Policy Paper

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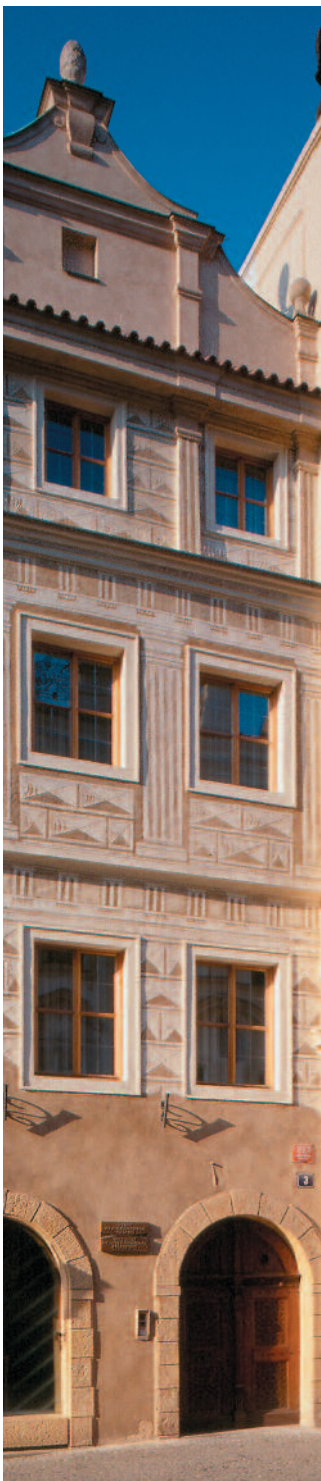
Karabakh's Twenty Years Crisis: The EU Should Do More



SUMMARY AND RECOMMENDATIONS

Twenty years have passed since an armistice in the Nagorno Karabakh conflict was concluded. EU can and should do more to facilitate its resolution.

The Union's security interests are at stake (energy), and it can use the hitherto neglected conflict to boost credibility of its foreign and security policy (CFSP) in the context of the Ukraine crisis which additionally makes the conflict parties (Armenia, Azerbaijan) uneasy of Russia's intentions, a fact that the EU can use to its advantage.

The EU can notably mobilize its comprehensive approach to address the conflict, promote a conciliatory narrative of history and future of peaceful coexistence, and declare readiness to assume peacekeeping tasks under the CSDP.

Twenty years ago, on 12 May 1994, a ceasefire came into effect that ended the war in Nagorno Karabakh. Ever since, uneasy truce exists between parties Azerbaijan and Armenia, parties to the conflict. Inflammatory rhetoric has proliferated; and periodical skirmishes along the line of contact have cost more than 3,000 lives. The EU, while designing an ambitious agenda to create a ring of peaceful and prosperous states in its neighbourhood, has so far eschewed more direct engagement. This policy paper argues that it should eschew it no longer, and outlines how it can do so without excessive commitment on its part.

The Conflict

When the ethnic conflict broke once again between Azerbaijani and Armenians in the late 1980s – it was the third time that century – the result was a bloody war. The (Moscow) centre 'could not hold', and two of the newly independent republics of the South Caucasus wrestled over a piece of mountainous land which is poor on resources but plays a crucial role in the ethnosymbolic narratives from which their modern national identities had been performatively constituted in the Soviet times – Nagorno Karabakh (1992–1994). By the time the Bishkek ceasefire agreement was concluded, Armenia had taken control not only of 92.5% of the former autonomous *oblast* which administratively had once been part of the Azerbaijani SSR (a quasistate Nagorno Karabakh Republic was declared in 1992), but also of seven neighbouring *raions*, carving a *cordon sanitaire* twice the size of the Nagorno Karabakh into Azerbaijan that Armenians have held ever since.

A new geopolitical reality was thus created. The 250km-long 'line of control' now separates the two hostile nations, protected by 20,000 soldiers on each side; 1.5 million people were forced from their homes as a result of the broader ethnic conflict (some 500,000 Azerbaijani fled Nagorno Karabakh and particularly the neighbouring *raions*); and the state border between Armenia and Turkey (Azerbaijani ally) has been closed since 1993, causing Yerevan to incur substantial opportunity costs and increasing its sense of encirclement. (Protocols were signed on reopening of the border during a brief period of *rapprochement* in 2009, but the process of their ratification remains stalled.) After two decades of mediation by OSCE Minsk Group, represented by the *Troika* of U.S., France and Russia (which in the past few years all but dominated the process, while it incidentally also has been arming both parties of the conflict), the peace process is no closer to the conclusion. For the time being, therefore, this geopolitical reality continues to define this part of European neighbourhood, all but preventing regional cooperation and always threatening a 'from ancient grudge break to a new mutiny' scenario. Such scenario would most likely feature an initial conflagration by accident which could however likely move up the escalation ladder due to different perceptions of the parties re-

garding the conflict outcomes, having as a consequence broader instability in the region due to a possible involvement by Russia and/or Turkey, and resulting, among other, in disruption of energy flows to the European markets through the 'Southern Corridor'.

The EU Should Do More... and It Can

A decade ago, the EU set as its objective a creation of secure and prosperous neighbourhood. In the Eastern neighbourhood, it has offered funds and better access to the single market on the condition that partner countries reform politically and economically. Without the membership perspective, however, the offer under the heading of European Neigbourhood Policy (ENP) never seemed to be good enough to make the local political elites bear the substantial costs of transition. Moreover, Russia has weighed in, striving to reclaim its near abroad and prevent its gravitation to the West.

While it has become engaged in the other unresolved ethnopolitical conflicts in the South Caucasus (Abkhazia, South Ossetia), the EU has played only a limited role in the Nagorno Karabakh peace process. True, it has not ignored the conflict entirely. But safe for a few declarations by the Council and the European Parliament, EEAS' floating an idea of 'region without conflicts' as a platform for dialogue, or the support from the EU's Instrument for Stability of the European Partnership for the Peaceful Settlement of the Conflict over Nagorno Karabakh (EPNK), a civil society initiative bringing together five NGOs led by International Alert and organising events focused on the youth and journalists in both countries, it has done little to date to bring about its resolution.

It should. Given the likelihood and negative consequences of the new escalation for its own security in terms of regional instability and interrupted flows of energy), from the EU's perspective more involvement is a small investment that promises to yield a considerable dividend. Moreover, the Karabakh conflict is an opportunity for the EU to show resolve in its foreign policy at a moment of crisis brought about by the development in the Ukraine and start redesigning its approach toward the region where Russia's neighbours once lured by the unresistable temptations of the Eurasian Union (Armenia) or boasting of its independence from one and all (Azerbaijan) may increasingly have second thoughts.

The EU cannot resolve the conflict single-handedly. It cannot make the parties an 'offer they can't refuse'. But it can contribute to the peace process in three practicable ways:

- integrating the issue into its comprehensive approach *vis-à-vis* the conflict parties;
- promoting of what Tom de Waal called the 'third narrative' of the both nations' intertwined histories (and futures);
- and declaring readiness to assume future peacekeeping tasks under the CSDP.

Mobilising EU's Comprehensive Approach

The influence of the EU *vis-à-vis* the parties of the conflict appears to have suffered recently. Armenia was gravitating closer to the EU as a new association agreement and a deep and comprehensive free trade agreement (DCFTA) were foreseen to be initialled at the Eastern Partnership summit in Vilnius last November; but it was forced to change its mind. However, Yerevan has no intention to be swallowed by the increasingly imperialist and revanchist Russia, and could now more than ever be willing to reconsider the benefits of a more open approach on the Karabakh conflict. The EU should do its best to support such possible development.

Regarding Azerbaijan, energy relations are becoming ever tighter. But the EU should recognize that this indeed increases the mutual dependence between the two, but in an asymmetrical way *favourable* to the EU rather than the other way around, despite the public affairs companies hired by Baku's convincing.

The EU could make better use of the leverage it has to stimulate positive steps by the parties by combining carrots and sticks in its 'comprehensive approach' arsenal. These steps include, above all:

- ensuring unimpeded access of the EU representatives to Nagorno Karabakh;
- putting in place much needed CBMs on the line of control (like incident investigation mechanisms, in principle agreed by the parties);
- tempering the belligerent rhetoric on both sides and actions increasing the tension on the part of Azerbaijan (e.g. statements on restoring territorial integrity immediately followed by military exercises near Nagorno Karabakh);
- conciliatory measures on the part of Armenia that would make Baku agree with the 'interim status' for Nagorno Karabakh and allow progress on the implementation of other basic 'Madrid Principles' for the conflict resolution (unilateral removal of snipers from the line of control, and even giving up of a few *raions* along the Araxes river, which in turn could be reciprocated by opening of the borders with Turkey, rumoured to make such *quid pro quo* proposition to Armenia in 2012);
- continuing detailed discussion of the Madrid Principles (made public at the G8 L'Aquila summit in 2009 and elaborated since) in general, which besides the interim status include Armenian gradual withdrawal from the *raions* surrounding Nagorno Karabakh, maintaining land communication between the territory and Armenia through the Lachin corridor, decision on the final status, return of the displaced persons, and international guarantees, including deployment of international peacekeeping force.

Promoting a Narrative of Peace

The comprehensive approach can be mobilised not only to change the expected utility of the governmental actors. It can also be used to root a new narrative of peace in the two societies. The assumption here is that 'conflict transformation' (conceptually different from 'conflict resolution' in the understanding of the need of broad societal engagement to achieve peaceful outcomes) is necessary to remove one of the main obstacles of the peace process: the societies' 'ontological insecurity', their trench mentality and effective routinisation of the conflict as known experience (contrasted to the peace as an unknown condition for more and more people on each side).

To promote trust, routine intersocietal interactions and emergence of compatible (collective) life narratives, the EU may build on its previous activities (ENPK), but it should provide more generous funding for platforms where people shaping these narratives can meet and interact. The success of such endeavour is premised on both governments' acceptance of the increased openness. The combination of incentives (boosting efficacy of state agencies to deliver public goods, and promising to substitute the 'national security state' as a source of the regimes' legitimacy) and pressure could be used to ensure their cooperation. Second, the EU should act as to enable emergence of, rather than dictate the 'third narrative', which in very general contours should – instead of emphasising past grievances and perceived injustices – include references to the historical periods of peaceful and prosperous cohabitation of both ethnicities in Karabakh (e.g. in the Karabakh Khanate), but mainly advance the vision of future defined more by peace and security than certain political boundaries.

EU** Karabakh

The idea of a peacekeeping mission in Nagorno Karabakh dates back to the days of the Bishkek ceasefire agreement. When the late Azerbaijani President Haydar Aliyev refused Moscow's proposal for a CIS operation, the CSCE/OSCE peacekeeping mandate was agreed instead. But while the OSCE has developed some institutional capacity to engage with conflicts at different stages, it has not yet conducted a single peacekeeping operation and its mandate now seems all but expired. Instead, the idea of a CSDP operation in support of the implementation of the peace deal (once reached) in Karabakh has appeared in several EU's statements in recent years, notably declarations issued by the European Parliament.

Many possible geometries of a future CSDP mission (or missions) can be envisioned. Based on the premise that the CSDP capacities should be deployed in support of the implementation of the Madrid Principles – the basic template for conflict resolution on the table – the following tasks for the peacekeeping force can be identified:

- monitoring the withdrawal of Armenian / NKR forces from a) the first five *raions* and some villages in Lachin, and later b) the rest of Lachin and Kelbajar and these territories' demilitarisation (this is conditioned on Armenia giving up these lands which were initially conceived of only as a 'security zone', but over the years have become increasingly depicted as 'liberated territories' forming part of the historical province of Artsakh in general discourse);
- overseeing the return of displaced persons and facilitating their (re)integration in Nagorno Karabakh (tensions can be expected due to unequal access to post-conflict development resources) and the territory's demilitarisation (according to the International Crisis Group, it is currently one of the most militarised societies in the world), while also ensuring the protection of Armenian population in Lachin and Kelbajar;

- providing security in the Lachin corridor (after the Lachin *raion* is handed back by Armenia) which is the most important land connection between Armenia and Nagorno Karabakh (but also, in case of reopening of the Agdam road, providing Azerbaijani with the fastest connection to the Nakhchivan exclave).

These variable tasks could be performed partly in parallel and partly in sequence over a longer period of time by a) one CSDP mission with multidimensional mandate, b) several successive ('specialised') missions or c) by several specialised missions with only partial EU's participation. In the last case, the CSDP mission(s) could complement other missions either by the UN or OSCE. All these configurations moreover allow for the possibility of a hybrid mission (combining civilian and military components), as well as the involvement of other interested parties, not ruling out even Russia (which has previously participated in CSDP either through providing a contingent for EUFOR Chad, or seconding personnel to EUPM Bosnia and Herzegovina).

The EU should arrive at a consensus that deploying CSDP capacities in Karabakh in the future is desirable. It should also engage in the discussion about practicality of different geometries and develop a set of feasible scenarios for future engagement that could be communicated to the conflict parties as a basis for further negotiations. Finally, it should aim at making the peacekeeping process as inclusive as possible. (In case of one of the 'non-participatory' geometries, this could be achieved through presence of Russian and Turkish liaison officers).

In other words, the EU should not postpone the preliminary deliberation on a possible future CSDP mission until a breakthrough in the peace process takes place, since by demonstrating that it is ready to assume an active role in the post-conflict phase it could actually bring the deal closer.

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