Adapting To A New Political Reality
Is There A Basis for Formalizing Ties?

Gulshan Pashayeva

On 8 November 2021 Azerbaijan will celebrate its first Victory Day in honor of the liberation of Karabakh, paying tribute to the surviving veterans and commemorating the memory of the many fallen soldiers in the Second Karabakh War. Azerbaijan’s victory in the Battle of Shusha, which had taken place on that day one year ago and represented a decisive moment in this 44-day war, led to the capitulation of Armenia. This was enshrined in a Russia-brokered tripartite statement signed by Nikol Pashinyan, Ilham Aliyev, and Vladimir Putin at the stroke of midnight on 10 November 2020.

The almost 30-year-long illegal Armenian occupation was brought to an end through a combination of military and political means in one of the most protracted ethno-territorial conflicts in the post-Soviet space. At the same time, a new geopolitical reality has emerged in the region and the facts on the ground have significantly changed.

Azerbaijan has restored its territorial integrity and sovereignty thanks to its clear victory in the Second Karabakh War. Accordingly, many decisions and resolutions adopted by various international organizations, including the four UN Security Council resolutions (822, 853, 874, and 884) demanding the immediate, complete, and unconditional withdrawal of Armenian armed forces from the occupied Azerbaijani territories, have finally been implemented.
On the other hand, the humiliating defeat of Armenia shattered the myth of the invincibility of the Armenian armed forces, plunging the country into a political crisis and eventually leading to a snap parliamentary election that took place on 20 June 2021. In the wake of this election, which kept Pashinyan in power, various steps have been taken—some positive, others negative—that taken together indicate cautious optimism may be in order with respect to the prospects for the full implementation of the tripartite statement (and a second such document) that, in turn, could pave the way towards lasting and sustainable peace.

The terms of the tripartite statement also established a peacekeeping operation on parts of liberated Azerbaijani territory. According to the terms of the 10 November 2020 tripartite statement, a Russian contingent of 1,960 peacekeepers, 90 armored vehicles, and 380 motor vehicles have been deployed for at least five years along the contact line in Nagorno-Karabakh and along the Lachin corridor route to provide security. To date, 27 observation posts have been deployed on the contact line to ensure the safe movement of residents and transport, as well as the return of refugees to their own homes.¹

Still, the question remains whether the conflicting parties will be able to achieve sustainable peace after the Second Karabakh War or become embroiled in a further cycle of confrontation in the coming years. Is there any opportunity to truly normalize a relationship that has been destroyed, owing to the previous devastating wars?

It will be a daunting challenge for Armenians and Azerbaijanis to overcome their historical grievances, mutually exclusive narratives, lack of trust and unbearable pain of the loss of loved ones, and to be able to formalize ties. But, as they say, nothing is impossible. If there is effective leadership and a strong political will; clear priorities and a precise strategy; and daring diplomacy and public support; then, perhaps, an Armenian-Azerbaijani normalization process could gradually become possible. Incidentally, there are several examples in which states, after lengthy wars and protracted conflicts that cost between several hundred thousand to millions of casualties were able to normalize their relationship, including the United States and Vietnam, the UK and Ireland, and others.²

This chapter will examine aspects of the present state of play and several pressing issues that are currently at stake that impede, to a certain degree, the onset of a normalization process.

THE NEW GEOPOLITICAL REALITY AND ITS IMPLICATIONS FOR AZERBAIJAN AND ARMENIA

There is a common understanding in Azerbaijan that the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region has been resolved. “Now we need to look into the future. Despite 30 years of occupation and large-scale destruction and devastation on the liberated territories, Azerbaijan is ready to look to the future—to plan its future as part of an integrated South Caucasus region,” stated Azerbaijani President Ilham Aliyev during an online discussion organized by the Nizami Ganjavi International Center on 20 May 2021.³

The Azerbaijani government has started a process of reconstruction and restoration of all its conflict-affected territories. This work is extremely important to accelerate the process of the safe and dignified return, in the coming years, of Azerbaijani internally displaced persons (IDPs)—originally from the Jabrayil, Fuzuli, Zangilan, Gubadli, Aghdam, Kalbajar, and Lachin districts, as well as from the territory of the former Nagorno-Karabakh Autonomous Oblast (NKAO)—to their permanent places of residence that were occupied by Armenian armed forces.

However, the facts on the ground are heartbreaking, owing to the enormous extent of the destruction committed by Armenians in the occupied Azerbaijani territories. Not only were virtually all the homes of around 700,000 Azerbaijani IDPs destroyed, but in complete ruin also lie public buildings, schools, hospitals, mosques, cultural and historical monuments, and cemeteries in the liberated territories. The Azerbaijani government has made it clear that the total material damage to Azerbaijani territories when they were under Armenian occupation will be calculated with the participation of international institutions so that Armenia could be held accountable to pay compensation before international courts in the future.
Today all efforts have been mobilized to restore and make habitable conflict-affected territories. For the year 2021, $1.3 billion has been allocated for the restoration of infrastructure—particularly gas, water, electricity, and communications, as well as cultural and historical monuments. Work related to the finalization of a state program on “The Restoration and Sustainable Development of Territories of the Republic of Azerbaijan Liberated from Occupation for 2021-2025” is also nearing completion.

Furthermore, to reintegrate the liberated territories into the Azerbaijani economy and to increase the efficiency of economic management, Karabakh and East Zangazur economic regions were set up along with 12 other economic regions by a 7 July 2021 presidential decree entitled “On the New Division of the Azerbaijani Republic’s Regions.” The Karabakh economic region covers Khankandi city, Aghjabadi, Aghdam, Barda, Fuzuli, Khojali, Khojavand, Shusha, and Tartar. The East Zangazur economic region includes the newly liberated Jabrayil, Kalbajar, Gubadli, Lachin, and Zangilan.

It is envisaged that the liberated territories will be turned into a green energy zone. In fact, the construction of “smart villages” and “smart cities” in the liberated Zangilan district has already commenced. The first “smart village” pilot project covers three villages in the area of Aghali, located in the Zangilan district, where 200 individual houses are initially planned to be built. The finalization of this project is envisaged for early 2022.

There are also continuous efforts being undertaken in the liberated territories regarding cultural and historical monuments.

One of the liberated cities where such serious construction and restoration work is currently underway is Shusha. Located at an altitude of 1,300-1600 meters above sea level, this city was built by the first ruler of the Karabakh khanate, Panah Ali Khan, in 1752 (incidentally, Azerbaijan will celebrate the two-hundredth-and-seventieth anniversary of its establishment next year). In order to restore its historical appearance and former glory, President Aliyev declared Shusha to be the Cultural Capital of Azerbaijan on 7 May 2021. As Farid Shafiyev writes in his chapter in the present volume, its famous native writers, poets, thinkers, composers, and musicians—here we can mention Khurshidbanu Natavan, Gasim Bey Zakir, Suleyman Sani Akhundov, Abdurrahim Hayverdiyev, Najaf Bey Vazirov, Yusif Vezir Chemenzeminli, Jabbar Garyagdioglu, Gurban Pirimov, Bulbul, Khan Shushinski, Uzeyir Hajibeyov, Rashid Behbudov, Niyazi, Fikret Amirov, and others— have made invaluable contributions to the cultural legacy of Azerbaijan.

So far, the Museum Mausoleum Complex of the great Azerbaijani poet and public figure, Molla Panah Vagif, and the House-Museum of People’s Artist Bulbul, who made a significant contribution to the evolution of the professional vocal school, have opened their doors to the public after restoration. A bust to Molla Panah Vagif and a monument to the prominent Azerbaijani composer Uzeyir Hajibayli have also been unveiled in Shusha. At the same time, reconstruction work is ongoing at the House-Museum of Uzeyir Hajibayli.

Moreover, there used to be 17 mosques in Shusha, but most of them were destroyed and the only three that remain, the Yukhari Govharagha, the Ashaghi Govharagha, and Saatli mosques, were damaged during the occupation. The Heydar Aliyev Foundation is currently working on the restoration of these three historic mosques. On 12 May 2021, President Aliyev also laid the foundation stone of a new mosque in Shusha.

Concurrently, work has already begun on the construction of new highways, railways, and airports in the Karabakh and East Zangazur economic regions—precursors to developing master plans for rebuilding cities and towns in the liberated areas.

The 101-km-long Ahmadbayli-Fuzuli-Shusha highway is one of the many major arteries currently under construction. Known as the “Victory Road” in honor of the path used by the Azerbaijani Armed Forces during the liberation of the city of Shusha, it will connect more than 20 settlements, including the cities of Fuzuli and Shusha, with each other and the rest of the country. By the time this book goes to press, the “Victory Road” should have been put into full service. Incidentally, Azerbaijan also plans the construction of a second, 81.6-km-long road to Shusha by 2024.

In addition, Azerbaijan Railways has already started work on the design and construction of rail lines in three different directions: Aghdam, Shusha, and Horadiz-Nakhchivan. Already 20 km of the railway track in the direction of the city of Aghdam has been laid; however, the implementation...
of the work is complicated due to the necessity of completing the demining process on the territory of the projected route.¹

At the same time, there are plans to build three international airports in Fuzuli, Zangilan, and Lachin. By the first anniversary of the end of the Second Karabakh War, the Fuzuli International Airport will have been made operational. On 5 September 2021, before final commissioning, test flights by Azerbaijan Airlines' largest passenger aircraft, an Airbus A340-500 given the name "Karabakh," and Silk Way Airlines' largest cargo aircraft, a Boeing 747-400, took off from Baku and landed there. For the first time, shipments were delivered to Karabakh by air on this cargo aircraft.² The Zangilan airport is also being built and should be brought into operational service in 2022. On 17 August 2021, President Aliyev also laid the foundation for the Lachin International Airport, located 30 km from Lachin, 60 km from Kalbajar, and 70 km from Shusha. According to the president, the Zangilan, Lachin, and Fuzuli airports will be able to receive cargo, passengers, and military consignments and their construction and commissioning will revive the region.³

Here we can add that the master plan for the reconstruction of the city of Aghdam has already been developed and approved, details of which are provided in Emin Huseynov's chapter in the present volume. The master plans for other cities are expected to be approved in the coming months.

In contrast, the postwar environment is quite different in Armenia. Many Armenians in some circles remain deeply unsatisfied with the new geopolitical reality that emerged in the region in the wake of the Second Karabakh War. Such a reaction is both regrettable and unsurprising because, over the years, the Azerbaijani territories occupied during the First Karabakh War were presented to the Armenian populace as constituting a return of their "historical lands" and seen as a step in the restoration of "historical justice." In fact, by mythologizing the past, Armenia's ideologists tried to establish the foundations for Greater Armenian ethno-nationalism. However, the leading voices utilizing such mythological manipulation subsequently become the victims of their own constructs, losing touch with reality as a result. Here we can mention a commentary published by the Ankara-based think tank, the Center for Eurasian Studies (AVIM) whose author is Gerard Libaridian. He had served as an adviser to the first president of Armenia, Levon Ter-Petrosian, and is one of the country's most engaged and thoughtful public intellectuals. In this text, he touched upon the main reasons behind the defeat of Armenia, underlining that "our problem is our political culture that relies on dreams rather than hard facts." In the same essay, he criticizes Armenia's contemporary Karabakh policy and holds the Armenian prime minister, Nikol Pashinyan, responsible for his naiveté and poor leadership. He argues that had the Armenian leaders chosen a wiser strategy and pursued policies more rooted in reality, then a catastrophic Armenian defeat could have been avoided.⁴

Thus, after Armenia's military defeat in the Second Karabakh War, many in the country called for Pashinyan to resign. He did, eventually, and called a snap parliamentary election for 20 June 2021. To the surprise of many, Pashinyan's Civil Contract party won the election outright, garnering nearly 54 percent of the votes cast. His chief opponent was Robert Kocharyan, Armenia's second president, whose Armenia Alliance received only 21 percent support. Civil Contract thus retained its ruling majority in the country's National Assembly, with 71 seats against the 29 held by the Armenia Alliance. A third bloc, called the I Have Honor Alliance led by the former head of the country's National Security Service, Artur Vanetsyan, merely polled just over 5 percent of the vote, which was more than any of the other, smaller parties. Although this result was below the 7 percent threshold for alliances, since the Armenian Constitution requires at least three parties or blocs to be represented in the National Assembly, the I Have Honor Alliance was allotted 7 seats and included members of the Homeland Party and the Republican Party led by Serzh Sargsyan, who served as Armenia's third president before being elected prime minister on 17 April 2018 and then being ousted from power on 23 April 2018 by the Pashinyan-led Velvet Revolution. Perhaps one of the best commentaries of the result of this election was made by Laurence Broers: "most observers anticipated Pashinyan's Civil Contract party would win more votes than anyone else, but few cases spring to mind where a leader has won such a decisive electoral victory in the wake of a decisive military defeat." In his analysis, Broers goes into detailed reasoning about what caused this victory and concludes that the election result can be read less "as a resounding mandate for Pashinyan, and more as a resounding rejection of his authoritarian predecessors, their supporters in the diaspora, and leftover oligarchs from the pre-Velvet Revolution era."⁵
Thus, the election’s relatively low voter turnout (slightly over 49 percent) was a factor, as was a sort of protest vote against the return of the “old” elites led by Kocharyan and Sargsyan. This benefited Pashinyan, notwithstanding the fact that he was in power during the country’s defeat in the Second Karabakh War. It thus seems that Armenian voters assigned more blame for the wartime loss on past leaders than on present-day ones. The electoral results also suggest that the idea of national revenge was not in demand from the broad strata of society, which is why the leaders of the “old” elite were unable to consolidate popular dissatisfaction with the country’s military defeat in the Second Karabakh War.

Pashinyan is thus still Armenia’s prime minister, but it is still too early to discuss how he plans to overcome all the consequences of the country’s internal political crisis caused by the outcome of the war. A few months ago, several brawls broke out between government and opposition lawmakers in the National Assembly during a reading of the government’s five-year action plan. Since then, the situation has gotten better. For example, Pashinyan made several moves to consolidate power. Prominent arrests have been made, including that of a former defense minister known for having called on the country to prepare for a “new war for new territories” hours after Pashinyan had held his first official meeting with Aliyev in Vienna in March 2019.

RUSSIA, TURKEY, AND TWO WESTERN COUNTRIES

One of the implications of the new geopolitical reality arising from the outcome of the Second Karabakh War is the transformation of Russia into a key regional peacekeeper due to the deployment of its peacekeeping contingent until at least November 2025 in a certain portion of the Karabakh economic region. Russia has also been mediating various pressing issues breaking out between Armenia and Azerbaijan after the end of the Second Karabakh War.

But not all has been smooth sailing. For instance, a serious issue regarding the continued illegal transit of Armenian armed forces and weapons through the Lachin Corridor to Karabakh remains unresolved. In a statement made on 11 August 2021, Azerbaijan’s Defense Ministry underlined that “the complete withdrawal of the remnants of the Armenian armed forces from the territory of Azerbaijan, where the Russian peacekeeping forces are temporarily deployed, was not ensured, as it is provided for by the trilateral statement signed on 10 November 2020.” The statement added that “in recent days, Armenia having violated the trilateral statement by moving its armed forces to the territory of Azerbaijan, where Russian peacekeepers are temporarily deployed, is setting up its new posts near Mukhtarkend and Shushakend, as well as in the territories to the east of the administrative boundaries of the Kalbajar and Lachin regions.” The Ministry of Defense also called upon the Russian peacekeepers to “put an end to the deployment of the Armenian armed forces in the territories of the Azerbaijan Republic, where they are temporarily deployed.”

Another implication of the new geopolitical reality arising from the outcome of the Second Karabakh War is the increase of Turkey’s influence and importance in the South Caucasus. Its moral and political support for Azerbaijan during the war played a significant role in bringing to light the justice of Azerbaijan’s endeavor in the international arena. Turkish-made drones also substantially contributed to the Azerbaijani army’s overall victory on the battlefield. Furthermore, the signing of the Shusha Declaration on Allied Relations by the heads of state of both countries on 15 June 2021 not only further consolidates an already close bilateral cooperation in the political, economic, military, and other spheres, it also establishes additional security guarantees and provides a counterbalance to the Russian presence in the South Caucasus region.

All told, the Second Karabakh War brought about a new geopolitical balance in the South Caucasus. Turkey and Russia, two regional powers representing two different intergovernmental military alliances—namely, NATO and the Collective Security Treaty Organization (CSTO)—not only strengthened their respective positions in the South Caucasus, but also, for the first time anywhere in the post-Soviet space, formalized their cooperation through the establishment near Aghdam of a Joint Center for Monitoring the Ceasefire in Karabakh, in accordance with a memorandum signed by the defense chiefs of the two countries on 11 November 2020.

At the same time, and again due exclusively to Russia’s mediation efforts (in contrast to the other OSCE Minsk Group Co-chairs), a second
tripartite statement was signed by the leaders of Azerbaijan, Armenia, and Russia on 11 January 2021. This second tripartite statement aims to pave the way for the development of cross-border transportation routes and boost economic growth to benefit the overall region.

Thus, a new geopolitical shift in the South Caucasus has very likely dissatisfied some other powers. These include France and the United States, the two other co-chairs of the OSCE Minsk Group. Both Paris and Washington have been involved in trying to mediate the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region since 1992; presumably, they too would like to be engaged in these new processes.

Nevertheless, after the Second Karabakh War, the extent of the role the Minsk Group could play seems rather uncertain. On the one hand, since the tripartite statement was signed France's vocal support for Armenia's position to a certain degree jeopardized its impartiality as a Co-chair of the Minsk Group. On the other hand, the fact and timing of the April 2021 recognition by U.S. President Joe Biden of the 1915 events that took place on the territory of the Ottoman Empire as a "genocide" might also make it more difficult for America to be seen as an impartial, honest broker not only in the context of Armenia-Azerbaijan, but also Armenia-Turkey (although with respect to the latter, the U.S. has not seemed to be particularly actively involved). The future role of the OSCE Minsk Group will be further discussed below.

All in all, and despite efforts to implement both signed tripartite statements, one could conclude that there are certain pressing issues and concerns that remain unresolved and that seem to be complicating factors on the road to achieving normalization of relations between Azerbaijan and Armenia. In the short term, Armenia's refusal to provide information about minefield locations, complications in the delineation of the Armenian-Azerbaijani international border, the willful misinterpretation by Armenia of the situation with respect to the Armenian detainees remaining in Azerbaijan's custody, the politicization of questions related to the protection of religious and cultural heritage, the placing of impediments to the opening of transport and economic communications, the continued raising of the issue of Karabakh's “status” by Armenia, and a divergence of opinion on the future role of the OSCE Minsk Group are among the most contested subjects. Meanwhile, in the mid-to-long term, the reintegration of both Karabakh Azerbaijanis and Armenians on the territory of Azerbaijan should be considered.

Here we can take a closer look at some of the pressing issues at stake.

**MINEFIELDS**

Following the Second Karabakh War, Azerbaijan has started to carry out operations to clear the mines, unexploded munitions, and other hazards left behind by Armenian forces. However, Armenia's refusal to fully provide information about minefield locations creates a serious obstacle for effective demining and the prevention of further casualties.

As of early September 2021, more than 46,486 mines and UXOs were neutralized on more than 15,510 hectares in liberated Karabakh. During this same period, 160 Azerbaijani citizens have been injured or killed in mine explosions. Among those killed were two journalists and an Azerbaijani official who tragically lost their lives in a mine blast while on duty.11

On 12 June 2021, after pressure was put on Armenia by various countries and international organizations, the Armenian side agreed to transfer the maps of 97,000 anti-tank and anti-personnel mines planted during its occupation of the Aghdam district of Azerbaijan in exchange for 15 Armenians detained during the war. Azerbaijan's Foreign Ministry expressed its appreciation for the support of the Georgian government headed by prime minister Irakli Garibashvili for the implementation of this humanitarian action. It also acknowledged the mediation role of U.S. Secretary of State Antony Blinken, Acting Assistant Secretary of State for European and Eurasian Affairs Philip Reeker, the President of the European Council Charles Michel, and the Swedish Chairmanship of the OSCE for their respective contributions to the process.

On 3 July 2021, on the initiative of Russia, Armenia submitted to the Azerbaijani side maps of about 92,000 anti-tank and anti-personnel mines planted during the occupation in the Fuzuli and Zangilan regions. This was
realized through the mediation efforts of Rustam Muradov, the commander of the Russian peacekeeping force. In exchange, the Azerbaijani side handed over 15 people of Armenian origin who had been tried, convicted, and incarcerated by an Azerbaijani court but for whom the sentences had been commuted as a humanitarian gesture.\textsuperscript{12}

Unfortunately, the precision of these maps has been suboptimal: in his interview with CNN Turk channel on 14 August 2021, President Aliyev said that the accuracy of the minefield location information provided by Armenia is only 25 percent.\textsuperscript{13}

\section*{BORDER DELINEATION}

Because of the almost 30-year-long illegal Armenian occupation, Azerbaijan was only partially able to control its international border with Armenia. Moreover, neither delimitation nor demarcation processes have been implemented between these two states over the years. After the Second Karabakh War and the 10 November 2020 tripartite statement, this section of the border between Armenia and Azerbaijan returned to its previous, Soviet geography.

However, the situation along the Armenian-Azerbaijani international border has been exacerbated several times since the end of the war. For example, on 12 May 2021 Yerevan accused Baku of deploying hundreds of troops on the eastern border of Armenia around the Karagol/Sev Lake area; Azerbaijan denied its troops had crossed the border, stating that its forces were only defending the country’s sovereign territory and that Baku was reasserting control over its internationally recognized borders.

Commenting on this border incident, Azerbaijani Foreign Ministry spokesperson Leyla Abdullayeva stressed that Azerbaijan merely continues to strengthen its border-protection system within the framework of the country’s territorial integrity, adding that this process is performed based on Soviet-era maps defining the borderline between the two countries, which the Armenian side also has in its possession. Abdullayeva further noted that any disagreements between the parties on border issues should be resolved by political and diplomatic means.

However, for a time the Armenian side had tried to politicize these border tensions as well as aggravate the situation on the ground further by various provocative statements and actions. For example, on several occasions, Pashinyan had appealed to the CSTO to hold consultations on this issue (in doing so, he cited Article 2 of its treaty), as well as to several other heads of state.

Interestingly, the CSTO’s response has been quite restrained: no support was forthcoming to Yerevan’s position, notwithstanding the fact that Armenia, unlike Azerbaijan, is a member state of this military alliance. On the other hand, countries such as France, a NATO member state, have called for Armenia’s territorial integrity to be respected and for Azerbaijan to pull back its troops.

In contrast, Russia had proposed setting up a joint Armenian-Azerbaijani commission on the delimitation and demarcation of borders, with the participation of Russia as a consultant or mediator. However, Armen Grigoryan, at the time serving as Armenia’s Secretary of the Security Council, said that demarcation work could not begin until Azerbaijani troops leave what he termed Armenian territory. In contrast, Azerbaijan backed Russia’s proposal to establish a trilateral commission on the delimitation and demarcation of the Azerbaijani-Armenian border, as Prime Minister Ali Asadov made clear during a meeting of the CIS Council of Heads of Government that took place on 28 May 2021 in Minsk.

Tensions have not fully eased and the number of skirmishes still remains too large. The 9 August 2021 statement by Armenia’s Defense Minister, Arshak Karapetyan—in reference to the situation along the Armenian-Azerbaijani international border—that Armenia reserves the right to settle the issue by the use of force if the problem is not resolved peacefully,\textsuperscript{14} remains Yerevan’s policy.

These and similar developments showcase that, perhaps, there are certain political circles in Armenia that are interested in causing further provocations in the areas bordering with Azerbaijan in order to increase tensions and internationalize the issue of delineating the Armenian-Azerbaijani border.
DETAINEES

Another pressing issue revolves around the situation regarding Armenians detained after the tripartite statement came into force that remain in Azerbaijan’s custody. Unfortunately, due to the misrepresentation and distortion of the facts by the Armenian government, this issue has not been perceived clearly and objectively in some corners of the world.

Article 8 of the 10 November 2021 tripartite statement clearly states that the “exchange of prisoners of war and other detainees and bodies of the dead shall be carried out.” Since then, in accordance with its obligations under this agreement, Azerbaijan has released and repatriated more than 70 Armenians in its custody who were entitled to POW status. Azerbaijan also found and handed over to the Armenian side the bodies of 1,686 Armenian soldiers. However, Armenia has not yet released information on the whereabouts of 3,890 persons (3,171 servicemen and 719 civilians) from Azerbaijan that went missing during the First Karabakh War.

Taking hostages is clearly prohibited by international humanitarian law; however, 267 Azerbaijani civilians (including 29 children, 98 women, and 112 elderly people) were taken hostage during the First Karabakh War and have not been released by Armenia since then. So far, however, 1,102 Azerbaijani hostages (including 224 children, 357 women, and 225 elderly people) have been released from Armenian captivity.15

Moreover, since the tripartite statement was signed various Armenian sabotage groups have tried to cross illegally into Azerbaijan with the aim of engaging in sabotage and terrorist activities. One such group, consisting of 62 Armenian citizens, was detained on 13 December 2020 as a result of a joint anti-terror operation conducted by Azerbaijan’s State Security Service and its Ministry of Defense. Prior to its capture, this group had been suspected of the commission of a series of terrorist attacks against Azerbaijani military servicemen and civilians in the country’s Khovavend district, causing the deaths of four servicemen and inflicting serious injuries on one civilian. Of these 62 saboteurs, 14 were charged under the relevant articles of the Criminal Code of Azerbaijan and the indictment, approved by the country’s Deputy Prosecutor General, was sent to court for consideration. In addition, a criminal investigation has been completed against 13 other suspected members of this illegal armed group and has also been sent to the court in Azerbaijan. Meanwhile, as a humanitarian gesture, Azerbaijan released and repatriated first ten and then an additional four members of this group back to Armenia.

The bottom line is that the Armenian detainees remaining in Azerbaijan’s custody cannot be considered POWs because they have been charged with engaging in sabotage, terrorist activities, and the like in the period after the signing of the 10 November 2020 tripartite statement. Investigations with regards to the commission of such unlawful acts by Armenian servicemen are ongoing; their criminal liability under Azerbaijani law clearly falls outside the scope of Article 8 of the tripartite statement.

Concurrently, as discussed above, on 12 June 2021 and 3 July 2021, Azerbaijan released a total of 30 Armenian detainees remaining in Azerbaijan’s custody in exchange for Armenia providing Azerbaijan with maps of 97,000 anti-tank and anti-personnel landmines in the Aghdam district and 92,000 anti-tank and anti-personnel mines planted during the occupation in Fuzuli and Zangilan. It should be mentioned that the investigation conducted by Azerbaijani authorities concluded that the detainees repatriated to Armenia either had not committed serious crimes against Azerbaijan and its citizens or were imprisoned by the court’s verdict and the term of the imposed sentence had expired.

POLITICIZATION OF HERITAGE PROTECTION

For almost three decades, the separatist regime operating in the occupied territories of Azerbaijan tried to distort the origin and use of cultural and religious heritage located there. In early July 2020, one of Azerbaijan’s top diplomats serving abroad, Nasimi Aghayev, published an essay in Medium in which he argued that “almost all once Azerbaijani-populated towns, villages, and even streets, have been renamed after the occupation, and Armenianized, in a vicious attempt to erase any traces of Azerbaijanis’ age-old presence in Karabakh.”16

The deliberate destruction of the cultural and religious monuments of any nation is regarded as a war crime under international law. According
to the 1954 Hague Convention for the Protection of Cultural Property, occupying forces must respect and preserve cultural property and prevent the theft of said property in the event of an armed conflict. Unfortunately, during the period of Armenian occupation, these requirements were ignored. As noted by the Azerbaijani Foreign Ministry in April 2021:

as of today, the Ministry of Culture of Azerbaijan has identified more than 400 monuments that have been destroyed in the liberated territories. The total number of monuments in these territories is up to 3,000. Cultural and religious property belonging to Azerbaijan has been looted, desecrated, altered, and illegally exported to Armenia. Twenty-two museums and museum branches with over 100,000 artefacts on the liberated territories have been destroyed.17

Additionally, based on the data of the Azerbaijan National Academy of Sciences, out of 67 mosques located on the territory of the former NKAO and the seven adjacent Azerbaijani districts, 63 were completely destroyed and four were damaged.18 In other words, not a single mosque was left untouched by the Armenian occupation.

During an official visit by the President of the UN General Assembly on 10 April 2021 to Azerbaijan, President Aliyev urged international organizations, especially UNESCO, to visit the region and to witness the destruction of Azerbaijani historical, religious, and cultural monuments by Armenia.19

Despite Azerbaijan’s repeated assertions that Azerbaijani cultural and religious heritage, such as mosques, museums, libraries, theatres, and so on, were being destroyed under the Armenian occupation, and despite repeated calls over many years for UNESCO to send a fact-finding mission, this had not occurred. Only after the Second Karabakh War came to an end—that is to say, only when the Armenian side expressed concern about the fate of Armenian cultural and religious heritage sites in liberated Karabakh—did UNESCO suddenly call for a mission to be sent to Azerbaijan. This appears to indicate the existence of a double standard when it comes to Christian and Muslim cultural and religious heritage. Such blatant application of political hypocrisy is, obviously, regrettable and, quite frankly, beyond comprehension.

In a late-December 2020 interview, presidential adviser Hikmat Hajiyev pressed this point home:

UNESCO is an intergovernmental organization and must carry out its activities in accordance with its mandate in an objective and impartial manner. UNESCO officials should not be preoccupied with advancing the national agenda of the countries they are citizens of. UNESCO should not become an instrument of political influence of any state. This is a great blow to its authority and independence. The protection of cultural heritage is a universal obligation and should not be used for political purposes.20

Azerbaijani authorities have underlined that, as a multicultural and multi-confessional country, it has striven to protect the religious heritage and culture of all its people. There is no compelling evidence that Azerbaijan intends to destroy Armenian heritage in Karabakh, nor that it opposes the visit of a UNESCO mission to the liberated territories; what Baku does demand, however, is that any such mission is carried out by following all relevant and established procedures and in full accordance with international law. Claims to the contrary, raised by the Armenian side, only serve to deleteriously politicize this sensitive issue.

IMPEDIMENTS TO COOPERATION

Over the past few decades, Azerbaijan has been actively involved in the process of launching regional connectivity projects covering not only east-west but also north-south and north-west trajectories. The full implementation of the 10 November 2020 tripartite statement would, simply stated, bring Armenia back into this regional fold. Indeed, the end of Yerevan’s transportation and economic isolation would transform the South Caucasus and potentially the entire Silk Road region into a world-class economic, logistics, and tourism hub.

After the Second Karabakh War, the idea of revitalizing the transportation corridor that could reunite mainland Azerbaijan with its exclave, the Nakhchivan Autonomous Republic, has become much more concrete. Coined the “Zangazur transportation corridor,” Azerbaijan is keen to see
the required road and rail infrastructure built and rebuilt in the 44-km-long strip of territory located in Armenia to connect Asia and Europe.

In fact, Article 9 of the 10 November 2020, tripartite statement stipulates the unblocking (the term used in the document is “restoration”) of “all economic and transport links in the region.” (With respect to mainland Azerbaijan and Nakhchivan Autonomous Republic, the purpose of renewing all Soviet-era links is indicated as being the “unimpeded movement of citizens, vehicles, and goods in both directions.”) Article 9 also provides an explicit assurance (the phrase in the document is “shall be ensured”) that “new transportation communications linking the Nakhchivan Autonomous Republic with the western regions of Azerbaijan” will be constructed.

The entirety of the follow up 11 January 2021 tripartite statement, likewise signed by Aliyev, Pashinyan, and Putin, focuses on the implementation of Article 9 of the 10 November 2020 tripartite statement. To that end, a trilateral working group headed by the deputy prime ministers of the three signatory states was established. This high-level working group is tasked with leading a technical process to devise concrete plans on “railway and automobile communication” as a matter of priority and submit them to the leaders of Azerbaijan, Armenia, and Russia for approval. Several meetings have been held at various levels in this regard.

In anticipation of the fulfillment of the two aforementioned agreements, Azerbaijan has already begun work on various connectivity projects in the liberated areas and other parts of the country. For instance, work is currently under way on the construction of the Horadiz-Agbend railway, the foundation of which was laid by President Aliyev in February 2021. It will connect Horadiz (located in the Fuzuli district) to Agbend (located in the Zangilan district) where the borders of Azerbaijan, Armenia, and Iran meet. Moreover, work on those parts of the corridor in Nakhchivan that require renovation has begun and will be completed in less than three years, with the rest having remained operational over the years. However, the most complicated part of the establishment of the Zangazur transportation corridor, at least from political and economic perspectives, is the section that needs to pass through Armenia’s Syunik province. Railway and road communications that existed along this route during the Soviet era will need to be restored, as these were dismantled by Armenia during the period of occupation of Azerbaijani territories.

Notwithstanding other impediments to the construction of the Zangazur transportation corridor reconnecting mainland Azerbaijan with Nakhchivan, route projections indicate that both railway and automobile communications are likely to pass through the town of Meghri, which is located on the Aras River on the Armenian side of the border with Iran. This appears to be one of the reasons that the 10 November 2020 tripartite statement indicates that, although Armenia “guarantees the safety of [these] transport links […] control over transport shall be exercised by the bodies of the Border Guard Service of the Federal Security Service (FSB) of Russia.”

In remarks made at the joint news conference following the trilateral meeting in Moscow on 11 January 2021 that produced the second tripartite statement, President Aliyev emphasized that the opening of transport communications serves the interests of the peoples of Azerbaijan, Armenia, Russia, and our neighbors. I am confident that neighboring countries would also actively engage in the establishment of a diversified network of transportation corridors and arteries in our region. We must continue to identify areas of activity that are effective and result-oriented in the short term.22

Pragmatically, the reopening of transport and economic communications is beneficial not only to Azerbaijan and Armenia, but also for neighboring states such as Russia, Iran, and Turkey. Understandably, this issue has heavily been politicized in Armenia; however, cautious optimism may be in order in the wake of Pashinyan’s 15 October 2021 speech at a virtual meeting of the Council of Heads of State or Government of the Commonwealth of Independent States (CIS) in Minsk.22

**THE FUTURE OF THE OSCE MINSK GROUP AND THE “STATUS ISSUE”**

Following the Second Karabakh War and the 10 November 2020 tripartite statement, Armenia’s presence as an occupying force in the territory of Azerbaijan was brought to an end; Azerbaijan’s territorial integrity has now been restored.
Thus, as President Aliyev stated in a joint press conference held with Russian President Vladimir Putin and Armenian Prime Minister Nikol Pashinyan on 11 January 2021, “the Nagorno-Karabakh conflict has been consigned to history and we must think about the future, how to live together as neighbors, how to work to open transport arteries and strengthen regional stability and security.”

Seen against this backdrop, the future destiny of the OSCE Minsk Group today seems rather uncertain. From Azerbaijan’s perspective, the Armenian occupation has been brought to an end and the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region has been resolved. The so-called “status issue” is thus no longer relevant—and certainly not subject to the mediation activities of the Minsk Group.

On the other hand, Armenia is eager to keep the OSCE Minsk Group alive for its own ends. From Armenia’s perspective, the conflict has not yet been resolved, nor has the “status” of Nagorno-Karabakh yet been determined. Therefore, a negotiation process should be continued with Russia and the other two Minsk Group Co-chairs.

Obviously, this means that there is a certain divergence of opinion on the role of the OSCE Minsk Group at the moment.

To this should be added the assessment that this mechanism’s previous work had been neither very productive nor particularly meaningful. This was once again confirmed on 12 December 2020, during a meeting in Baku between President Aliyev and the Minsk Group Co-chairs (or at least the Western members; the Russian member’s “inability to travel” meant that Russia was represented by its ambassador to Azerbaijan). The president was clear: “the Minsk Group did not play any role in the resolution of the conflict, although the Minsk Group had a mandate to do it for 28 years. [...] And this is a reality.” Azerbaijan’s president also added that his country had “resolved” the conflict by itself: “by defeating Armenia on the battlefield,” he continued, “we forced the aggressor to admit its defeat, to sign a declaration that we consider as an act of capitulation of Armenia. [...] The conflict is resolved [and] Azerbaijan did it by military-political means.”

At the same time, it seems likely the Minsk Group will not simply dissolve itself. Thus, in order to justify its continued existence, some new roles and responsibilities will need to be brought forth: new tasks and functions will be conceived, thus enabling this mechanism to carry on its work in the near future.

On this point President Aliyev has also made his views known. For instance, during an in-person international conference co-organized in Baku by ADA University and the Center of Analysis of International Relations (AIR Center) in mid-April 2021, he noted that “there could be some areas where [the Minsk Group] could play their role in the post-conflict situation—not as a group which needs to help to resolve the conflict.” In elaborating his answer, he put the onus on the Minsk Group to “think [up] something creative; to be supportive; not to do something which can damage this fragile peace; not to give some unrealistic promises to Armenia; and to try to be neutral; to try to be impartial and to try to seal this situation.” He also noted that in the event Armenia would wish to engage in talks on a “future peace agreement,” then “there could be a lot of room for international players. There are the issues of demarcation, delimitation, interaction,” he concluded.

President Aliyev’s point was a sequential one: the process of normalization of interstate relations between Armenia and Azerbaijan should begin by tackling the three aforementioned issues as well as other thorny ones; their resolution would open the way for the signing of a peace treaty. And in this context, he made it clear that “a lot of room” could be provided to “international players” to play their respective roles.

NORMALIZATION?

In 2021, both Azerbaijan and Armenia celebrate the thirtieth anniversary of the restoration of their independence. However, they have never formalized their ties due to the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region.

The background to the onset of the conflict is traceable back to 1988, when an irredentist Karabakh movement, established in Armenia and the NKAO, encouraged mobilization of Armenian ethno-nationalists demanding the transfer of this mainly Armenian-dominated region
from the jurisdiction of Soviet Azerbaijan to Soviet Armenia. Despite the rejection of the NKAO’s appeal by both Soviet Azerbaijan and the Soviet central leadership, Armenian ethno-nationalists did not relinquish their claims and eventually became locked in a tense stand-off with Azerbaijan. After Azerbaijan and Armenia regained their independence in 1991, the Republic of Armenia continued to provide military, political, diplomatic, social, and economic assistance to Karabakh Armenian separatists. At the same time, in order to avoid accusations of irredentist claims, both Armenia and Karabakh Armenians started to demand the right of the people of Nagorno-Karabakh to self-determination understood to mean a right to secede from Azerbaijan.26

This eventually led to the First Karabakh War and an almost 30-year-long illegal Armenian occupation of close to one-fifth of the internationally recognized territory of sovereign Azerbaijan. At the same time, the entire Azerbaijani population of the former NKAO and the seven adjacent districts was forcibly expelled (i.e., ethnically cleansed) by Armenian armed forces. Some estimates put the number of deaths on both sides at 30,000 during the First Karabakh War, which came to an end in May 1994 thanks to a Russian-brokered ceasefire.

Over the years Armenia had propped up the Karabakh Armenian occupation entity together with the influential Armenian diaspora: both backed the Karabakh separatists through tangible financial and informational support. The Second Karabakh War and the 10 November 2021 tripartite statement ended the Armenian occupation and, finally, Azerbaijan’s territorial integrity has been restored.

Looking ahead, the Azerbaijani government is determined to reintegrate its ethnic-Armenian citizens residing in the territories that are currently under the control of Russian peacekeepers. At the same time, Azerbaijan is ready to start the process of normalizing relations with Armenia based on the principles of international law. However, it is essential in this context that Armenia as a kin-state changes its external minority policy, adopts a cooperative strategy, and come to a settlement with Azerbaijan on the basis of withdrawing any territorial claims. After recognizing one another’s territorial integrity, Armenia and Azerbaijan can, in the future, sign a formal peace agreement.

On 14 August 2021 President Aliyev gave an interview to CNN Turk TV channel in which he touched upon this last issue and stressed that Azerbaijan is ready to sign a peace agreement with Armenia. “Let Armenia and Azerbaijan recognize each other’s territorial integrity and begin the process of delimitation and demarcation of the border,” he stated. However, he added that we have not received a positive response from Armenia yet. It seems that Armenia is not ready for this or is opposed to it. I said that it will be a huge blunder and that they would regret it. Because we do not have to keep this proposal on the table forever. If they object to it, let them say it openly that they do not want to sign a peace agreement with Azerbaijan. In this case, we will pursue our policy accordingly. If Armenia is ready for this, if it is ready to recognize the territorial integrity of Azerbaijan which is recognized by the whole world, then, of course, long-term peace will come to the region. We want it, and at the same time, specific proposals to achieve it are already on the table.27

President Aliyev has subsequently reaffirmed this position in various other fora.

However, it seems that Armenia is not in a hurry to sign a peace agreement with Azerbaijan—even Pashinyan’s 15 October 2021 CIS speech ascribed no urgency (or at least no timeline) to the achievement of this goal. On the one hand, the existence of an intra-elite conflict within Armenian society reduces the likelihood of the formation of consolidated opinion on the ways of the further development of Armenia, including the central issue of normalizing its relationship with Azerbaijan and Turkey. On the other hand, most probably, the process of serious reflection on the causes of Armenia’s failure in the Second Karabakh War has not yet begun in this country for the time being because, for such a recognition to occur, it is necessary first to destroy many fundamental myths that underlie modern Armenian statehood.

According to Gerard Libaridian, Armenian leaders need to come to terms with Azerbaijan and Turkey and stop considering them as enemies and instead consider them as neighbors. Only then, he has said, will Armenia be able to negotiate its own interests independently rather than having
them dictated by other powers. Otherwise, Libaridian argues, the erosion of Armenia’s independence and its reliance on other powers to maintain its hostility to Azerbaijan and Turkey might end up hurting Armenia itself in the time ahead, as has been the case in the past.  

There is also no doubt that the transformation of Armenian-Azerbaijani and Armenian-Turkish relations is a challenging issue. The role of the Armenian Diaspora in this sense is quite important. The irredentism present among Armenians and fed by a sense of victimization and revenge have always been the main obstacles for the normalization process between the two sets of states.

Undoubtedly, the historical memory of past bloody experience between Armenians and Turks marks a psychological trauma in certain parts of the Diaspora who are simply not ready to put aside their advocacy of a revanchist policy. Azerbaijanis have been punished by being considered “guilty by association,” because many Armenians choose not to differentiate between Turks and Azerbaijanis. Here it is instructive to cite Libaridian again:

close identification of Azerbaijan with Turkey made Azerbaijan an extension of Turkey in the minds of the Diaspora Armenians. [...] The occupation of Azerbaijani territories was also perceived by many Diasporans as the rightful revenge of the past. There are those who believe that the return of these territories would constitute treason.  

This serves as a reminder that due to the Armenia-Azerbaijan conflict in and around the Nagorno-Karabakh region Armenia’s borders with Azerbaijan and Turkey have been closed for almost thirty years. It has also forced both Armenia and Azerbaijan to become involved in a costly regional arms race. But now, after the Second Karabakh War has come and gone, a unique opportunity to move forward with new ideas and a common vision seems to be emerging, providing an opportunity to put aside past grievances and outdated stereotypes.

Russia has a significant role to play in this context as the key mediator and peacekeeper in the region. It can ensure full implementation of both aforementioned tripartite statements as well as be instrumental in encouraging a normalization process between both Armenia and Azerbaijan and Armenia and Turkey.

In his interview to CNN Turk TV channel, President Aliyev was asked about his country’s expectations from Russia. He replied that “our expectations from Russia are that all the provisions of the trilateral statement will be implemented. Because this trilateral statement was signed by the leaders of Azerbaijan, Russia, and Armenia, and most of them have already been implemented. But there are some issues that still remain outstanding.” He also added his hope that Russia, as a neighbor of Azerbaijan and a close ally of Armenia, “continues to spare no effort for the security of the region and take steps to ensure lasting peace” and “does not arm Armenia because there is no need for that,” since the “war is over. The people of Armenia have to come to terms with this situation. The Armenian government has also to come to terms with its own defeat.”

Russia should also be the leading force in a process of delimitation and demarcation of the Armenian-Azerbaijani international border and should activate the efforts of the trilateral working group towards unblocking economic and transportation links, which, as mentioned above, is headed by the deputy prime ministers of the three signatory countries. These could be the first important steps towards the normalization of relations between Armenia and Azerbaijan.

Russia has also called on Armenia to normalize its ties with Turkey. In early September 2021, for example, Russian Foreign Minister Sergey Lavrov said that “now, when the war in Nagorno-Karabakh is over, there are grounds for unblocking the political process, transport, and economic ties, it would be logical if Armenia and Turkey resumed efforts to normalize relations.” Russia is ready to actively support this process, Lavrov added. Recent positive signals coming from Turkey’s president Recep Tayyip Erdogan and Armenia’s prime minister Nikol Pashinyan regarding the normalization process are also encouraging.

Thus, if the processes of normalization between Armenia and Azerbaijan, on the one hand, and between Armenia and Turkey, on the other hand, take place, this could lead not only to the opening of their respective borders to each other but also contribute to the instauration of regional stability as well as the development of trans-regional cooperation among the three South Caucasian states and the wider region. At the same time, it would create an enabling environment that could be more
Adapting To A New Political Reality

Gulshan Pashayeva

conducive for future dialogue and interactions between Armenians and Azerbaijanis, on the one hand, and Armenians and Turks, on the other. This would make it that much easier to realize a six-nation platform composed of Armenia, Azerbaijan, Georgia, Iran, Russia, and Turkey proposed by Ankara and then by Moscow for the encouragement of a state composed of Armenia, Azerbaijan, Georgia, Iran, Russia, and Turkey for the encouragement of a state.

NOTES


20. “Presidential Aide: UNESCO Must Not Use Protection of Cultural Heritage for Political
Gulshan Pashayeva


27. “President Ilham Aliyev was Interviewed by CNN Turk TV Channel,” Azertag, August 14, 2021, https://azertag.az/en/xeper/President_Ilham_Aliyev_was_interviewed_by_CNN_Turk_TV_channel_VIDEO-1852985.


30. “President Ilham Aliyev was Interviewed by CNN Turk TV Channel” Azertag, August 14, 2021, https://azertag.az/en/xeper/President_Ilham_Aliyev_was_interviewed_by_CNN_Turk_TV_channel_VIDEO-1852985.