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ARMENIAN-AZERBAIJANI CONFLICT SETTLEMENT SEEN THROUGH THE EUROPEAN

In this case, the author let slip knowingly the term "Nagorno Karabakh conflict" due to the fact that the inner content of this clash between the two States is larger and historically deeper than the mere struggle of Azerbaijan with Karabakh separatists. There is the acknowledged Armenian aggression against an independent State which resulted in the occupation of 20% of the latter's lands. The international Armenian community has played and is still playing a giant ideological, organizational and financial-material role in the Karabakh cessation movement as well as in aggressive and occupying acts.

Spanning its historically accurate period, this conflict dates back to the times of the liquidation of the Albanian Church Autonomy with the assistance of the Russian Tsarist government and the subsequent deletion of the Church of Caucasian Albanians by a full-scale extermination of their language, culture and historical memories (maps, archives, cultural and material artifacts). To put it more mildly, it has been the falsification of their history and the history of Azerbaijani Statehood in the period of Safavi (1502-1736) and Kajar (1737-1925) States. These semi-independent or factual full decades of independent institutions (such as beglerbeylikler, khan-

* The Führungsakademie der Bundeswehr (FüAkBw) is the highest military academy of the German armed forces, the Bundeswehr. Established in 1957, and since 1958 located in Hamburg, it is the successor of the Prussian Military Academy that was established in 1810.

lyglar, sultanlyglar, jamaatlar others) have existed throughout the centuries in the territory of modern Azerbaijan and Armenia.

The memories of Azerbaijanis and Armenians, historical documents and archives from many countries, as well as the scientific research of scholars with different national backgrounds have recorded the authentic history of the mass resettlement of Armenians in the territories of the Azerbaijani state entities at the end of the XVIII – the middle of the XIX centuries. This happened thanks to the direct orders of the Tsarist Court of the Russian Empire as it faced militarily the State of Kajars and the Ottoman Empire prompting the entry of fresh new territories from the Trans-Caucasus. To boost "the Christian element" in Azerbaijani khanlyglars conquered or "peacefully" annexed by the Tsarist government, the settlement of thousands of Armenians from the Kajars' State (modern Iran) and the Ottoman Empire to the South Caucasus region has been organized and "sponsored" duly. There is plenty of official, literature and other documents proving this officially regulated informal settlement, as well as privileges granted to these settlers. Before that process, Armenians had been represented in these territories and the Russian Empire mainly as "the merchant element" this being quite active "Armenian" capital.

Until the Russian revolution in 1917, there were no serious diplomatic plans to create an Armenian State in the territories of the former Azerbaijani State. European powers and the US had constantly regarded the territory of the Ottoman Empire or the region of Middle East as a good place for the creation of an Armenian autonomy or State. For example, according to the idea of T. W. Wilson (1856 - 1924), the 28th President of the United States, the Armenian Statehood entity could be established in the Northern-Eastern provinces of the Ottoman Empire with a 100 kilometer long access to the Black sea. However, the Ottoman Empire and more importantly its European allies did not agree on that issue. The same can be said about the decree of the Soviets of the People's Commissioners of RSFSR (dated 31 December 1917) related to the free self-determination of "Turkish Armenia". The creation of an Armenian State in the territory of Turkey, and not Russia could meet easily the strategy of the then Moscow revolutionaries.

In the creation of their own State, Armenians are thankful to the

democratic revolution in Russia, Trans-Caucasus Seim created under US influence, Trans-Caucasus Commissariat, Trans-Caucasus Democratic Federal Republic and the first ever democratic State in the Muslim populated country – Azerbaijani Democratic Republic. When at the end of May 1918, Trans-Caucasus Seim has ended its existence, three independent republics were proclaimed in Tbilisi – Azerbaijan, Armenia and Georgia. On the 29th of May 1918, the very next day after this proclamation of its independence, the Azerbaijani Democratic Republic guided by the principles of good neighborhood and taking into account the appeal of the Armenians conceded to give a part of Irevan uezd, including the city of Yerevan to be the capital of the Republic of Armenia which did not have any territory or capital in accordance with international law of that period. This is explained by the willingness of the Azerbaijani side to solve this issue so vital for both the Armenian and Azerbaijani people, jointly in the spirit of co-operation in difficult times to create and enable independent states. It is evident that the main precondition for this move should be the rejection by Armenians of their claims to have a part of Yelizavetpol province, e.g. Karabakh.

Since those times, the clear and hidden territorial expansion of the Armenian State started as the basis of their aspirations to set up, a mono-ethnic State. This expansion accompanied by the mass resettlement of Azerbaijanis from Armenia had continued also in Soviet times and reached its apex in the secessionist movement of Armenians from Karabakh, the military aggression against Azerbaijan and the occupation of a large part of the latter's territory. Following the end of World War II Armenia presented its territorial claims also against Turkey. The most precious assets in any State are its people and the territory: all others can be generated on the basis of these values. It is an outrageous injustice when one State takes away more than 20% of the territory of another State and expels its local population under the threat of death in front of the entire world and against all international agreements and law. Even in such cases, all international communities represented by the United Nations and its affiliated bodies, the European Union and its structures do not undertake any serious measures to punish aggressors or restore international law while limiting their efforts only by adopting decisions and resolutions. It is obvious that other countries do think also "to redraw" boundaries and territories at the

expense of their neighbors while others fulfill this mission openly not fearing about the "grave" consequences, in particular (the proclamation of "independent" South Ossetia etc.) Separatists and Armenian aggressors already run their economic activities in occupied Azerbaijani territories; we see the growing new generation considering these lands as their own independent State. As long as this lasts, this status of "neither war nor peace" between Azerbaijan and Armenia, the restoration of international law and the peaceful settlement of the conflict will be more difficult.

Unfortunately, the public opinion of Europe as reflected in the mass media and revealed by the author in the result of many declarations, has shown weak interest in the Nagorno Karabakh problem, seeing it as the separatist problem of a breakaway territory with self-declared independence. Europeans are more interested in relations between the Armenians and Azerbaijanis in light of aggression by Armenia against Azerbaijan and the occupation of 20% of its lands. There is a forming impression that public opinion thinks Nagorno Karabakh is a solved problem which needs only the completion of legal formalities. This is the result of disregarding the policy of the EU, which concedes to separatists or limits itself by admonishing declarations (Kosovo, Abkhazia, South Ossetia are the clear examples of this move seen in recent years). Besides that, the issue on the seven regions of Azerbaijan occupied by Armenia is on a somewhat background plan. Instead of the immediate and unconditional withdrawal of the aggressor from these lands, the deal about the fate of those regions is being interpreted by some groups of pro-Armenian interests as the preamble for the settlement of the problem of separatist Karabakh.

Many EU politicians and the overwhelming majority of ordinary European citizens do not see or do not wish to notice that besides the two main sides of the conflict – Armenia and Azerbaijan jointly, with a third incoming side (separatists of Nagorno Karabakh), there is also a fourth side which has significant (propaganda, organizational, financial and other) resources – the world Armenian Diaspora. Many EU politicians disregard also the existence of indirect, but influential sides behind one side of the conflict (Russia, the US and others). Such politicians also rely on the sympathy felt by the majority of Europeans towards Armenians as "the ancient

cultural nation". However, few people in Europe know about such Azerbaijani Statehood entities as the ancient States of Midiya, Manna, Antropatena and definitely, Albania as well as the State of Safavis and the khanlyglars which have existed for many centuries.

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This situation is mainly explained by the fact that the majority of European politicians are barely concealed supporters of the superiority of the Euro-Atlantic culture, political system and civilization (including the US and Canada, besides the EU) over all others. They treat Armenians as their "own" and Azerbaijanis as "barely close to them". Obviously, they understand that Armenia is the aggressor, but it is "their own" aggressor due to its culture and religion (now, there are rumors about claims to Samtskhe - Javakheti). On the other hand, the extent of hypocrisy and so-called political correctness is overwhelming amongst the majority of European politicians. Therefore, they are reluctant to call Armenia the aggressor due to the tragedy incurred by the Armenians in the Ottoman Empire at the end XIX and early XX centuries. Truly, it is unclear why this issue is to be dealt with by the Turkish Republic and the Republic of Azerbaijan which did not exist at that period. Many European politicians "look constantly back" at the US and its old tradition of "the politically correct" attitude to Israel.

Significant numbers of European politicians as well as the majority of ordinary citizens continue to underestimate the dangers stemming from local conflicts in the South Caucasus of the European Union. Politicians and mass media focus their attention to the problems of Afghanistan, Iran, Iraq, North Korea, even Venezuela and others. Indeed, one can presume that these countries are neighboring the EU and not the South Caucasus. And these threats posed by local conflicts in the South Caucasus to the energy security of Europe, have been demonstrated recently and fully by the Russian – Georgian war (August 2008). Till recent times, it has been widely understood that the US and Russia could overcome any dangers jointly or even separately incoming from local Caucasian conflicts. They might be

able to cope with this problem, but what about Europe?

Peaceful settlement of the conflict, by satisfying the interests of all involved parties via rational compromises, not insulting any of the sides and reflecting the existing legal realities is neither fantasy nor good intentions in spite of the strategic interests of the Russian Federation in Armenia and those of the European Union and the US in Azerbaijan. Azerbaijan and Turkey enjoy the exclusive importance in the diversification of energy supplies from the Caspian in a Western direction. Furthermore, differently from Turkey, Azerbaijan does not have intentions to enter into the European Union and its transit functions can be regarded as quite neutral ones, vis-à-vis to the EU. Azerbaijan plays an increasingly important role in the energy security of the EU not only as a transit country, but also as an oil and natural gas supplier. By 2012, Azerbaijan will probably be able to meet 20% of the oil and gas consumption needs of Greece, Italy and the whole of southern-eastern Europe.

If we take into account that Kazakhstan has adopted the strategic decision to complete the construction of the Yeraliyevskiy Port on the Caspian shore (near Kuryk district) which will be able to host tankers with a capacity of 60.000 tons by 2010, then one can predict the drastic increase of transition functions for Azerbaijan in the years to come. Once Turkmenistan decides to supply the major part of its energy resources through the Caspian, the said transit will expand further. These functions, as well as the diversification of energy supplies which are so necessary for the EU in light of the recent (2008-2009) gas crisis between Russia and the Ukraine, can be reliable only after peace is established in the Trans Caucasus and stability is maintained in the States of this region.

The author is convinced that a peaceful and fair settlement of this conflict based on existing international law and rational compromises between interested parties is still possible with the necessary joint efforts of the EU, the US, Russia, Turkey and Iran. For this reason, the involved parties can undertake the following measures.

Azerbaijan

Firstly, Azerbaijan repeals its decision (dated November 1991) about the liquidation of the autonomous status of Nagorno Kara-

bakh. It recognizes the highest possible status of autonomy for Nagorno Karabakh in the framework of its internationally recognized borders and acknowledges also the possibility of creating the Autonomous Karabakh Republic within these frontiers. This autonomous entity could have parallel regulated relations with the central government in Baku as the basis of international guarantees and under international control. For this reason, the newly created state entity can enjoy also other rights: creation of a free trade zone; permanent representation in Baku; veto right for all decisions related to this entity; guaranteed representation in all public institutions of the Republic of Azerbaijan.

Secondly, Azerbaijan guarantees maximum accessibility for transportation, information and cultural links between Nagorno Karabakh, Armenia and Armenian Diaspora.

Thirdly, The Azerbaijani community of Nagorno Karabakh jointly with Azerbaijani refugees from the occupied regions outside Nagorno Karabakh undertakes an obligation to support the said compromised proposals of Azerbaijan.

Fourthly, Azerbaijan does not present any contribution demands to Armenia and the Armenian community of Nagorno Karabakh for the prejudice made by the separatists' military actions and the aggression of Armenia against Azerbaijan. The exception is the cultural values which will be restored at the contractual basis by all sides of the conflict.

Armenian Community of Nagorno Karabakh

Firstly, The Community declares that self-determination of the national Armenian community can be realized in the form of the autonomy proposed by Azerbaijan.

Secondly, Nagorno Karabakh is demilitarized; armed units are transformed into a police force controlled by the administration of Autonomy and the Ministry of Internal Affairs of Azerbaijan. For some period of time, this police force is under the control of international inspectors designated by the United Nations.

Thirdly, Restored or created again, Autonomy will guarantee under international control, the voluntary return of Azerbaijani refugees,

their safety and equality in rights.

Armenia

Firstly, Armenia liberates the occupied territories of Azerbaijan immediately or gradually by separate rayons or regions under international control in accordance with a timetable agreed by Azerbaijan.

Secondly, Armenia recognizes Nagorno Karabakh as an autonomous state entity within the boundaries of Azerbaijan.

Thirdly, Armenia gives up any territorial claims in Azerbaijan.

Fourthly, Armenia is ready to revise the proposals of M.Baghirov made in 1945-1946 and the Gobble plan dated 1994 related to the exchange of territories between Azerbaijan and Armenia.

The possibility to solve the conflict peacefully is boosted by the fact that there are increasing positive moves inside Armenia. During the last presidential elections in Armenia, the former President of this country and presidential hopeful Levon Ter-Petrosian had been commenting on the conflict between Azerbaijan and Armenia in his pre-election campaigns: it is hard and unpleasant to assume the responsibility to stir the emotions about this conflict. Therefore it is necessary to think about financial compensation for prejudice against Azerbaijan. This issue of prejudice is important, but the rapid and unconditional liberation of the occupied lands as well as assuming responsibility for the operations in the past and prevention of further aggressive actions in other lands are more important. In this regard, it would be wise for both sides in this armed conflict to declare officially that they will not prosecute their participants, excluding those who committed war crimes. Parallel to the statements about refusal of contributions, prosecution of organizers and participants of the separatist movement, as well as those who were in armed clashes and did not commit crimes against humanity, we think it would be beneficial for both sides to start promoting public diplomacy and its possible realization. Currently, contacts between the populations of Azerbaijan and the Armenians of Nagorno Karabakh and Armenia are very rare and usually happen in foreign countries.

The author of this article has taken part in such meetings bet-

ween scholars and fine arts representatives in Germany (The European Academy, "Contacts" Public Organization, The Conrad Adenauer Foundation etc.) The main conclusion taken out of these meetings is the following: none of the sides in the conflict wish to have bloodshed again. It is widely known that public diplomacy (meetings between religious dignitaries, representatives of fine arts, science, public non-political organizations, trade unions, stakeholders etc.) is the necessary prerequisite for a peaceful settlement of a conflict. So far, there is an impression that the elite on both sides of the conflict underestimates the potential of such contacts leading to peace, justice and the implementation of the main principles of international law.

The significant role in a peaceful resolution of the conflict can be played by Russia, Turkey and Iran. Without their goodwill, peace and stability in the Trans Caucasus would be impossible. "Stability and co-operation platform in the Caucasus" initiated by Turkey and the latter's efforts to establish diplomatic relations with Armenia can stimulate any move in this direction. The same can be said about the Moscow Declaration signed (on 2 October 2008) by the President of Azerbaijan, Ilham Aliyev and the President of Armenia, Serj Sargsyan. It has also been highly assessed by the President of Turkey Abdullah Gul. This uncertain situation of neither peace nor war between Azerbaijan and Armenia slows down the economic development of the whole region, and Armenia in particular which is excluded from the majority of international economic projects in the area. This situation is not economically viable for all – Tehran, Moscow and Ankara. It is not possible to underestimate the aspirations of Iran to favor the peaceful and fair resolution of the conflict, particularly in light of relations between Tehran and Baku which are not always tolerant of each other.

Activities of the OSCE Minsk Group (US, France and Russia) as well as the work done by OSCE are not cancelled by anyone. However, their efforts in the last decades have not yielded any tangible results towards the peaceful resolution of the conflict based on international law. The only thing that has been attained through these activities: the current status has been maintained while the territories of Azerbaijan are still under occupation and hundreds of thousands of people are expelled from their lands. Can this be

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acceptable for the country subjected to the aggression? The question is a rhetorical one. It even took one decade for the UN to recognize Armenia as the aggressor in this conflict.

In Meiendorf Castle located in a Moscow suburban area (2.11.2008), Presidents Aliyev and Sargsyan discussed the ten principles of the Madrid proposals made by the Minsk Group. The following constitutes the main part of these proposals: a referendum in Nagorno Karabakh and the liberation of seven Azerbaijani regions around Nagorno Karabakh occupied by Armenia. However, it is obvious that this referendum in current circumstances even with the participation of expelled Azerbaijani residents from Karabakh would give negative results for Azerbaijan. As far as the liberation of occupied lands are concerned, there has been no significant step made in this direction by Armenia. On the contrary, lands are being settled; resources are being developed; historical monuments of Azerbaijani culture are being deformed and destroyed. Satellite images prove it very clearly. Many think that the compromises mean humiliation. But in fact, this explains that every man tends to be wise. It is not right to suggest the struggle for ones own interests will exclude the compromises and interests of the rival side. Compromises are a part of our life. In particular, political life and international policy are simply impossible without compromises. But there are other periods and situations when it is impossible to reach a compromise.

One can easily make the conclusion that the previous mediation methods and previous mediators have not been able to accomplish the mission and should be replaced or at least added to (Turkey and Iran, for example). At the same time, the methods of their activities should be corrected significantly. This correction should be mainly linked to the fact that the famous cliché "pro-Western – pro-Russian" is not suitable for Azerbaijan.[1] Azerbaijan is considered

1. S. Markedonov, Price of Issue, Kommersant newspaper № 187 (4004), 15 October 2008.

as "their close ally" in the majority of worldwide capitals. It takes part in pro-Western GUAM and underlines the strategic importance of its partnership with Russia trying to find understanding with Moscow. In spite of independent internal and external policies, Azerbaijan has not been inserted into the black list of "non-democratic" States drafted by the United States. Some structures of the European Union criticize the Azerbaijani political process. But, this country has been included into the program of European Neighborhood Policy. Baku and Astana in our eyes have become the special points in Eurasia where the positions of the US, the EU and Moscow coincide very much. This policy carried out by President Ilham Aliyev, unity of society and increasing might of the State, opens up an objective possibility for Azerbaijan to put more serious pressure on Armenia and the international community about the liberation of occupied lands, territorial integrity and prevention of separatism.

Increasing the role of Azerbaijan in ensuring the energy security of the European Union will "pressurize" further the EU to boost its efforts for the peaceful settlement of the conflict between Armenia and Azerbaijan based on international law. I think that if Azerbaijan puts constantly and more decisively this question, at all levels of world politics, the chances of success will increase. However, the hope for the EU is weak: this Union is the liberal economic tiger which does not have its own military teeth. The decisive role in a peaceful settlement of the conflict between Armenia and Azerbaijan can be played jointly by the US and Russia with comprehensive support from the Turkish Republic and the Islamic Republic of Iran.