

# Frozen conflicts

in the post-Soviet space

November 13, 2015

# Frozen conflicts

October 30, 2015

Conflict in Georgia, tools to use for mediation

- Geneva International discussions, participants, preparation of individual rounds, trips to the region
- Setting goals for each round of the Geneva international discussions, main topics and objectives

# Frozen conflicts

November 13, 2015

Conflict over Nagorno-Karabakh, mediation tools

- The role of the OSCE Minsk group
- The role of the EUSR in Nagorno Karabakh mediation
- AZ and AM approaches

# Frozen conflicts

The NK conflict led to hostilities in 1988. Full-scale fighting erupted in 1992 and came to an end after a ceasefire was agreed upon in 1994.

The ceasefire left ethnic Armenian forces in control of most of the former Soviet NK Autonomous Oblast (district).

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The most of the seven Azerbaijani districts surrounding NK remain occupied, thousands of refugees

AM side benefiting from territorial continuity between Armenia and Karabakh

Gaining a large stretch of the Iranian-Azerbaijani border.



# Frozen conflicts

Azerbaijan only retains a small part in the East and the North East corner of the former Autonomous Oblast

AZ expelled the ethnic Armenian population from villages north of NK, as well as from other parts of Azerbaijan, most notably Baku.

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The active phase of hostilities ended after a Russian-sponsored ceasefire agreement in 1994. The RF was to a certain extent instrumental in the conquest. The 1993 marks a turn in RF military policy in the Caucasus, as the Army became more powerful following their support to former President Yeltsin.

This consolidated Armenian control of conquered Azerbaijani territory.

In both countries, political legitimacy was also consolidated vis-a-vis the conflict.

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Consolidation in Armenia, followed after the Prime Minister Sargsyan, together with several ministers and MPs, was killed in a shootout in the Armenian Parliament in 1999.

The aim of this bloodshed was to prevent adoption of the American-led Minsk Group compromise proposal based on an exchange of territory.

Karabakh-Armenians and security services have, since then, held political power in Yerevan.

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On the AZ side the late Azerbaijani President Heydar Aliiev may have been powerful enough to impose a painful solution on his own constituency

He was able to think in terms of exchange of territories and populations.

Ilham Aliyev, at least during the first years after succession had not enough consolidated power and courage to go for compromise.

# The OSCE Minsk Group

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The OSCE Minsk Group was created in 1992 by the Conference on Security and Cooperation in Europe (CSCE, now Organization for Security and Co-operation in Europe, OSCE)

The aim was to encourage a peaceful, negotiated resolution to the conflict between Azerbaijan and Armenia over Nagorno-Karabakh.

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Intention was to provide an ongoing forum for negotiations towards a peaceful settlement of the crisis on the basis of the principles, commitments and provisions of the CSCE.

The Peace Conference was to take place in Minsk. It was never convened.

The Minsk Group spearheads the OSCE's efforts to find a political solution to the conflict in and around Nagorno-Karabakh involving AM and AZ.

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The formula of a permanent trilateral Minsk Group Co-Chairmanship (France, Russia, US) was instituted in 1996, after the refusal of the then acting OSCE Chairman-in-Office to support other arrangements within the organisation.

A competition between alternative candidates for the Co-Chairmanship complicated the issue.

An initial German candidacy was rebuffed by both sides to the conflict.

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The sides instead opted for France, thereby triggering strong US opposition.

The current Troika results from a compromise between the Europeans (who did not like the idea of an exclusive Russia/US format) and the Americans.

Ambassadors of the Russian Federation, of France, and of the USA.

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The three Co-Chairmen visit the region regularly to conduct high-level talks with the parties to the conflict.

They also hold meetings with the OSCE Chairperson-in-Office and the other members of the Minsk Group to brief them on the process.

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The Minsk Group format is very political and directly engages the presidents of the Co-Chair countries in its active phases, preceded and followed by long periods of low activity.

The permanent members of the Minsk Group include the following participating States:

Belarus, Germany, Italy, Sweden, Finland and Turkey as well as Armenia and Azerbaijan and, on a rotating basis, the OSCE Troika.

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Azerbaijanis have long distrusted the OSCE's Minsk group, co-chaired by Russia, France, and the United States. All three countries have large Armenian diasporas and are considered to favor Armenians in the Nagorno-Karabakh conflict.

Many Azerbaijanis accuse the Minsk group of not putting enough pressure on Armenia to return Nagorno-Karabakh territory to Azerbaijan, and of prolonging the negotiations indefinitely.

# The Minsk Group Phases

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American phase, based on Strobe Talbott's territorial exchange plan that failed in 1999, after the killing of Armenian PM Sargsyan.

The plan had the merit (for the US) and the drawback (for Russia) of ensuring territorial continuity from Turkey to the Caspian Sea and to cut Russia off from communication to Iran through Armenia (this stretch of border, the Meghri band, becoming the corridor linking the Nakhichevan enclave to mainland Azerbaijan).



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French phase, under the direct involvement of President Chirac, which was based upon the premise that Azerbaijan would accept the secession of Karabakh. It failed after the succession from Heydar to Ilham Aliyev.

The Russian phase began in spring 2010 in the margins of the Saint Petersburg Forum, which was followed by many other summit meetings. President Aliyev believed that President Medvedev sincerely worked in favour of a solution; resulting to some tense moments between him and MFA Lavrov.

# Madrid Principles

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The current phase is based upon the so-called Madrid Principles, whose original 14 non-public principles were proposed by the Co-Chairs in the margins of the OSCE Ministerial Council meeting in November 2007.

These have been since outlined by six public principles in the declaration of the three Presidents of the Co-Chair countries at the G8 summit in L'Aquila (2009), recalled at the G8 summit of Muskoka 2010 and during the OSCE summit in Astana (2010)

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The Basic Principles reflect a reasonable compromise based on the Helsinki Final Act:

- 1) Non-Use of Force or threat of force
- 2) Territorial Integrity
- 3) The Equal Rights and Self-Determination of Peoples.

# 2009 L' Aquila Declaration

# L'Aquila Declaration

The Basic Principles call for:

- return of the territories surrounding Nagorno-Karabakh to Azerbaijani control
- an interim status for Nagorno-Karabakh providing guarantees for security and self-governance
- a corridor linking Armenia to Nagorno-Karabakh

# L' Aquila Declaration

- future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will
- the right of all internally displaced persons and refugees to return to their former places of residence
- international security guarantees that would include a peacekeeping operation

# 2010 Muskoka Statement

# Muskoka Statement

Welcoming as a significant step the recognition by both sides that a lasting settlement must be based upon the Helsinki Principles and the elements proposed in connection with G8 statement at the L'Aquila Summit on July 10, 2009, relating to the six principles.

# Muskoka Statement

1. The return of the occupied territories surrounding NK
2. Interim status for NK guaranteeing security and self-governance
3. A corridor linking Armenia to Nagorno-Karabakh
4. Final status of NK to be determined in the future by a legally-binding expression of will
5. The right of all internally-displaced persons and refugees to return
6. International security guarantees, including a peacekeeping operation

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A more precise text (also non public), the so-called, "modified Madrid Principles", was presented to the parties in December 2009 during a discrete meeting of the Co-Chairs with the two presidents at the French Consulate in Munich.

The proposal was preceded by long preparatory work, through OSCE expertise, including a visit to the road through Lachin by a Greek general in order to establish the parameters of a safe corridor from Armenia to NK.

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President Aliyev claims that he has accepted the deal, though the number of caveats expressed at the time by the Azerbaijani side casts some doubts about this pledge.

Surprisingly, the Armenians blatantly refused the deal, asking that the restitution of the two occupied Azerbaijani districts in-between Armenia and Karabakh (Kelbajar, Lachin) be made contingent on the fixation of a date for the "legally binding expression of will" in NK - an obvious non-starter for President Aliyev, who earlier had nicknamed the consultations a "neverendum".

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The Armenian walk-out from the Munich proposal in early 2010 was supported by Russia. In a meeting with French PM Fillon in January 2010, V. Putin stated that "pressure on the Armenians was counter-productive".

It seems that the Russian move was linked to the renegotiation of the Gyumri base agreement.

Once this result was achieved (for 49 years...), Russia resumed talks and President Medvedev engaged personally in the long series of summits leading to the **Kazan meeting in June 2011.**

# Frozen conflicts

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After Kazan the sides began an intensive blame game regarding the failure. President Aliyev claims that last-minute changes were giving the edge to the Armenian side on all most sensitive issues.

The Armenians allege that President Aliyev made the deal impossible with a whole set of new demands (which might have actually been Azerbaijani red lines expressed well before).

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Without direct access to the rolling text, and given the rather manipulative nature of the sides, it is very difficult to ascertain who is right or wrong.

From conversations with the Presidents and the Co-Chairs, it may be deducted that:

- There might have been some pro-Armenian bias in the Russian text, more actually in its initial versions than in the late ones. That triggered Azerbaijani suspicions vis-a-vis Lavrov due to his Armenian roots. President Aliyev noted some personal tension between MFA Lavrov and President Medvedev and suspects that the former might not be entirely loyal in the tandem configuration of Russian power;

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- Blame can be put on some mismanagement in the Russian mediation, due to the applied methodology.

As a usual pattern of behaviour, Russian diplomats begin with writing down the agreed part of a deal (taking the percentage of agreed text as an indicator of performance) and solve the remaining issues by using ambiguous language.

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Whereas the Co-Chairs were proposing solutions (like on the width of the Lachin corridor), Sergey Lavrov introduced ambiguity.

The method might have worked well in the case of the Russia WTO negotiations with Georgia.

However, given the deeply paranoid attitude towards ambiguity by both sides, it failed in the case of NK.

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From the same contacts, it could be understood that two particular points blocked the deal in Kazan:

1) Ambiguity on the Lachin Corridor. In the balance of Madrid modified, the existence of the Corridor is linked to the date of the "legally binding expression of will", i.e. the definitive status of Karabakh.

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President Aliyev understood that Armenia could use the ambiguity in the text to keep control of the Lachin district and half of Kelbajar district as hostage to the definitive status of NK.

The enhancement of an alternative road from Armenia to Karabakh through Kelbajar encouraged such an interpretation.

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2) Reference to UN Charter Chapter 7 as the legal basis for the peace-keeping operation and to consensus of the parties to determine who will compose the peace-keeping forces (PKF).

Until the Kazan meeting, the formula was for the sides to "veto the willing", which allows the Azerbaijanis to veto Russia, the Armenians to veto the Turks and both of them to veto the US.

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With referring to consensus and Chapter 7, President Aliyev fears that Russia, whose strategic objective is to keep its boots in the South Caucasus, could bargain its participation in the PKF against its agreement on the UNSC resolution.

The history of Kazan reflects the nature of the negotiation: a deal on a reasonable plan is possible, but the main obstacle to it is the complete absence of confidence between the two countries.

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Azerbaijani President Ilham Aliyev and his Armenian counterpart Serzh Sargsyan may meet again before the end of this year.

# The role of the EUSR

# Frozen conflicts

**On Nagorno-Karabakh (NK),** the EUSR, in implementing his mandate and in line with the Council's conclusions of 27 February 2012 continued to act in support of and in complementarity with the OSCE Minsk Group and to offer the readiness of the EU for more active engagement.

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The EUSR's frequent visits to Armenia and Azerbaijan for meetings with their leaderships and engagement with local stakeholders contributed to enhancing dialogue, as well as the EU outreach and visibility.

He also maintained contacts with other relevant stakeholders in the region and beyond, in particular, in Russia and with representatives of the United States.

# Frozen conflicts

The EUSR held regular exchanges with the OSCE Minsk Group Co-chairs, as well as with the Personal Representative of the acting OSCE Chairman-in-Office on the conflict and high-ranking OSCE officials.

# Frozen conflicts

In his activities, the EUSR emphasised to the Armenian and Azerbaijani leaderships the EU messages pertaining to the unacceptability of the status quo and of threat or use of force, the support for re-engagement in high-level meetings facilitated by the Minsk Group Co-Chairs and for steps to help move towards peace.

# Frozen conflicts

The EUSR continued to underscore the importance of restraint. The need for it was illustrated by the tensions in recent time and, especially, by the **unprecedented escalation along the Line of Contact (LoC)** for the past 20 years.

Prevention, which is essential for enabling progress in the negotiations beyond the status quo, continues to be a core component of the activities of the EUSR on behalf of the EU.

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The EUSR conveyed to the sides the EU's encouragement and support for **the resumption of meetings of the Presidents of the two countries**, who met on 19 November 2013 in Vienna following almost a two-year pause and for the continuation of this dialogue.

Such support was expressed with regard to subsequent meetings in Sochi (10 August), Newport, Wales (4 September) and, in particular, in relation to the Paris Summit (27 October). All meetings in 2014.

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In complementing the efforts of the Minsk Group Co-Chairs, the EU has established itself as main **facilitator and contributor to confidence building across the conflict divide.**

The EUSR supported efforts to help overcome the persisting disconnect between the official level-restricted negotiation process and civil society activities across the conflict divide, and expanded inclusive contacts with local stakeholders with a focus on conflict-affected communities.

# Frozen conflicts

In the **Nagorno-Karabakh** context, the high-level dialogue between Armenia and Azerbaijan, which is key to progress toward a settlement is yet to resume after the 27 October 2014 Paris Summit. The OSCE-reported increased tensions, casualties and use of heavier equipment (120 mm mortars) in the first months of 2015 led to international calls for restraint, including through the EUSR during his regular visits to Baku and Yerevan.

# Frozen conflicts

The EU and the international community did not recognise the framework and results of the 3 May "parliamentary elections" as affecting the Nagorno-Karabakh legal status. Tensions on the ground decreased around the centenary commemorations on 24 April 2015, which dominated the political agenda in Armenia, and in particular around the subsequent first European Olympic Games held in Baku from 12-28 June 2015.

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In the run-up to the Riga Eastern Partnership Summit, increasing frustrations from the side of Baku developed around the perception that the EU applied "double standards" regarding the territorial integrity of its partners. The attempts of the Russian Federation to use this to lure Baku into the Eurasian Union in exchange for support in the Nagorno-Karabakh context should not be underestimated.

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At the same time, Russia is clearly interested in keeping the issue as open as all the other protracted conflicts in its neighbourhood.

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In response to the sides' mutual accusations pertaining to tensions along the Line of Contact and the international border after the Paris Summit and in the lead-up to the 24 April Armenian centennial commemorative event of 1915 and the First European Games in Baku (12-28 June 2015), the EUSR emphasised the need for restraint on actions and statements in order to prevent escalation and enable dialogue.

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The EUSR regularly raised the issue of access to Nagorno-Karabakh, on which the approaches of the sides continued to differ. He also addressed pending humanitarian cases with the sides and the International Committee of the Red Cross.

# Frozen conflicts

With a focus on conflict-affected stakeholders, the EUSR pursued inclusive contacts with Azerbaijani IDPs representatives, including from the 'Public Union of the Azerbaijani Community of the Nagorno-Karabakh region of Azerbaijan', and also met - following prior discussions with the Azerbaijani leadership - with the Nagorno-Karabakh de facto foreign minister, as well as with civil society activists across the conflict divide, including specifically women representatives.

# Frozen conflicts

The EUSR met with the OSCE Minsk Group Co-chairs individually and collectively, and maintained contacts with the Personal Representative of the acting OSCE Chairman-in-Office on the conflict and high-ranking OSCE officials. On the settlement process, the Minsk Group Co-Chairs stated that they continued to work together closely.

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In complementing the Minsk Group efforts, the EUSR also actively supported confidence-building activities on Nagorno-Karabakh, funded by the Instrument for Stability (now Instrument contributing to Stability and Peace) within the European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (EPNK) II programme.

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In addition to promoting the EU visibility and EUSR's contacts, the EU-funded activities demonstrated the existence of reasonable local interlocutors who, in case of political will, could support progress in the negotiations and help overcome the persisting disconnect between the official level-restricted negotiations and the civil society. The EUSR attended key activities in the framework of the EPNK II, (European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (EPNK)), which expired in 2015.

# Frozen conflicts

He addressed with the Azerbaijani side specific restrictive problems faced by EPNK II (European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (EPNK)) local partners, stemming from the adverse environment in the wake of an increasingly rigid approach of the government, in particular to civil society human rights activists. After EUSR's clarifications on EPNK activities, officials indicated that restrictions on local partners would ease after the European Games, which has to be further monitored throughout the autumn.

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The EUSR actively engaged in preparation of the EPNK follow-up, strongly encouraging quick transition to an EPNK III programme, the design/modalities of which are currently being discussed with interested NGO partners.

# Frozen conflicts

The reporting period highlighted the increased impact of the deteriorating local and regional contexts, which also affected the partners' bilateral relations with the EU. In the lead-up to the Riga Eastern Partnership Summit, Armenia sought to eliminate references to the principle of territorial integrity. On the other hand, Azerbaijan strongly insisted that the EU applied the same approach to Nagorno-Karabakh as to the conflicts in Ukraine, Georgia and Moldova as regards territorial integrity. It protested against what it called EU "double standards" in a separate statement on the summit's declaration.

# Frozen conflicts

Nagorno-Karabakh related issues remained among the key challenges in both partners' exchanges with the EU on new bilateral documents. Armenia sought such an early document in addition to its membership in the Eurasian Economic Union. In Riga, Azerbaijan proposed a draft of a Strategic Partnership Agreement, which could lead to re-engagement on partnership at the time of suspended institutional dialogue and open differences on human rights and freedoms.

# Frozen conflicts

Concurrently, enhanced Russian-Azerbaijani dialogue indicated Russian offers for a solution on Nagorno-Karabakh in exchange for membership of the Eurasian Economic Union. These developments fit into Russia's increasingly assertive policy in the region. The Armenian leadership confirmed to the EUSR that Russia had offered Azerbaijan to join the Eurasian Economic Union but hoped that neither Armenia nor Nagorno-Karabakh would have to pay the price for that.

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On **regional cooperation**, the EUSR in implementing his mandate continued to encourage the South Caucasus countries to cooperate on regional themes of common interest, such as common security threats, the fight against terrorism, illicit trafficking and organised crime.

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The Azerbaijani leadership reiterated that it would be prepared to consider regional cooperation and re-opening of borders, contingent on the partial or full withdrawal of Armenian forces from its occupied territories. The Armenian leadership supported regional cooperation and de-isolation of the country as a priority, however, not at the expense of its position on NK conflict settlement and on the normalisation of relations with Turkey.

# Frozen conflicts

The Armenian leadership supported regional cooperation and de-isolation of the country as a priority, however, not at the expense of its position on NK conflict settlement and on the normalisation of relations with Turkey. Turkish officials continued to offer confidence building measures to the Minsk Group and the EUSR, including the rehabilitation of road and railway transport corridors via Armenia, regional engagement in response to natural and man-made calamities and indicated Ankara's continued interest in normalising relations with Yerevan. Armenian officials remained reluctant to consider such proposals ahead of Turkey's ratification of the protocols on the normalisation of bilateral relations.

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According to FM Nalbandian opportunities for a breakthrough had been missed several times at the summits in:

St Petersburg	(June 2010)
Sochi	(March 2011)
Kazan	(June 2011)
Astrakhan	(October 2011)

# AZ and AM approaches

# AZ and AM approaches

On the NK conflict settlement, AZ blame Armenia for the recent escalation and its attempts to maintain the status quo.

President Aliyev expressed readiness in principle to meet with President Sargsyan, but there is great scepticism on reaching a peaceful settlement within the Minsk process..

# AZ and AM approaches

The use of heavy weapons and recourse to "pre-emptive strikes" increase the risk of the situation getting out of control with unintended consequences.

The EUSR reiterated the EU calls for toning down rhetoric, refraining from military escalation and re-engaging in high-level negotiations.

# AZ and AM approaches

The President expressed readiness to participate in a summit, if the Minsk Group Co-Chairs proposed a date. It might be possible after the constitutional reform in Armenia in November.

However, he was sceptical regarding prospects for a settlement while Sargsyan remained in power. Aliyev pointed to the lack of reactions by the Co-Chairs and the EU on statements such as Sargsyan's recent claim that Armenia and NK are "inseparable".

# AZ and AM approaches

The status quo in NK was unacceptable to Azerbaijan, especially in a worsening regional security environment, the President stated.

The recent escalation along the Line of Contact and the international border was provoked by Armenia. Aliyev assured that Azerbaijan had no plans to escalate the tension.

# AZ and AM approaches

Aliyev considered the Co-Chairs' statements on the recent events to be ambiguous. Their suggestion on an incident-investigation mechanism would not work unless the Armenian occupation of Azerbaijani territories had been addressed.

# AZ and AM approaches

Aliyev raised the issue of territorial integrity. He considered that Azerbaijan, in contrast to Georgia, Moldova and Ukraine, was treated differently.

“Nobody says clearly that NK is part of Azerbaijan”, he complained. He expected a clear position from the EU. This was a reason why negotiations on the Association Agreement had not moved forward.

# AZ and AM approaches

The Armenian leadership recognized the escalation and risks involved, but appeared less worried about the recent military activities on the ground, involving use of heavy weapons (artillery) for the first time since the 1994 ceasefire agreement.

# AZ and AM approaches

The main concern in Yerevan at this stage was the potential impact of the report of the Parliamentary Assembly of the Council of Europa (PACE) released on NK.

A PACE resolution, based on this report and expected in January 2016, would contain language that Armenia is 'occupying' NK and would call for the withdrawal of Armenian forces from NK and surrounding territories. This is seen as a heavy blow against Yerevan.

# AZ and AM approaches

President Sargsyan noted the considerable escalation of tension, which is impacting on the security of civilians and military personnel on both sides of the LoC and the Armenian-Azerbaijani border.

Welcoming the visit of the EUSR, he stressed that it is now more important than ever that the EU maintains its balanced approach on the NK conflict.

# AZ and AM approaches

President Sargsyan did not harbour great expectations as regards the outcome of the summit, as President Aliyev had 'maximalist' demands. Progress is only possible through non- use of force by Azerbaijan and mutual compromises, he stated.

# AZ and AM approaches

Sargsyan stated that Aliyev was accusing Armenia of seeking to preserve the status quo. He maintained that this was not in Armenia's interest. Armenia wants conflict settlement.

But it cannot be on Azerbaijani terms, which would mean capitulation, full Azerbaijani control over NK, and 'cleansing' its 120.000 population, as done with Nakhichevan. The international community does not expect Armenia to agree to such a scenario, so it has to take measures to prevent it.

# AZ and AM approaches

Addressing the lack of progress and high-level meetings in 2015, Sargsyan referred to the deteriorating environment, in particular Azerbaijan's continued ceasefire violations and its disregard of the five statements of the Presidents of the Minsk Group Co-Chair countries. If one party is not interested in a settlement, it must be held accountable. During their visits to the region, the Co-Chairs reiterated that only the parties can resolve the conflict. However, a settlement cannot be decided exclusively by the presidents. People are losing faith in the prospect of peace.

# AZ and AM approaches

Sargsyan focused on attempts by Azerbaijan to deny what has been achieved in the Minsk process. A new report by the Parliamentary Assembly of the Council of Europe (PACE) served this purpose. The President said that the rapporteur, Robert Walter, had not visited Armenia and NK and had recently adopted Turkish citizenship. He was also violating established PACE procedures in order to get a resolution adopted quickly.

# AZ and AM approaches

For the President, it is incomprehensible how the report could talk about occupation of NK, deny the right to self-determination and insist on an exclusively peaceful settlement of the conflict, without acknowledging the 'peaceful NK referendum of 1991'.

It is true that Armenia is supporting NK economically and through security measures, but it is doing this to protect NK Armenians from another massacre.

# AZ and AM approaches

Armenia has not seen the Co-Chairs taking adequate steps to stop the adoption of the PACE resolution. The President requested that the EU maintains its balanced approach and prevents its adoption.

He assumed that PACE is trying to balance and give a blow to Armenia on the NK issue following the European Parliament resolution on Azerbaijan in September.

# AZ and AM approaches

On his statement that NK was an inseparable part of Armenia, President Sargsyan specified that he had referred to NK, not the 'Nagorno-Karabakh Republic'. The statement was a reaction to the use of 122-mm artillery by Azerbaijan in the attack on an Armenian training camp located 5 km away from the LoC.

The statement was meant to indicate that such action by Baku left no option for Yerevan but to defend NK, especially as the 'impartial' appeals by the Co-Chairs had not helped.

# AZ and AM approaches

Addressing the follow-up of the Paris Summit, President Sargsyan stated that Armenia had given consent to the ICRC project on missing persons.

He stressed that options for a settlement were discussed, but there was no agreement by Armenia to cede territory back to Azerbaijan.

What can the EU concretely do?

# Frozen conflicts

Two wrong ideas should be dispelled:

## 1) Change the format

Temptation is high in certain circles to denounce the format as unproductive, biased and Russian-led. The Minsk Group Co-Chairs epitomise everything that some of the EU opinion makers dislike:

- big powers negotiating in secret,
- beyond any international or democratic control

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The lack of sympathy is reciprocated:

The Minsk Group negotiating community sees the EU as slow, complicated and incapable of keeping discretion. Those perceptions are, of course, exaggerations.

Both leaders in Azerbaijan and Armenia risk their lives in such negotiations, as the 1999 tragedy in Yerevan showed, therefore they cannot risk having the details of the negotiation publicised or exposed.

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From an institutional point of view, changing the format is for the sides to the conflict and the OSCE to decide, not the EU.

It would trigger a whole set of new and old claims for participation, for example from Turkey (already a fourth, invisible member of the mediation, through Azerbaijan).

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Armenia may want to see Iran included, although not an OSCE member state.

The sides would be distracted from substantial negotiations for quite a while and nobody would be able to close such a Pandora's box of procedural issues.

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From a structural point of view, the current Co-Chair format has a strong rationale: the engagement of the diasporas, which are part of the problem and the solution.

In this conflict, Armenia is the side which would need to be reassured if the Madrid concept of basic principles was to be implemented, being the first to hand over its buffer zone as main security asset.

# Frozen conflicts

## 2) Change the plan

There is, fundamentally, no peaceful alternative to the Madrid principles, which is the only concept that the sides tacitly agreed with the L'Aquila/Muskoka declarations.

There is no other way to reconcile the contradictory principles (territorial integrity and self-determination) and conflicting state projects.

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The Madrid principles do not actually resolve the issue; they are rather a road map out of a war situation.

If and when agreed upon, the biggest portion of work will still need to be discussed, agreed upon and implemented.

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We should have no illusions: Neither the EU nor the Minsk Group will solve the conflict as long as the sides see alternatives to compromise, which is currently the case.

All reconciliation efforts, be it in Europe or elsewhere, have been top-down processes, and there is no apparent history of a successful bottom-up reconciliation.

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The Minsk Group has delivered what it could, namely a concept, but the real strategic task is now to convince the sides to implement it by restoring trust and create incentives to peace.

The reality is that the EU would be best suited for that task by its skills and experience. If the EU does not succeed in time to prevent the threat of war, nobody will.

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Main lines of EU action in the mid-term could be the following:

- Strengthen the cooperation with the Minsk Group, which should accept and consider the EU as the main implementing partner of any deal that it may obtain, and further support OSCE projects aimed at stabilising the security situation along the Line of Contact.
- Engage those of our strategic partners who are the main providers of arms in the region, namely Russia, Turkey, Israel and Ukraine, to raise their awareness regarding the risk of an accidental war as a consequence of the ongoing arms race.

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Chances to get a de facto arms embargo are limited and possibly not desirable as an imbalance between the opposing forces is just as dangerous as the further procurement of arms).

But arms providers should be made more aware of their responsibilities, particularly as regards to the sale of offensive, first-strike heavy equipment.

# Frozen conflicts

- Raise the political profile of the EU in the two countries.

The mere perception of Europe as being only about lifting visa regimes and enabling free trade is no longer acceptable. The Energy Dialogue could for instance be used to consolidate the understanding among partner countries, especially Azerbaijan, of the necessity of a stable environment for successful economic development.

# Frozen conflicts

- Developing dialogue on reconstruction and economic perspectives of a peaceful Caucasus, connected to the EU, in order to underline, particularly to the Armenians, the real costs of missed opportunities.
- Further support already existing initiatives and create others to open further windows of opportunities to the societies.

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A strategic paper could be elaborated along those lines and others to be developed.

A Council conclusion would help to consolidate consensus, mobilize resources and elaborate projects.

Questions?

Next

Geneva International Discussions

Role Play

We need participants group

Co-chairs (3), Georgians, Abkhaz,

S.Ossetians

US, Russians