followed after the peace deal of 1994, Armenia and Azerbaijan still considered each other enemies. The conversations in which the conflicting sides were involved were not successful, and in the conflict zone, numerous ceasefire violations have occurred over the years, and the worst violent conflict during that time is undoubtedly the four-day war, which broke out in April 2016.22

The conflict broke out on April 2nd and ended on April 6th. It is not surprising that the ceasefire was actually pretty unstable at the beginning of 1994 and did not find the appropriate and final political solution for Nagorno-Karabakh.23 Namely, on several occasions, directly or indirectly, Azerbaijan threatened with pulling out of the negotiations due to dissatisfaction with its status quo, even during the negotiating processes. Ultimately, Azerbaijan decided on the war option, thanks to which it managed to take over some areas under the occupation of Armenian troops. The ceasefire was reached on April 6th, 2016, with Moscow mediation, but still without a final and persistent solution for Nagorno-Kara-

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23 Lorusso, A deepening and widening conflict: the Nagorno-Karabakh dispute and the regional context. 1.
bakh.\textsuperscript{24} Although they initiated it, Azerbaijan ultimately suffered severe losses for relatively small territorial gains. They also failed to change the status quo in the region and lost too many soldiers and military equipment.

Although the armed conflict in 2016 was successfully stopped, there were still tensions between the two countries around the Nagorno-Karabakh area. Moreover, it was of strategic importance for Armenia and Azerbaijan to achieve the final solution of this dispute, but no party was ready for the concessions and loss of territory but thought that the solution could only be achieved by the military route. Thus, Armenia attacked Tovuz on July 12th, 2020, located outside the Nagorno-Karabakh region, which is of strategic importance for Azerbaijan since it is located on the intersection of the primary energy transport routes. The attack was one of the largest and deadly clashes since the escalation of the crisis in April 2016. Conflicts in Tovuz caused an increase in nationalism and patriotism in Azerbaijan, which led to street protests and unseen pressure on the government to continue military actions for the return of occupied territories in Nagorno-Karabakh. After mass protests, which started on September 27th, Azerbaijan, Armenia, and Nagorno-Karabakh proclaimed the war and recovered their troops.\textsuperscript{25} In September 2020, Azerbaijan managed to regain occupied areas,\textsuperscript{26} and after six weeks of bloody armed conflict, the Russian Federation again mediated the truce between Armenia and Azerbaijan. With the presence of the Russian Federation president, the President of Azerbaijan, and prime minister of Armenia signed the Peace Agreement on November 10th, 2020, which ended the fights on all the battlefields.

The conflict between Azerbaijan and Armenia around the controversial area of Nagorno-Karabakh, when it broke out for the


\textsuperscript{25} Russell, Martin, \textit{Armenia and Azerbaijan on the Brink of War}, European Parliamentary Research Service (2020.).

\textsuperscript{26} Ayca, Ergun, Valiyev, Anar i Dergisi, Panorama, \textit{An Account on Karabakh War: Why Now and Then What?} (2020.), 2.
first time in the early 1990s, was considered for a certain period, an internal conflict, consequently as the international community involved only subsequently. After seeing that the state conflict will not solve itself peacefully, the organization for European security and cooperation\textsuperscript{27} has established a group of Minsk,\textsuperscript{28} which has organized numerous meetings between the presidents of Armenia and Azerbaijan over the years aim of achieving a final solution in Nagorno-Karabakh. Unfortunately, the group was not successful in achieving its goal, and the only Russian Federation, as one of the co-chairs, mediated in solving war conflicts and achieving a truce.

\textsuperscript{27}In fact, it is the Conference on European Security and Cooperation, under which the Organization for Security and Cooperation in Europe operated until 1994.

The role of the Minsk Group in solving the conflict

The Organization for European Security and Cooperation established a group of Minsk in 1992 to encourage peace negotiations to resolve conflicts in Nagorno-Karabakh. In the mandate of Minsk, the Nagorno-Karabakh, with a document adopted at the summit in Budapest, gained the right to participate in the negotiations as an additional participant. However, regardless of the adopted document, the status of the Nagorno-Karabakh was still viewed from a different perspective of Armenia and Azerbaijan. Azerbaijan still refused to talk directly to the officials of the Nagorno-Karabakh, while Armenia, on the other hand, insisted that Azerbaijan and Nagorno-Karabakh were two original participants in the conflict, and accordingly, the same must be solved.

After the co-chairs of the Minsk Group were enthroned in Lisbon in 1996: Russian Federation, France, and the United States, proposals were prepared to achieve the final solution, which included the following points: the release of seven Azerbaijan occupied regions and the regulation of the status of Nagorno-Karabakh. All proposals included the principle of territorial integrity and for Armenia and Azerbaijan and the legal status of Nagorno-Karabakh based on self-determination. In this way, Nagorno-Karabakh was awarded the highest level of self-government within Azerbaijan and guaranteed the security of the entire population. The main reason for the objection by Armenia was the territorial integrity of the Nagorno-Karabakh, who, according to these proposals, re-

32 Abilov, Shamkhal, OSCE Minsk Group: Proposals and failure, the view from Azerbaijan, Insight Turkey (2018.), 143.
mained in Azerbaijan, as consequently the proposed principles, due to Armenian opposition, remained the dead letter on paper.

A year later, the chairmen of the OSCE Minsk Group put forward a new proposal based on a gradual resolution of the conflict. The proposal concerned the withdrawal of Armenian troops from the Nagorno-Karabakh region, the return of displaced persons, the deployment of peacekeepers in the occupied territories, and a discussion on the final status of Nagorno-Karabakh. The first proposal, submitted in June 1997, was called a “business package”, while the second, proposed in September 1997, was called “step by step”. While the first proposal called for an agreement on the final status of Nagorno-Karabakh, the step-by-step proposal focused on a peace agreement, the withdrawal of armed forces from occupied territories, the return of displaced persons to their homes, and the normalization of relations between Armenia and Azerbaijan, including the reopening of trade and communication links. This approach was not acceptable for Armenia, which did not want to risk the gains of the war so far and did not agree with any of the proposals.

After the proposals, presented in 1997, did not achieve any concrete results, the United States of America launched direct negotiations in Washington launched direct talks between the presidents of Azerbaijan and Armenia, which the Minsk Group approved, however, no concrete results have been achieved here either. Negotiations at the level of Azerbaijani and Armenian foreign ministers resumed in Prague on April 16th, 2004, after which, between 2004 and 2005, the two countries’ ministers held eleven meetings to discuss the details of a new version of a peace plan for resolv-

36 Askarov i Matyok, The Upper Karabakh predicament from the UN resolutions to the mediated negotiations: Resolution or hibernation?, 156.
ing the conflict. Although the deal seemed imminent in early 2006, subsequent meetings between the two presidents ended in failure, including the Rambouillet peace talks in early February 2006 and the Bucharest meeting in June 2006. A new attempt to resolve the situation in Nagorno-Karabakh within the Minsk Group is visible in the form of conducting negotiations at the OSCE Ministerial Council in Madrid in November 2007. The so-called “Madrid Principles”, adopted by the said Council, were to serve as a formula for negotiations. The Madrid Principles thus referred to the return of the Nagorno-Karabakh region to Azerbaijani rule and the withdrawal of Armenian troops from Azerbaijan; the establishment of temporary status for Nagorno-Karabakh, which would ensure its self-government and passage to Armenia; determining the final status of the Armenian population in Nagorno-Karabakh by referendum; the right of all displaced persons and refugees to return to their former places of residence, and international security guarantees that would include a peacekeeping operation.38

In December 2009, a joint statement was adopted by the Minsk Group Co-Chairs and the Foreign Ministers of Armenia and Azerbaijan, in which they reported on progress in reaching a common understanding of Madrid’s principles and expressed their countries’ readiness to work on remaining outstanding issues. Unfortunately, the issues have not been resolved, and even these attempts have not yielded a final solution.39 A year later, at a meeting in Astrakhan in late October 2010, with the help of the Minsk Group, a very significant step was taken in improving the relations between the conflicting parties. Namely, the presidents of Armenia and Azerbaijan agreed to exchange prisoners and allow the return of the remains of the dead. The importance of respecting the principle of peaceful resolution of conflicts

through diplomatic and political means was also emphasized at this meeting.40

Despite all the attempts as mentioned above by the Minsk Group, a final peaceful solution to the Nagorno-Karabakh conflict has not yet been reached. One of the reasons for the difficulties in finding a final solution is often the different interests that key international and regional actors have in this area, and frequent armed conflicts further burden the work of the Group. An additional reason for the failure of the Minsk Group is the fact that almost all talks were conducted exclusively through it, and there were few independent contacts between the leaders of Armenia and Azerbaijan. Namely, such a mechanism has several weaknesses, such as the fact that the Group meets at rare moments rather than intensively; how the intensity of the conversation is usually of a medium level and no maximum is given to achieve the ultimate goals; how it takes place between the three sides (France, the Russian Federation, and the United States), which consequently often leads to disagreement. The conflicts, which erupted in 2016 and 2020, were, among other things, a message to the Minsk Group that it should intensify its efforts to mediate and reach a final solution. Although a renewed escalation of the conflict was expected to bring the parties to the negotiating table and increase the activity of the Minsk Group, in the end, only the Russian Federation was active in resolving the conflict.

The fact that the Nagorno-Karabakh problem is still unresolved poses a grave threat to the security of the entire region, as well as a heavy burden on its overall political and economic development. Progress towards a peaceful solution to the conflict remains a precondition for the normalization and improving relations be-

40 Jović-Lazić, Jelisavac-Trošić, i Jazić, In the light of bilateral relations of OSCE Minsk group member countries, 590.
between Armenia and Azerbaijan. Although the Minsk Group has been successful as a mediator, over the years, it has failed to bring closer the views of the conflicting parties, who both expected to gain “all or nothing” through negotiations. In other words, the Minsk Group lacked an effective approach that would lead to the acceptance of a solution in which neither side would be either a loser or a winner in its entirety. Based on all the above, it can be concluded that, despite the failure of the Minsk Group to reach a final solution, there is still an obligation to act in order to ensure conditions for peace and stability in Nagorno-Karabakh, and it must continue to operate.
Conclusion

The Nagorno-Karabakh region has been the center of the conflict between Armenia and Azerbaijan for many years. It represents the most violent prolonged ethnic conflict, dating back to the turn of the century and the establishment of the Soviet Union. After years of dependence on Moscow and suppression of the problem, with the collapse of the Soviet Union, the states returned to the old tensions and conflicts, which resulted in the wars of 1992, 2016, and 2020. In order to resolve the conflict in Nagorno-Karabakh, the Minsk Group was established within the Organization for Security and Co-operation in Europe. Although the Group has made a number of proposals over the years, no final solution has been reached to date.

It can be concluded that the third parties involved in this peace process are not contributing to a final peaceful solution. The so-called “negative” peace, which was achieved in the Nagorno-Karabakh region, only seemingly resolves the situation, which at any moment can produce new waves of violence that will lead to the resumption of war. It is indisputable that such a situation, where there is no war, but no final peace, will not last forever. The Minsk Group, despite its failure, must continue to operate and offer solutions to the situation in Nagorno-Karabakh. Only a peaceful solution can be reached, and as long as the conflicting parties are not ready for it themselves, the participation of a third party is needed.
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