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OBSTACLES TO PEACE BETWEEN AZERBAIJAN AND ARMENIA

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Throughout history, relations between Azerbaijan and Armenia have been troublesome. The last war between the two states broke out on 27 September 2020 with Armenias attack on Tavush and lasted 44 days. After the Second Karabakh War ended with Azerbaijans victory, a peace agreement to be established between the two sides in order to ensure lasting peace and stability in the region has been long awaited. When considering the stability and future of the region, the agreement expected between the two countries is of great importance. However, there are various current factors influencing and impeding this process.

One of the primary reasons behind the obstruction against the peace process is Armenias declaration of independence[1], which is referred to by the Armenian Constitution[2]. The Armenian declaration, to which the Constitution refers, contains an article on the unification of Karabakh with Armenia. For this reason, Azerbaijan demanded the amendment of the Armenian Constitution as a condition for the peace agreement. The Pashinyan government has initiated efforts to amend the constitution. Although Pashinyan has frequently brought up the need for amendments and even emphasized the need for renewal on Constitution Day,[3] opposition groups in Armenia have claimed that Azerbaijan's demand for constitutional amendments is interference in Armenian internal affairs. It should not be forgotten that the constitution specifies the form of government of states and is superior to all other legal rules and structures.[4] Therefore, the presence of such a reference to Karabakh in the most prominent treaty of the state constitutes a direct threat to Azerbaijans territory.

Another aspect that needs to be underlined is the border demarcation process between the two states. Precise demarcation of the borders is imperative in preventing possible future conflicts and ensuring security in the region. However, both countries have struggled with various issues concerning border demarcation. There are many problematic factors, such as sensitivities of the local population and border drawings on different maps. While agreement has been reached in some areas on the demarcation of borders, there are still points of disagreement.

The church also took part in the attempts to obstruct efforts towards peace and border demarcation. On 19 April, as per the agreement reached as a result of border talks with

Azerbaijan, 4 border villages in the Tavush region were returned to Azerbaijan. The opposition to this decision turned into an anti-government demonstration led by the region's highest religious authority, Archbishop Bagrat Galstanyan. Galstanyan, supported by the Echmiadzin, started a 170-kilometer march to Yerevan and reached the capital on 9 May. Galstanyan's protest became increasingly intense, and eventually the Archbishop even demanded Pashinyan's resignation.[5] The churchs opposition against Azerbaijans peace treaty terms and the Armenian Government gave rise to anti-peace backlash from Armenians living both in Armenia and in the diaspora. Consequently, it has further strained relations between the two countries.

All in all, peace between Azerbaijan and Armenia is of great importance for the peace and stability of the region. Unfortunately, there are some serious obstacles regarding both parties in the peace process. While it would not be realistic to expect some of these hindrances to be resolved quickly and smoothly, it is essential that both states take into account international legal norms, each other's sensitivities regarding historical matters, and the interests of the region in order for the process to continue.

**Picture: GDH Haber*

[1] Declaration of Independence, The Goverment of Republic of Armenia, (Date of access: 22 July 2024) https://www.gov.am/en/independence/.

[2] Constitution of the Republic of Armenia, The President of The Republic of Armenia, (Date of access: 22 Temmuz 2024), https://www.president.am/en/constitution-2015/.

[3] Փաշինյանը կրկին շեշտում է՝ «մեր երկրին նոր Սահմանադրություն է հարկավոր, Azatutyun Radiokayan, 5 July 2024, https://www.azatutyun.am/a/pashinyany-krkin-sheshtum-e-mer-erkrin-nor-sahmanadrutyun-e-harkavor-/33022838.html.

[4] Kemal Gözler, Anayasa Hukukunun Genel Esasları, Ekin Yayınevi, 2018, p. 439.

[5] Քաղաքական Գործիչ Բագրատ Գալստանյանը Պահանջեց Վարչապետ Նիկոլ Փաշինյանի Հրաժարականը, Armtimes, 9 May 2024, https://www.armtimes.com/hy/article/286745.

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