



AVİM

Türkmeneli İşbirliđi ve Kùltür Vakfı
AVRASYA İNCELEMELERİ MERKEZİ
CENTER FOR EURASIAN STUDIES

THE ARMENIAN-AZERBAIJANI NAGORNO-KARABAKH CONFLICT: A THREAT TO REGIONAL PEACE, SECURITY AND NEIGHBORLY RELATIONS

 **SAM** STRATEJİ
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MƏRKƏZİ

 **AVİM**
AVRASYA İNCELEMELERİ MERKEZİ
CENTER FOR EURASIAN STUDIES

November 21th, 2014, Ankara



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Contents

Introduction.....	5
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OPENING SPEECHES

Dr. Gulshan Pashayeva, <i>Deputy Director of the Center for Strategic Studies (SAM)</i> <i>Under the President of the Republic of Azerbaijan</i>	7
Alev Kılıç, <i>Director of the Center for Eurasian Studies (AVİM)</i>	9
Faiq Bagirov, <i>Ambassador of the Republic of Azerbaijan to Ankara</i>	11
Glen Howard, <i>President of Jamestown Foundation</i>	13

PANEL I: The “Nagorno-Karabakh Issue” from 1828 to Present Demographic Processes and Administrative Changes

Nagorno-Karabakh in the Ottoman Archives.....	17
<i>Prof. Dr. Yusuf Sarınoy</i>	
Administrative Changes in the Territory of Nagorno-Karabakh After 1828.....	21
<i>Dr. Araz Aslanlı</i>	
Demographic Processes in the Territory of Nagorno-Karabakh from 1828 to Present	26
<i>Prof. Dr. Musa Qasımlı</i>	

PANEL II: Armenia-Azerbaijan, Nagorno-Karabakh Dispute Within the Context of Geopolitical Interests

Azerbaijan’s Stance Towards the Nagorno-Karabakh Dispute.....	30
<i>Dr. Gulshan Pashayeva</i>	
The Nagorno-Karabakh Dispute in International Law.....	36
<i>Assoc. Prof. Dr. Cavid Abdullahzade</i>	
Great Powers’ Stance Towards the Resolution of the Nagorno-Karabakh Dispute.....	40
<i>Prof. Dr. Kamer Kasım</i>	
Turkey’s Stance Towards the Resolution of the Nagorno-Karabakh Dispute.....	44
<i>Aslan Yavuz Şir</i>	

Introduction

On November 21, 2014 Center for Eurasian Studies (AVIM) and Center for Strategic Studies under the President of the Republic of Azerbaijan (SAM) held a meeting in Wyndham Ankara Hotel titled "The Armenian-Azerbaijani, Nagorno-Karabakh Conflict: A Threat to Regional Peace, Security and Neighbourly Relations"

The introductory speeches of the meeting were made by the Deputy Director of SAM under the President of the Republic of Azerbaijan Gulshan Pashayeva, Director of AVIM Alev Kılıç, Ambassador of the Republic of Azerbaijan to Ankara His Excellency Faiq Bagirov and the President of Jamestown Foundation Glen Howard. The meeting consisted of two panels.

The first panel, with the title of "The 'Nagorno-Karabakh Issue' from 1828 to Present Demographic Processes and Administrative Changes", was moderated by Prof. Dr. Musa Qasımlı. The following presentations were made during the first panel: "Nagorno-Karabakh in the Ottoman Archives" by Prof. Dr. Yusuf Sarıncay (Dean of the Faculty of Science and Letters of TOBB University of Economics and Technology, former manager of the state archives of the Prime Ministry of the Republic of Turkey, "Administrative Changes in the Territory of Nagorno-Karabakh after 1828" by Dr. Araz Aslanlı (Director of the Caucasian Center for International Relations and Strategic Studies - QAFSAM), "The Role of the Karabakh Clan in Armenia's Domestic Politics" by Assoc. Prof. Dr. Hasan Ali Karasar (lecturer at the Department of International Relations, Atılım University), "Demographic Processes in the Territory of Nagorno-Karabakh from 1828 to Present" by Prof. Dr. Musa Qasımlı (MP of the Republic of Azerbaijan, historian).

The second panel, with the title "Armenia-Azerbaijan, Nagorno-Karabakh Dispute within the Context of Geopolitical Interests", was moderated by Prof. Dr. Kamer Kasım. The following presentations were made during the second panel: "Azerbaijan's Stance towards the Nagorno-Karabakh Dispute" by Dr. Gulshan Pashayeva (Deputy Director of Azerbaijan SAM), "The Nagorno-Karabakh Dispute in International Law" by Assoc. Prof. Dr. Cavid Abdullazade (Lecturer at the Department of International Law, Ankara University), "Great Powers' Stance towards the Resolution of the Nagorno-Karabakh Dispute" by Prof. Dr. Kamer Kasım (Vice President of the International Strategic Research Organization – USAK), and "Turkey's Stance towards the Resolution of the Nagorno-Karabakh Dispute" by Aslan Yavuz Şir (Senior Specialist at AVIM).

In the meeting, the speakers as well as the audience at the Q&A session emphasized the strategic importance of the Caucasus and focused on the importance and need of ensuring security and stability. It was further underlined that the region has a key role to play not only for the immediate neighborhood but the global level. The cease-fire violations in the region recently have rendered the necessity of peace and stability even more actual.

With the latest development in mind, the meeting has come to the conclusion to prevent an escalation which could lead to further irreparable problems, a peaceful solution is needed within the principle of the territorial integrity of Azerbaijan.

OPENING SPEECHES



Deputy Director, Center for Strategic Studies under the President of the Republic of Azerbaijan (SAM), Dr. Gulshan PASHAYEVA

Good afternoon, ladies and gentlemen, excellences, dear guests,

It is a great pleasure to welcome you today on behalf of the Center for Strategic Studies under the President of the Republic of Azerbaijan (SAM), government-funded think tank, established in 2007 and headquartered in Baku. I would like also to express my sincere gratitude to our partner, *the Center for Eurasian Studies* (AVIM) and its leadership, Ambassador Alev Kılıç and dedicated staff who did their utmost best to organize this first joint event.

The topic of today's international conference is extremely important and very timely. Almost three decades have already passed since the re-emergence of the protracted Armenian-Azerbaijani Nagorno-Karabakh conflict. The search for the conflict's peaceful resolution has always been a top Azerbaijani foreign policy priority. But despite more than twenty-year ceasefire agreement (1994) and continuous mediation efforts of OSCE Minsk Group, the resolution of the conflict still seems very elusive.

Today the Armenian-Azerbaijani Nagorno-Karabakh conflict draws dividing lines between two nations - Armenians and Azerbaijanis - and destroys the very basis of the regional stability, development and trans-regional cooperation among three South Caucasian states. It is also a vivid manifestation of the countless human tragedies; around one million people were displaced and 30 thousand killed in the course of this armed conflict.

At the same time this conflict is not frozen and without peace treaty the toll of human suffering will continue to grow. Incidentally, both military personnel and civilians have been killed along the Line of Contact since 1994 due to sporadic frontline skirmishes and clashes.

It is important to emphasize that the situation in Armenian-Azerbaijani frontlines devoid of any peacekeeping force has been rather tense since early August 2014, which caused the deaths of over 20 soldiers. Furthermore, a large-scale military exercises conducted by the Armenian military forces in the occupied territories of Azerbaijan with the involvement of about 47000 military troops and over 3000 combat equipment and armament since early November 2014 should be considered as a next step in the escalation of the situation in the frontlines. The latest incident concerning the downing of an Armenian military helicopter by Azerbaijani armed forces with retaliatory fire, while it was attacking on positions of the Azerbaijani Army on November 12 clearly demonstrates that there is a serious security threat in the region and any incident that occurs along the Armenian-Azerbaijani frontline could easily escalate into a new war.

On the other hand, this incident provides a very good example of irresponsible behavior of Armenian military forces. They not only illegally intruded into the airspace of Azerbaijan and attacked the positions of the Azerbaijani Armed Forces, but also believed that they will not face any unpleasant consequences.

Azerbaijan is committed to a peaceful settlement of this conflict. However the success of the peace process depends on a similar commitment on the part of Armenia as well as active contribution of the mediators and international community.

In this context, Azerbaijan deeply appreciate Turkey's stance in regard to Azerbaijan's position on Armenian-Azerbaijani Nagorno-Karabakh conflict. Out of solidarity with Azerbaijan, Turkey closed its border with Armenia due to the occupation of Kelbajar, one of the adjacent seven Azerbaijani districts located outside Nagorno-Karabakh by Armenian forces in April 2003. It still continues to pursue this policy and also insists that Armenia has to settle its conflict with Azerbaijan as a precondition to the ratification of the Zurich protocols, signed in October, 2009.

I hope we will be able to touch upon several important issues during today's discussions which help us to enhance our understanding on historical background, current challenges and future perspectives of the just and peaceful resolution of Armenian-Azerbaijani Nagorno-Karabakh conflict.

I encourage you to fully engage in panel discussions and thank you for your time and attention.



Director of the Center for Eurasian Studies (AVİM), Alev KILIÇ

Distinguished Ambassador of Azerbaijan to Ankara Faiq Bağirov,

Distinguished Deputy Chair of Strategic Research Center (SAM) Gulshan Pashayeva,

Excellencies,

Dear Guests,

Ladies and Gentlemen,

Today, distinguished specialists and academicians are going to discuss an international issue that has a regional and even global importance and delicacy, as well as for Turkey and Azerbaijan; issues originated from the Armenian occupation of the Azerbaijani soil, Nagorno-Karabakh or Upper Karabakh; and a way out of the 22 years of occupation. This issue has always been critical, prioritized and actual in terms of Turkey-Azerbaijan relations. However, in recent times, as Dr. Gulshan Pashayeva has already reminded, cease-fire violations on the contact line made this meeting is so meaningful in terms of necessity and timeliness. The shooting down of a military helicopter on November 12th on the contact line near Akhdam was a new and serious warning that the conflict is not a frozen one, but it is escalating. Thus, these developments show that we should discuss this issue closely all over and that it is essential to take concrete steps in this matter.

There is no dispute on finding a peaceful resolution to the issue through negotiations. It is upsetting that the attempts of the three co-chairs of the Minsk Group, which was established in 1992 with Turkey as one of the founding members, have not succeeded up until today. Furthermore, it is not acceptable to be in a position to serve Armenia's aims and interests; Armenia tries to hold the priority of efforts to freeze the conflict and the post-cease-fire status quo.

We will be able to discuss this issue today with the light of the knowledge and the opinions of our speakers during discussions. We will not only understand the issue better, but I hope that SAM and AVİM, as two think-tanks, will actually shed light on which steps can be taken in the future.

I would like to express my gratitude to all of our guests and to Mr. Glen Howard, head of the Jamestown Foundation who will give his opening speech. I would like to welcome him as well. I would like to thank all participants, and pay my respects.



The Ambassador of the Republic of Azerbaijan to Turkey, Faiq BAGIROV

Distinguished President,

Distinguished Ambassadors,

Distinguished Participants,

Armenian, Azerbaijani, Nagorno-Karabakh conflict, unfortunately, has been a threat to the regional peace and security and a threat to the neighborly relations for many years and still continues to be a threat. In all periods of the history, the Caucasian region has been a center of attraction and it has always been open to natural migration flows.

Today, when we look at the general situation, multiple, ethnic elements and multiple languages lived in harmony together. Unfortunately, these natural migration flows has never changed the harmony between these multi-cultural structures and it has never damaged the unity of publics and people. Unfortunately, as of the beginning of the last century, as a result of the systematic and planned struggles of larger powers and with their efforts to change this ethnical, regional and geographic structure for the interest of the one element. The security conflicts started to emerge in Caucasia. As you know, as of the start of 19th century, with the planned migration of the Armenian people from Ottoman to Iran and to Southern Caucasia, the demographic structure had been changed and the new management system which was

created by the Tsarist Russia, the regional peace and security has been threatened seriously with the opportunity which was created for the Armenians. Although some people are the tools of the regional plans of some others, the Armenian nationalists who are day-dreaming about "the Big Armenia". They are creating a big security problem. Their target is to create a "mono-ethnic" Armenian republic with the occupation of Azerbaijan and Georgia lands. Unfortunately, within the time passed with the support of the other powers, they unfortunately made some important gains in this regard.

Lastly, the Nagorno-Karabakh conflict was created by the same mentality at the end of the twentieth century. The same mentality creates the biggest obstacles for the regional security there. At the beginning of the twentieth century, with the pressures of the big states and governments in Yerevan and Zengezur were officially given to Armenia. With this occupation mentality was stronger and it unfortunately was carried up till today with the occupation of Nagorno-Karabakh and the other regions there. As a very sad fact, Yerevan was at historical Azerbaijan province, was given to Armenia as a capital city on May 29, 1918. First of all, under the leadership of Armenian church and then it was carried out as an open state policy and this disabled mentality is the biggest reason of all problems in our region.

Today, the security conflicts is the most important and prioritized issue for the Southern Caucasia. It is not just concerning the regional countries but also the international system and international actors. However, for twenty five years, all the main interest was given to the region, the Southern Caucasia is still not stable and the security problems in the fields of politics, military and ethnic issues are still not solved. Therefore, today a very elegant academic organizations and think tanks, Center for Eurasian Studies (AVİM) and Strategic Research Center (SAM) affiliated to the Azerbaijan Republic have made an important step to investigate this issue. Therefore, I would like to thank each and every member of those and everyone to contribute to this event.

For the regional peace and regional security, Armenian republic creates a threat and as a result of their destructive policies. Azerbaijan, Georgia and Turkey may have similar international scale energy and transportation projects. However, Armenia is excluded from these projects due to their destructive policies. Because of their foresightless policies, they are also excluded from the Baku-Tbilisi-Ceyhan Crude oil Pipeline or Baku-Tbilisi-Erzurum natural gas pipeline, Baku-Tbilisi-Kars railway line and TANAP which is trans-Anatolian natural gas pipeline project.

As long as their policies and their attitudes continue, the security problem in Southern Caucasia will be always prioritized and unfortunately good neighborly relationships will remain nothing more than a wish. In the Southern Caucasia, for the solution of security problems and in order to create peace and stability the most important condition is for Armenian Republic to leave behind this occupation mentality and to create a regional cooperation as a state policy. I am sure that, in this important meeting, many important and esteemed experts are invited; this issue and this conflict will be investigated in detail. The situation will be identified and diagnosed and the solution recommendations will be created. I wish success to all speakers. I command my respect to each one of them. Thank you very much.



President of the Jamestown Foundation, Glen E. HOWARD

I would like to thank Gulshan Pashayeva, deputy director of Center for Strategic Studies under the President of Azerbaijan and Alev Kılıç, Director of the Center for Eurasian Studies (AVIM) for the opportunity to speak here at this conference. For my presentation today I would like to offer you ten observations and lessons of the war in Ukraine and how it may affect Turkish and Azerbaijani interests in resolving the Karabakh dispute and also the overall stability in the South Caucasus. What happens in Eastern Ukraine in terms of the fighting and political settlements involving the European Union, the United States, and the Organization for Security and Cooperation for Europe (OSCE) will, in my opinion, greatly affect the future of Karabakh.

Before I begin to talk about Karabakh, we need to define what Karabakh is? The division of Karabakh is a child of the end of the Cold War, just as a divided Germany and a divided Korea were results of the Cold War and the permanent division of two states – Germany and Korea. Frozen conflicts were a means to an end for Russia that were designed at the end of the Cold War as a means to an end aimed at keeping Germany divided and weak and the same for South Korea. Well we know how that story ended with the collapse of the USSR and East Germany. Korea remains divided. We don't know how Karabakh will end. Perhaps one day Russia will collapse and we will see a return of Karabakh to Azerbaijan and a rump Armenian state permanently alone by itself in the South Caucasus.

We have all witnessed what has happened in Eastern Ukraine in recent months and the Russian annexation of Crimea. I believe that all these events are having a cataclysmic change on the frozen conflicts and for that reason will have some major impact on what happens in

Karabakh over the next 2 years. For this reason, I would like to make ten observations about how the war in eastern Ukraine will affect Azerbaijan and for that matter Turkish interest in the South Caucasus.

The age of frozen conflicts is ending and shifting to the age of bleeding ceasefires. By this I mean conflicts are no longer frozen but are shifting to daily fighting and hostilities and no permanent ceasefires. The age of peaceful dialogue I fear I over. The age of rearmament and positioning for full conflict are now appearing as the age of frozen conflicts is over. Karabakh is not eastern Ukraine but Eastern Ukraine will not become another Karabakh. Ukraine, unlike Azerbaijan, is becoming a nation under arms of "*levee enmasse*" to use a term for France developed by Napoleon. As the Ukrainian nation prepares for total war and the survival of the state, Russia has failed to realize and we in the West need to realize that Ukraine is not Georgia, it has a population of 44 million unlike the 3 million in Georgia. When Russia created the idea of frozen conflicts at the end of the Cold War to permanently divide Azerbaijan, Georgia and Moldova, there was a strategic reason for this division. To keep these states weak and divided while Mother Russia rearmed and prepared for reformulating the Soviet Union, or the new Tsarist empire. That day has now arrived as Moscow has used the annexation of Crimea and annexation to shift to the next stage beyond the frozen conflict stage which has dominated inter-state relations in the post Soviet Space for over two decades. Putin's end goal in all this is to break NATO and show that the west is incapable of providing a military response to the invasion and dismemberment of Ukraine.

Ukraine and Russia are involved in an inter-state war that is rapidly evolving into a struggle between Slavic neighbors similar to Poland's military struggle with Ukraine in the 16th century. Slavs are killing Slavs in Eastern Ukraine and President Putin has started this war and he does not know how to end it. The only path he knows or has plans for are to keep moving ahead. Eastern Ukraine is the battle ground for this conflict and the emergence of a Slavic alliance of pro-Western states (Ukraine and Poland) against a revisionist Russia is rapidly emerging as NATO member states in the Baltic align with Ukraine to deter Russian aggression. This struggle of Slavic Titans – Ukraine and Russia is a civil war among Slavs and this war will have repercussions for Karabakh if the conflict between Kyiv and Moscow becomes a total war. By this I fear there could be a mini world war within the Post Soviet space with Putin and Russia fighting to dominate and subjugate the post-Soviet space. We have seen this in neighboring Georgia where Russia is trying to dominate the shadow government of Ivanishvili and quietly and covertly moving to increase its power based in the Georgian government.

The war in Eastern Ukraine has shown the ineffectiveness and irrelevance of the OSCE. This has implications for Karabakh. The war in Eastern Ukraine is going to mark the end of the OSCE as a peaceful stabilizer and neutral arbiter of frozen conflicts in the post-Soviet space. End of the OSCE as a monitoring mission for frozen conflicts as Russian observers utilize their presence for intelligence gathering and Moscow places limitations on the activities of western monitors. This development has major implications for Karabakh.



Russian weaponization of information. Russian has mobilized public opinion in the west against Ukraine using all aspects of the media and this ability to weaponize information could have a devastating impact on Azerbaijan in the event of another outbreak in fighting over Karabakh. How Azerbaijan and Turkey react to renewed fighting in the information sphere has a key relevance in the battle for the hearts and minds of Europe and the United States in how they perceive the conflict in Karabakh. If the war in Karabakh becomes a hot conflict.

Awakening of NATO. NATO has been slow to react to the crisis in eastern Ukraine as the Atlantic Alliance is now redetermining its military and security posture towards Ukraine and the Black Sea region. NATO is redefining its naval posture in the Black Sea. Canada may purchase the Mistral and we could one day see Canadian Mistral operating in the Black Sea instead of Russian helicopter carrier.

Black Sea is becoming a Russian lake. Whether we realize it or not the Black Sea is now a Russian lake. Turkey rarely deploys its warships to the Black Sea except for occasional naval exercises. Turkey is more focused on the Aegean and Greece and less concerned about Russia's expanding naval presence in the Black Sea. However, the good news is that the Russian annexation of Crimea has caused NATO to slowly reawaken to the Russian naval and military domination of the Black Sea. NATO slow moving, but moving. An increased NATO airpower military presence in Romania and Bulgaria and increased naval presence in the Black Sea will directly affect Russian plans and strategic presence in the South Caucasus, and by this it will affect Karabakh. NATO has already reached out and by expanding its contacts in the South Caucasus, particularly with Azerbaijan.

War of nationalities as Ukraine becomes a testing ground for creating new military units consisting of north Caucasian volunteers. Ukraine has created two Chechen battalions to fight in eastern Ukraine led by General Munaiev. Over 100,000 Chechens now live in Western Europe having fled with their parents from two bitter wars waged by Russia in Chechnya. Plans are underway to create independent Crimean battalions as well. Not only Chechens but Ukraine is now forming its first battalion of Crimean Tatars. Ukraine is slowly moving to create its own "Dikkaia Divisia" of Caucasian volunteers named after the Russian Caucasian division formed in World War.

Eastern Ukraine is emerging as the battlefield of the 21st century. Eastern Ukraine is emerging as a testing ground for new weapons and strategies of warfare between Russia and Ukraine. The new Russian Military transformations introduced by ten years of military reforms is now being waged in eastern Ukraine and this new type of hybrid war created by Russia against Ukraine will one day be waged against Azerbaijan in Karabakh. As a minimum Azerbaijan and Turkey should send military observers –not advisers – but observers to Kyiv to monitor the reforms being undertaken in the Ukrainian army. One area that you need to pay special attention to is the Russian use of drones in offensive military operations and the strategic impact these drones play in Russian military operations.

The Southern Gas Corridor from Azerbaijan to Europe via Turkey is going to unite Ukraine and Azerbaijan eventually as the two states will need other. The TANAP pipeline will become Azerbaijan's bridgehead into the Balkans and the Slovak gas inter-connector with the EY is only the first step to a gradual energy link between Azerbaijan and Ukraine. Thrace is now Azerbaijan's back door to the Balkans.

War in Eastern Ukraine showed that whereas before the Karabakh conflict was diplomatically being reserved for great powers, now it is just Russia playing the role of the guarantor of security, not the Minsk group.

PANEL I:

THE "NAGORNO-KARABAKH ISSUE" FROM 1828 TO PRESENT: DEMOGRAPHIC PROCESSES AND ADMINISTRATIVE CHANGES

NAGORNO-KARABAKH IN THE OTTOMAN ARCHIVES

Dean of the Faculty of Science and Letters of TOBB University of Economics and Technology, Former Manager of the State Archives of the Prime Ministry of the Republic of Turkey, Prof. Dr. Yusuf SARINAY

First of all, I would like to thank the Prof. Musa Kasımlı for his kindness and for his kind introduction. But before I start my speech and I would like to thank all the contributors including AVİM and SAM from Azerbaijan for organizing this event. My topic is, Karabakh in the Ottoman Archives as you know it is a very general topic but I will try to draw a frame.

First of all, let me underline even before the Ottoman period, Karabakh was one of the oldest settlement areas in the Southern Caucasia. And many years before, Ottoman Empire, Turkish people settled in that region and that region was full of Turks back then. There is no need to go through history, one by one. But Ottoman Empire's started to go to Azerbaijan with Sultan Yavuz Selim until the Suleiman the Magnificent until the conquering of that region. In 1590, an agreement signed with Iran, not just Karabakh but Tebriz, Karabakh, Gence, Revan



and Tbilisi were under the management of the Ottoman Empire. After 1590, Ottoman Empire, settled in Georgia, Azerbaijan and that entire region and created a traditional system, which was a traditional, administration model of Ottoman, on one hand, there is Revan, which is the Erevan region. The other side is Karabakh region. They were under two different feudalism. Therefore, those were very important powers back in the time of Ottoman Empire, but looking back to the history of that region. We frequently see that the region switched hands between Iran and Ottoman Empire.

But as of 1747, there have been feudalities in that region established by strong Turkish groups. Karahan Khanet, Baku, and Nakhchivan were the khanates of the period. And these khanates were independent, but still they were under the influence of the political power of Ottoman Empire and Iran. Sometimes they were in cooperation with each other and sometimes they were making alignment with the outer countries. With the weakening of the Ottoman Empire, that region was more and more under the influence of Russia. Of course, 1801 or 1804 and 1813 Treaty of Gulistan after that 1827, Turkmençay agreement and in 1829 with the Edirne agreement the region was given to Russia.

Looking from the historical frame, in 1590 Karabakh was under the auspices of Ottoman Empire. Therefore, especially in the Turkish archives, the document related to Karabakh, mostly together with Gence mostly evaluated together with Azerbaijan. Of course, first Mr. Davud and then Mustafa Pasha which were assigned to those regions. What did those people for the first step? First of all, they tried to establish a system which was deteriorated. And of course, in times of war, Şirvan, Georgia and in all these regions they try to affiliate all those Turkish settlements, Turkish tribes, to the power and the Ottoman announcement back then states that, "no property or no people will be damaged." This is the order of Ottoman Empire to the Turkic tribe leader in that region. And after that, in order to encourage the immigrations, they give an order to Hasan Pasha in Şirvan and that say that encourage people not to come back to their homelands. Why do they do that? Because, due to the war that happened in that region, somehow it says, some fields are not cultivated due to the fact that Turkish people left the region but Ottoman Empire gave that territories back to those people.

Second of all, due to the famish and drought the livestock or other agricultural products are not subjected to taxation in order to increase and spike the economic activities in that region by the Ottoman Empire, so they are tax free.

Just like in many areas, Ottoman Empire also made some writings, essays, compositions together with the first order in 1593, the first composition was created. The names of the nations and the artists are quite important of course. There is no time to talk about them but there is Kachar Turkmens or Karamanlı is another name of those compositions.

The region is famous for horticulture. They've cultivated gardens and fields. In 1714, in Karabakh, after Karabakh has taken back from Iran the order is established and they do composition again in 1726. All the incomes of the villages in Gence are collected in the classical system and the Ottoman Empire make an order and the composition is completed in 1828. And for the town of Gence, fourteen mosques or the incomes of the gardens and the fields

were collected as well. Due to the fact that, there was the manorial system and the annual taxations are gathered and collected systematically. For example, especially for the town of Gence, (since Gence town is the administration center) foundations or mosques are established in that region by the Ottoman Empire. When the income of those mosques was not enough, some state lands of that region are created into foundations. These are the orders of the Ottoman Empire. All the registries, I would like to underline one more time that, Ottoman Empire never saw the Karabakh region or Gence region different from Erzurum which is a Turkish province still today. For example, Jordan, Egypt, Saudi Arabia, the Balkans or the Mid-Europe, Iraq, Romania, Eflak-Boğdan, so the administration of the regions is different. Why? The approach to the Anatolian side of Balkans and the others has created a certain system. But Revan, Gence, and Karabakh leaders are appointed from the center of Ottoman Empire which means that, Ottoman Empire sees those regions as a part of their own land, because the administrators are appointed from the center. During the period of khanates, looking at the classical policy of the Ottoman Empire, we see that these khanates are always asking for help from the Ottoman Empire.

The closest relationship that the Ottoman Empire established was the Karabakh Khanate. As of 1774, Ottoman Empire is actually told that Karabakh is now affiliated they declare their loyalty to the Ottoman Empire. In the event of an attack, they stated that we will act together with the Ottoman Empire. That is what the Karabakh tribe says. Of course, there are some military aids and some other aids. But during the period of khanates, in some correspondents of Ottoman Empire, they underline the fact that, Karabakh tribe, Revan tribe, needs help and they said that "Now, they are independent from us. But, they are still a property of Ottoman Empire." That's how they mention. For example, against Mehmet Han in Iran, Revan Khanet asked for help. But they never asked for weapons. The Sultan announces that, he sees those regions as a part of his own Empire. There is no weapon, no nothing at all. The demands for help increased later on İbrahim Halil Han in 1826, asks for intensive help right after the documentation or after the Agreement of Edirne, the Caucasia and Ottoman relations, are come to an halt and Russia settles in that region. In that period, the most important topic which is the Ottoman Empire, a document reflected the policy of Russia in Revan and Nakhchivan regions which received the Armenian migrations and their attitude towards Turkish people. In addition to the immigrations to the Caucasia, of course we do not have the internal details of those migrations. From Iran to Caucasia but we have thousands of people. But, from Bayburt, Bitlis and Eastern Anatolia a hundreds of thousands of Armenians migrated to the Eastern Caucasia. In the Eastern Anatolia, they followed a systematic approach. Especially, we call it "Hatt-ı Humayun" which is a fund, which is in the Ottoman archives and they find many numerous documents which show the Armenian activities in that region and we see Armenian activity very frequently. In Karabakh and Revan regions, the Armenian activities and the Armenian conflict we face in 1726 for the first time. Some Kurdish tribes actually provoke Iran but it's not in the name of being Armenian and it is not very much important for the destiny of the region.

As of 1890s, Nakhchivan Armenians had been preparing for an attack against Iran region in Turkey. After that, there is a prepare for attacks and opposing are getting prepared also for an

attack and now they see they provoke tribes and groups for conflict and we find for example 1897 some documents showing the Armenian people are provoking others to occupy to riot, to make a rebellion. And of course in other documents we also see some reports when Abdülhamit is in power or up until the massacres, there is a series of documents until 1918. The other side of the medal, of course there is a migration towards Anatolia, from under the powers of Russian regions. These are not mass migrations such as the others. But today, in Elazığ, Malatya, Adana, Diyarbakır, Bitlis, Fethiye these provinces of Turkey, some migrants are settled. In 1901, 1903, 1904, 1905, 1908... In those years, we see the coming of those migrants to Turkey. In Karabakh, In Ottoman archive documents, we totally collect eleven funds and documents and of course when evaluated with other political aspects. It still needs further study. But still, we see from the documents of that land has the title of Turkish people on the land.

In 1590, that region was seen as a part of the Ottoman Empire and it was managed. Of course, it changed its owner but, Ottoman and Iran, therefore Ottoman Empire and Iran had a very close relationship. Especially, İbrahim Halil Han back then compared to Ottoman Khans, they were in a closer relationship. Therefore, as of the 10th century, the destiny of that region was influenced by Turkish tribes. All the khanates/tribes are Turkish and in 1829 in Edirne agreement, until the region was in the hands of the Russians, this continued like this. As of the date, due to the policies of Russia, Karabakh region systematically became Armenian. The destiny of the region is changed. Iran and Ottoman Empire, and Armenia gained an ally that they can use against Ottoman Empire and Turkish people. And they actually had the foundation of such an alignment.

As a result, up until today, the Armenian conflict continued and this land and Armenia played the most important role in the history. In addition to Karabakh, Revan Khanate was systematically massacred. It has changed into the capital city of Armenia as Yerevan. We still today they say that, Armenian people in Van, Bitlis etc. But there are no Turkish people in Yerevan today in the Capital of Armenia. We need to underline this fact. I would like to thank you very much for your attention and patience.



ADMINISTRATIVE CHANGES IN THE TERRITORY OF NAGORNO-KARABAKH AFTER 1828

Director of the Caucasian Center for International Relations and
Strategic Studies (QAFSAM), Dr. Araz ASLANLI

Dear President,

Dear Ambassador of the Republic of Azerbaijan,

Dear Turkish Ambassadors,

Dear Deputy Director of the SAM,

Dear professors,

Dear audience,

I salute you. My topic is the administrative changes in Karabakh region from the 19th century to the present. However there are several matters of particular concern in discussions on the Karabakh issue.

I will mention them briefly and move on to the next subject. One of the discussions is on who owns the history of Karabakh. The administrative structure and the region's name are one of the main factors regarding this discussion.

To make an assessment on who owns the region's history, the origins and definition of the region's name and the ethnicity of the administrations up to the present should be studied. By the way, the region's demographic and ethnic structure is also important and Mr. Kasımlı will make a presentation on this.

One of the important issues in the discussions about the Karabakh issue is the claim that Karabakh belongs to Armenia, made by several Armenian authors and researchers supporting the Armenian thesis. Karabakh was given to Azerbaijan by Stalin in the Soviet period. What are these claims based on? This holds great importance on the Karabakh issue. One of the important issues is if Azerbaijan made economic, educational and cultural discrimination in Nagorno-Karabakh Autonomous Region in Soviet period? This issue should be enlightened.

Secondly, did Azerbaijan commit massacres in Sumgait first and then the problems escalate or were there massacres first in the old Nagorno-Karabakh autonomous region in Armenia? What really happened in Sumgait? These should be enlightened. Another important dimension was Azerbaijan's suspension of the autonomy of Nagorno-Karabakh. Did Armenia attack Azerbaijan because of this or did Azerbaijan suspend autonomy due to escalating problems?

We, unfortunately, see misevaluations made on this issue by not only in the West but also by professional scholars in Turkey. However, certainly the most important thing is the process after the beginning of the war and the evaluation of the process in terms of international law – one of our professors will make a presentation on this – which, in my opinion, discussions in terms of law putting aside historical and demographic processes could be enough to evaluate this issue.

If we look at the administrative changes in Karabakh region from the beginning of 19th century, certainly the first important stage is Karabakh's annexation process to Russia. We can mention the Treaty of Kurakchay signed between Russia and Karabakh in 1805 as the first important document on this. It is important, because Russia signed this treaty that will make Karabakh a part of Russia with an Azeri-Turkish ruler. This document is in the Russian archives. If the region had a predominant Armenian ethnical structure or had an Armenian administration, why would the Russians sign this treaty with an Azeri Turk and not with an Armenian ruler? A treaty was signed with a Turkish Muslim ruler and the region was ceded to Russia. One year later the Khan of Karabakh was killed and his son Mehdiqulu Khan was appointed as his successor by the Tsar. They could have appointed a loyal Armenian ruler. However they found the appointment of a Turk necessary because there was a predominant Azeri Turkish population.

After the region came under the control of Tsarist Russia, in other words, after the annexation of Azerbaijani territories north of the Aras river with the 1813 Treaty of Gulistan and 1828 Treaty of Turkmenchay, arrangements were made regarding the khanates. The khanates were abolished and new administrations were formed. Russia, certainly, planned to

establish an administration that can be trusted in South Caucasus. Karabakh was not included in the new administration established in territories predominantly populated by Armenians. When the Karabakh Khanate was abolished in 1822 and new administrative arrangements were made, Karabakh region was not included to the administrative structure which laid the foundation of today's Armenia during the Tsarist Russian period. If the Armenian population had been predominant in Karabakh, there would have not been such a process.

The next stage regarding the administration and borders is the collapse of Tsarist Russia and the emergence of new states in Caucasus. We know that, Azerbaijan's historical regions such as the territories of the Erivan Khanate were given to Armenia due to external pressures. However in that period, both Armenia and the agreements signed between several structures representing Armenians in Karabakh and Azerbaijani central government acknowledged that Karabakh belonged to Azerbaijan.

The next process is the invasion of Azerbaijan and the Caucasus in general by the Bolshevik Russia, the establishment of socialist states and the formation process of the Soviet Union. At this stage, also the discussions do not only concern Karabakh. At that point Armenia made territorial claims also on Azerbaijan's Zangezur region. At first, the newly-established socialist administration in Azerbaijan protested this. They sent a letter of protest to Armenia on September 30, 1920 and asked them to abandon their claims on Zangezur and Karabakh. However, after meetings with the communist leadership in Moscow, in order to bring Armenia closer to the Soviet system, the communist leadership of Azerbaijan stated that lands could be given to Armenia. In this context, Azerbaijan lost an important part of its historical Zangezur region and because of this, Nakhichevan was separated from mainland Azerbaijan. The part directly concerning the Karabakh issue is the meetings held in 1921 due to Armenia maintaining its claims despite taking Zangezur. In fact, it is one of the main processes that resulted in today's Karabakh issue:

During the formation process of the Nagorno-Karabakh Autonomous Region, the meetings held in 4-5 July, 1921 are very important since these are the reason why Armenians make the baseless claim of 'Stalin gave Karabakh to Azerbaijan'. In the meeting of the Caucasian Bureau of the Russian Communist Party held in July 4, it was decided to transfer Nagorno-Karabakh from Azerbaijan to Armenia. On July 5 the next day, however, this decision was cancelled and it was decided to leave Nagorno-Karabakh in Azerbaijan.

According to Russian original documents, they first discuss joining Karabakh to Armenia and then, the next day, they decide to leave it in Azerbaijan. If the claim that, Karabakh was taken from Armenia and given to Azerbaijan was true, they would have talked about joining Karabakh to Azerbaijan, or leaving it in Armenia. Stalin's attendance in the meeting does not change anything. In the meeting held in July 5, the decision was taken by 7 and there were only 2 Azeri Turks among the voters. July 5 meeting is also important because it put pressure on Azerbaijan. It was decided to establish the Nagorno-Karabakh Autonomous Region within Azerbaijan and to make Shusha its administrative center. Shusha as the administrative center was a proper decision but granting autonomy was not. After all, Shusha was the historical center of the region; however, establishing an autonomous region was artificial.

There wasn't a consensus in Azerbaijan on the establishment of Nagorno-Karabakh Autonomous Region. There were different opinions even among Russians. Nevertheless, due to external pressures and internal demands, the Nagorno-Karabakh Autonomous Region was established on July 7, 1923. However, Khankendi was declared as the administrative center rather than Shusha. Instead of Shusha, which was the historical center of the region and heavily populated by Azeri Turks, Khankendi was chosen because it was more suitable for restructuring and immigration. Considering the wishes of the Armenian population in the region, Khankendi was renamed Stepanakert in November. Why was it called Khankendi till 1923 and then renamed Stepanakert if it was historically an Armenian city? This name is still used by Armenians.

It also has another dimension that is of particular concern today regarding the establishment of the autonomous region. Features of the historical Karabakh region was not taken into account when the Nagorno-Karabakh Autonomous Region was established. An artificial border was drawn by only taking into account places heavily populated by Armenians. Sometimes people ask "why was the Nagorno-Karabakh Autonomous Region heavily populated by Armenians if it belonged to Azerbaijan?" This region is not the historical Karabakh. It is a region formed by considering settlements heavily populated by Armenians. Therefore, it is only natural that it had a predominant Armenian population. This would be the case in any region created based on an ethnic group.

Today, Nagorno-Karabakh Autonomous Region does not exist but the Armenian population is predominant within its borders before the dissolution of the Soviet Union since it was created based on their population. During the Soviet era, we see that 4 cities were renamed with new regulations regarding Nagorno-Karabakh Autonomous Region in 1930 and 1939. Historical Azerbaijani names were replaced by Armenian names. In 1963 in the Krushchev era, the Shusha Rayon was abolished under the pretext of reforms regarding the abolition of several administrative structures. The case related to Shusha is psychological and symbolic. As I mentioned earlier, it was the center of the historical Karabakh region and the abolition of the Shusha Rayon could have been a serious gain for the Armenians but it was restored 2 years later. In this process, several Armenian groups were not allowed to reach their objectives.

The next development was the establishment of the Askeran Rayon. When the Askeran Rayon was formed, Khankendi became a city with a special status under Baku administration. Along with this structure, in the Nagorno-Karabakh Autonomous Region part of the historical Karabakh region, the autonomous city of Khankendi under Baku administration and 5 rayons were established. These rayons were Mardakert, Martuni, Askeran, Hadrut and Shushi. There were 5 rayons till the escalation of the Karabakh problem.

The Karabakh problem escalated and Armenians made territorial claims against Azerbaijan. There is a resolution by the Armenian Parliament on December 1, 1989 to unify Armenia with the Nagorno-Karabakh Autonomous Region. Then, ethnic conflict started and Azerbaijan decided to abolish the autonomy of the Nagorno-Karabakh Autonomous Region on 26 September, 1991, Azerbaijan abolished the autonomy 2-3 years after Armenia's parliamentary resolution against Azerbaijan. Azerbaijan made administrative arrangements afterwards.

Among these arrangements was the establishment of Khojali Rayon. Renaming certain settlements was also among them. Mardakert was renamed to its historical name Aghdara. However, in 1992, Azerbaijan was fully independent. Aghdara Rayon was also again abolished. In the current situation, there are 3 rayons within the former Nagorno-Karabakh Autonomous Region; in other words, there are 10 rayons of Azerbaijan under Armenian occupation. However we sometimes say 12 rayons. There were 5 rayons within Nagorno-Karabakh Autonomous Region and 7 rayons around it during Armenian invasion. According to the current administrative arrangements of Azerbaijan, there are 10 rayons: 3 within the former Nagorno-Karabakh Autonomous Region and 7 rayons outside of it. These are the administrative arrangements up to the present in the Nagorno-Karabakh Autonomous Region and, in general, Karabakh region.



DEMOGRAPHIC PROCESS IN THE TERRITORY OF NAGORNO-KARABAKH FROM 1828 TO PRESENT

MP of the Republic of Azerbaijan, Historian, Prof. Dr. Musa QASIMLI

Dear friends,

My topic is the demographic situation in the Nagorno-Karabakh territory between 1805 and 1994. I will not share my comments since I worked on highly credible documents in the Russian and Georgian archives. I will bring these archive documents to your attention and there is not a single Azerbaijani or Turkish documents among them. These are prepared based on information from Russian and Georgian officials, and Armenian sources. What did Tsarist Russia aim when it brought Armenians to South Caucasus, to Nagorno-Karabakh and in which stages they were brought? Bringing Armenians was a tactic by Peter I to gain access to warm waters, to capture strategic regions, to attain cheap raw materials and to prevent trade between European countries. Armenians were brought to South Caucasus following the 1723 Treaty of Saint-Petersburg and the 1724 Treaty of Istanbul. This policy was also maintained by every Russian Emperor after Peter I. The general purpose of this policy was to place loyal subjects between the Ottoman Empire and Iran, to capture the Turkish Straits, to prevent the Britain's and other western countries' trade within the territories from the Strait of Gibraltar to Hong Kong and weaken their strategic regions. In order to achieve this strategic aim, Russia started a war with Iran in 1804. In May 14, 1805 the Treaty of Kurekchay was signed between Ibrahim

Khalil Khan of Karabakh and Russians. As a result the Karabakh Khanate was annexed by Russia. According to the Russian archives, before the Kurekchay Treaty was signed in 1805, there were 10 thousand families that lived in the Karabakh Khanate. This means that these were Muslim families. According to a Russian document from 1811, there were 12 thousand families in Karabakh Khanate and only 2500 of them were Armenians. Russia annexed all Khanates except Nakhichevan and Erivan following the Treaty of Gulistan signed with Iran on October 13, 1813. In 1822 the Karabakh Khanate was abolished and made a province. Nakhichevan and Erivan Khanates were annexed by Russia with the Treaty of Turkmenchay signed on February 10, 1828.

Armenians were brought to Azerbaijani territories according to article 15 of Treaty of Turkmenchay. Abkhazov was responsible for the resettlement of Armenians to Karabakh. According to a report dated May 28, 1828, 279 Armenian families were resettled to Karabakh. In 1828-1829, 6.976 families or in other words, 35.056 Armenians were transferred from Iran to Northern Azerbaijan. They were resettled especially to Karabakh and Nakhichevan. According to a Soviet document on the Dashnaktsutyun Party, 1 million 200 thousand Armenians were moved to South Caucasus. Also, in 1829 and 1930, 14.044 families or in other words, 84 thousand Armenians were brought from the Ottoman Empire. The demography of Karabakh changed dramatically in a short period of time. While the number of Armenians was around 18 thousand in 1828-1929, this number became 34.606 in 1843. On September 9, 1867 the Elizabepol Governorate was formed by the decree of the Tsar. In 1873, the Uyezds of Aresh, Dzhebrail and Jevanshir were formed within the Elizabepol Governorate. There were 4 cities (Goris, Elizabepol, Nukha, Shusha) and 8 uyezds (Aresh, Jevanshir, Elizabepol, Zangezour, Kazakh, Dzhebrail, Nukha, Shusha) within the governorate. In 1886, a census was made in Tsarist Russia. According to the census, there were 377.949 Azerbaijanis and 257.324 Armenians in the Elizabepol Governorate which included Karabakh and parts of Armenia.

90 thousand Armenians came after the events in Anatolia in 1894. This is also written in documents. They were mainly resettled to Karabakh. As a result of immigration, there were 292 thousand Armenians living in the Elizabepol Governorate. In 1904, 45 thousand Armenians came to South Caucasus. The First World War years were also a time where Armenians came to South Caucasus and settled in Azerbaijan. I want to talk briefly about some documents. According to Tsarist Russian documents and documents of the Armenian Apostolic Church, 250 thousand Armenian came to South Caucasus during the First World War. The documents of the Armenian Apostolic Church are written in their councils and congresses.

In 1915, in just one year, how many Armenians came to the Elizabepol Governorate? Russian Duma Deputy, Armenian origin, Papacanov sent a question to Caucasus region, where 20 thousand Armenians were resettled to the Elizabepol Governorate. The Soviet era is another period where the Armenians were resettled to Azerbaijani territories, to Nagorno-Karabakh. Again, I would like to bring documents to your attention. In 1822-1823, while the Lausanne Conference was taking place, 8 thousand Armenians were resettled from Mosul Iraq to various parts of South Caucasus and Karabakh. The resolutions of the Soviet government are pretty interesting. Mr. Aslanli mentioned earlier. Why was Nagorno-Karabakh given an artificial autonomy? I made researches in archives in Moscow. I have copies of documents, more than 2000 pages, about Azerbaijan and Turkey. After I read those documents I realized

that I knew little about the Karabakh issue. Why was Karabakh given autonomy? There is a secret letter written by Russians after the Treaty of Moscow signed in March 16, 1921. They wrote that Turkey gained advantages in the Treaty of Moscow. They wrote that it is unknown what will the Turkish foreign policy be in the future and that Turkey could become closer to Europe and the Entente Alliance, and come to South Caucasus. In the letter, they inform that there are 2 ways for this: Turkey could come either through Nakhichevan or Karabakh. They suggest taking precautions.

An important stage regarding precautions was on the eve of the Kars Conference. On the eve of the Kars Conference, there is a secret letter written by Chicherin in July 1921 to Lenin, Stalin and members of the politburo. He wrote that nothing goes their way in Kars. Azerbaijan could get close with Turkey and that this can cause problems for them. He says that if they don't take precautions, bad surprise could happen. What were those precautions? In May 1921, there was a consultation meeting held in Baku. 5 Armenian officials and Foreign Affairs Commissar of Azerbaijan participated in the meeting. Pressures were put on Azerbaijan. In September 28, 1921, the Nagorno-Karabakh issue was discussed and Narimanov insisted on giving Karabakh autonomy as soon as possible because otherwise, he thought that Karabakh could be given to Armenia.

The next important stage was the Conference of Lausanne. The conference had significance on the resettlement of Armenians and the formation of the autonomous region. There are letters by Chicherin sent to his deputy Mikhail Litvinov. It is a long subject but I will mention very briefly. Chicherin wrote that western countries could intervene to Soviet internal affairs using national minorities. He wrote that they should try to establish a second Armenian home. A second Armenian home is something against the West. There are letters ordering the politburo to discuss the resettlement of Armenians. What were the results of the discussions? In 1923, the Politburo decided the transfer of 10 thousand Armenians from Istanbul to South Caucasus.

After the Lausanne Conference, according to a document dated 1923, it was decided to bring 200 thousand Armenians to Soviet territories within 4 years and to move 15 thousand of them to Caucasus. Later, the artificial Nagorno-Karabakh Autonomous Region was created. What was the population when it was created? The population was 158 thousand and approximately 14 thousand was Azerbaijani. Now there is not a single Azerbaijani in Shusha. In 1923, there were 6.682 Azerbaijanis, 209 Armenians, 45 Russians, 19 people from Southern Azerbaijan, 2 Germans, 3 Mountain Jews and 5 people from other nationalities. There were only 209 Armenians. Censuses were made in 1926, 1939, 1959, 1970, 1979 and 1989. In 1926, there were 125.159 people in Nagorno-Karabakh. Approximately, 111.700 were Armenian and 12.600 were Azerbaijani. The Azerbaijani population was decreasing because Azerbaijanis emigrated from there. The years following the Second World War were another important stage. After the Second World War, Arutyunov, first Secretary of the Armenian Communist Party, appealed to Stalin to join Nagorno-Karabakh to Armenia. Azerbaijan objected to it and the subject was closed. Armenians, instructed by the Soviets, made territorial demands from Turkey. These Soviet demands were rejected by Turkey. Then they resorted to a third option: bringing Armenians abroad. There is a Soviet decree numbered 2947 signed by Stalin in

November 21, 1945. It was about bringing Armenians abroad on the occasion of the 25th anniversary of the establishment of Soviet Power in Armenia. In 1945, the population of the Nagorno-Karabakh Autonomous Region was 153.000. 137 thousand were Armenian and 16 thousand were Azerbaijani. According to the 1979 census, there were 161 thousand Armenians in the autonomous region. There were 49 ethnic groups. %76 of the population was Armenian. Armenians abroad were resettled to Armenia and Azerbaijanis were deported from their historical lands in Armenia and were relocated to Azerbaijan. Even if the term repatriation was used in official documents, this has nothing to do with repatriation. This is because the resettled Armenians were not born in Armenia and they never saw it before.

Another resolution regarding the resettlement of Armenians was signed in 1985. There is a letter sent by Karen Demirchyan, First Secretary of the Armenian Soviet Socialist Republic, to the politburo. I have a copy of it. He wrote that more than 123 thousand Armenians were brought during the Soviet period, from 1920 to 1986. According to the 1989 census, there were 189.029 people living in Nagorno-Karabakh Autonomous Region. 145.459 of it were Armenian and 40.632 were Azerbaijani. After start the conflict and Armenian aggression, 40.450 Armenians were resettled to the region in 1989-1992 while the Azerbaijanis were completely kicked out. There were 126.004 people living there in 1995 and there were no Azerbaijani among them. According to exaggerated figures, there are 144.700 Armenians currently.

During the Tsarist era till the First World War in 1914, 1 million Armenians were brought, as written in Russian documents. Let's make a calculation. According to documents of the Armenian Apostolic Church, 250 thousand was the number of Armenians resettled during the First World War. 230 thousand Armenians were brought in Soviet era, as written by Karen Demircyan. What is the total? 1 480.000. How many people live in Armenia now? According to Armenian 2013 official statistics, the population is 3 million 140 thousand. I'm not going into detail on the population changes of other ethnicities. How much can the population increase in 10 years? If an Armenian historian can prove that Armenians in Armenia are natives, I will take my words back. Think about it; 1 million people came till the First World War, 250 thousand people came during the First World War and 230 thousand people came during the Soviet era. Therefore %90 of the Armenians in South Caucasus are resettled and are not natives. They are not the ones who the culture of the region. They are people resettled as a result of occupations. Thank you.

PANEL II:

THE ARMENIA-AZERBAIJAN, NAGORNO-KARABAKH DISPUTE WITHIN THE CONTEXT OF GEOPOLITICAL INTERESTS

AZERBAIJAN'S STANCE TOWARDS THE NAGORNO-KARABAKH CONFLICT

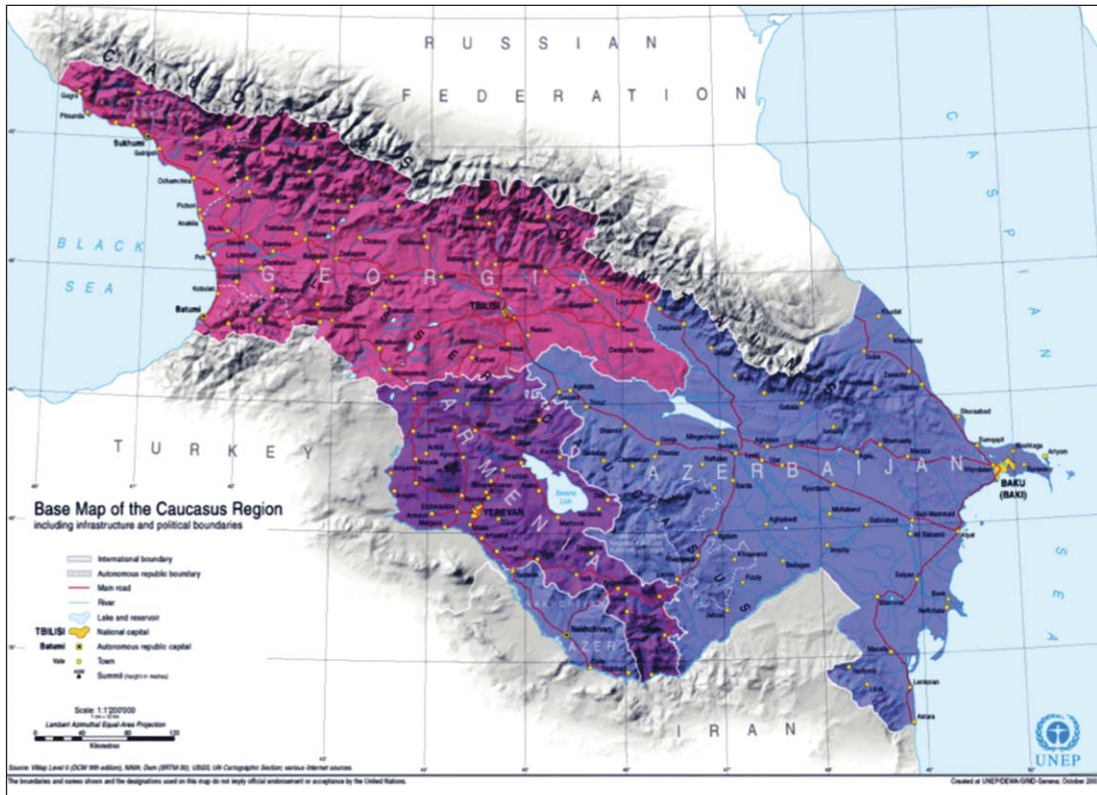
Deputy Director, Center for Strategic Studies Under the President of the
Republic of Azerbaijan (SAM), Dr. Gulshan PASHAYEVA

The Armenian-Azerbaijani Nagorno-Karabakh conflict is the first armed conflict that took place in the territory of former Soviet Union; by its nature this conflict can be described as typically irredentist.

Originally having sought unification with Armenia, the Armenian minority of Nagorno-Karabakh Autonomous Oblast (NKAO) started to demand the rights of self-determination and secession from Azerbaijan when Azerbaijan and Armenia became independent in 1991.

As a result of this armed conflict one-fifth of Azerbaijan's internationally recognized territory, including Nagorno-Karabakh and seven other adjacent Azerbaijani districts — Lachin, Kelbajar, Fizuli, Jebrail, Zangelan, Aghdam and Gubadli — were seized by Armenian forces, comprising the Karabakh Armenians as well as conscripts, regular army and Interior Ministry





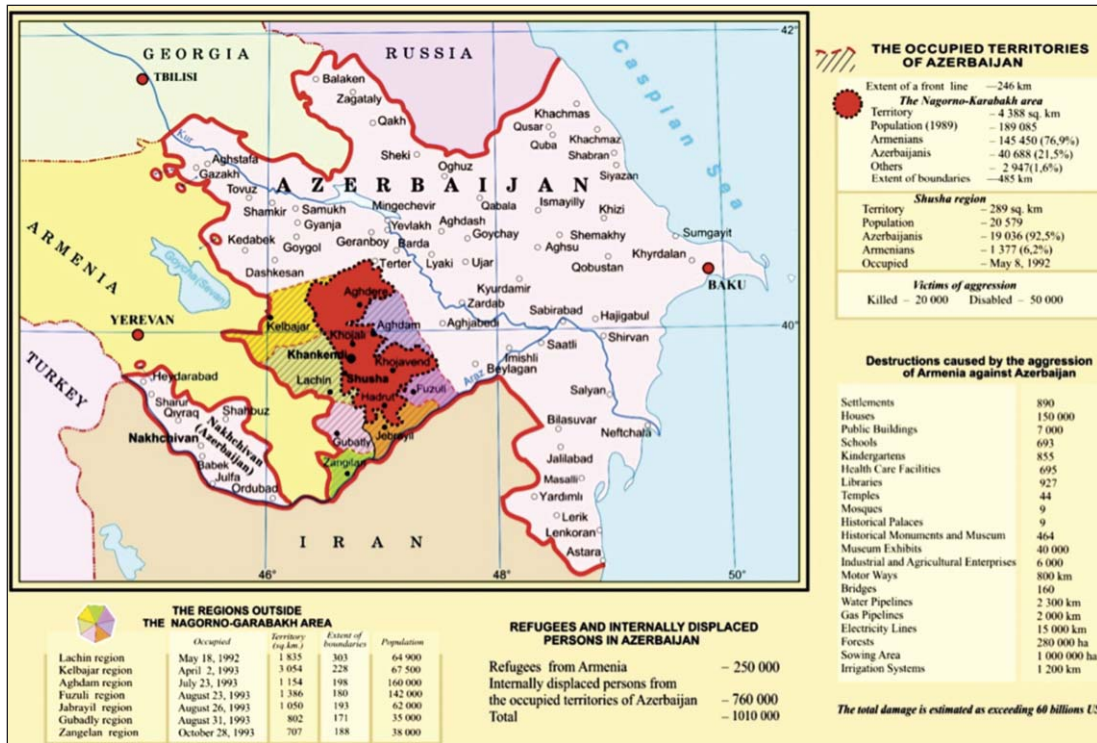
troops of the Republic of Armenia¹. The Azerbaijani population of this entire region was forcibly expelled from their homes during the undeclared war in 1992-1993 and these territories were transformed into a buffer zone considered by Armenians as a bargaining chip in the negotiation process. Some estimates put the number of deaths on both sides at more than 30,000. At the same time around one million were displaced during this conflict.

Since 1994 when a cease-fire was reached, many attempts have been made by numerous external actors, including the mediator of this conflict which is the OSCE Minsk Group, but a political solution to this conflict had still remained elusive.

Suffice it to say that Armenia's involvement as a kin-state in this conflict played an instrumental role in the annexation of the territory of a neighboring country for the sake of irredentist claims and ethnic solidarity to its ethnic brethren. Today so called de facto NKR authorities economically and politically heavily depend on Armenia and Armenian Diaspora around the world.

Armenia tries to preserve the current status quo and achieve international security guarantees on the non-resumption of hostilities, avoid withdrawal from occupied territories and the safe return of IDPs and refugees to the permanent places of residence. However, such

1 *Slaughter Among Neighbors the Political Origin of Communal Violence*, Human Rights Watch. Yale University Press, New Haven and London, 1995, p.150.



a policy in its turn polarized the region and reduced to naught any meaningful regional cooperation between the three South Caucasus states.

Armenia's rigid stance is also main reason of a failure of negotiations. Armenia stems above all from the fact that the results of the 1992-1993 military campaign are as its unconditional "victory". After the conclusion of the ceasefire agreement in 1994, Armenia started using these territories as its main argument in determining the status of Nagorno-Karabakh and a means of pressure on Azerbaijan. Yerevan believed that Baku would eventually have to agree to a final settlement of the conflict under the "territories-in-exchange-for-independence" formula, and regain control of part of the occupied areas in compensation.

However, today, Azerbaijan's growing economic potential, key role in maintaining the energy security and a steady growth of its military budget (Azerbaijan's substantial defence budget has grown from \$163 million in 2003 to \$3.8 billion in 2014) have brought about a new balance of power in the region, which has largely neutralized the notorious factor of "military-political realities."

Yerevan's non-participation in major infrastructural projects due to its standoff with Azerbaijan, and the lack of a ground transportation link with Russia has caused Armenia's chronic social and economic problems. They, in turn, have had adverse effects on the demographic situation. In recent years there has grown an awareness that in contrast to Azerbaijan, which has been developing dynamically despite the conflict in Nagorno-Karabakh, Armenia continues to experience problems precisely due to that conflict.

Regrettably, the emergence of a new balance of power was not followed by a significant change in the approaches of international mediators. Although the co-chairs of the Minsk Group more than once declared the status quo was unacceptable, they focused their efforts on preventing an escalation of the conflict, rather than on a search for solutions to problems that are critical for Baku.

On the one hand, the attitude of the leading world and regional powers and international organizations to this conflict is also quite ambiguous. They recognize the territorial integrity and inviolability of Azerbaijan's borders; but at the same time they oppose any attempts of use any sanction.

There are several resolutions devoted to this particular conflict, which were adopted by various international organizations such as the UN Security Council, UN General Assembly, the Organization of Islamic Cooperation, the Parliamentary Assembly of Council of Europe, European Parliament over the years, which reaffirm respect for the sovereignty and territorial integrity of Azerbaijan and demand the immediate, complete and unconditional withdrawal of Armenian armed forces from the occupied territories of Azerbaijan. However, these resolutions remain unfulfilled by Armenia so far. In particular,

In 1993, the UN Security Council adopted four resolutions (822, 853, 874, 884) that were directly related to the Nagorno-Karabakh conflict. The resolutions stressed the need for immediate cessation of military activities and hostile acts, immediate, complete and unconditional withdrawal of occupying forces from all occupied regions of the Republic of Azerbaijan;

- There are also numerous resolutions adopted by the Organization of Islamic Cooperation (12/ 21-P (1993); 16/22-E (1994) and 11/7-P(IS) (1994); 12/8-P(IS) (1997) and 18/8-E(IS) (1997); 39/26-C (1999); 21/9-P(IS) (2000), 21/9-E(IS) (2000) and 25/9-C(IS) (2000); 10/30-C (2003), 12/10-P(IS) (2003) and 21/10-E(IS) (2003); 9/33-P (2006); 10/33-E (2006) and 2/33-C (2006); 10/11-P(IS) (2008), 2/11-E(IS) (2008), 2/11-C(IS) (2008), 6/35-P (2008), 3/35-C (2008) and 3/35-E (2008); 9/36-POL (2009), 2/36-C (2009) and 3/36-E (2009); 10/37-POL (2010), 2/37-C (2010), 6/37-E (2010); 10/38-POL (2011), 3/38-C (2011) and OIC/CFM-38/2011/ECO/RES/FINAL (2011); 9/39-POL (2012), 3/39-C (2012) and 8/39-E (2012); 10/40-POL (2013), 3/40-C(2013) and 6/40-E (2013)), that strongly condemns the aggression of the Republic of Armenia against the Republic of Azerbaijan, which has resulted in the occupation of about 20 percent of the territories of Azerbaijan; considers the actions perpetrated against civilian Azerbaijani population in the occupied Azerbaijani territories as crimes against humanity; demands to cease and reversed immediately the transfer of settlers strongly demands the strict implementation of the US Security Council resolutions 822, 853, 874 and 884, and the immediate, unconditional and complete withdrawal of Armenian forces from all occupied Azerbaijani territories including the Nagorno-Karabakh region as well as strongly urges Armenia to respect the sovereignty and territorial integrity of the Republic of Azerbaijan.

- In December 2005, the Parliamentary Assembly of Council of Europe (PACE) adopted

resolution 1416 entitled “The conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Group” reaffirming the occupation of a considerable part of the territory of the Republic of Azerbaijan. PACE made it clear that the occupation of foreign territory by a member state constitutes a grave violation of that state’s obligations as a member of the Council of Europe and urged the parties concerned to comply with the relevant resolutions of the UN Security Council, in particular by withdrawing military forces from any occupied territories;

- In March 2008, the UN General Assembly adopted a resolution concerning “the situation in the occupied territories of Azerbaijan” reaffirming the territorial integrity of the Republic of Azerbaijan and demanding withdrawal of all Armenian forces. The resolution calls for the return of the population of the occupied territories, and recognizes the need to provide secure and equal living conditions for Armenian and Azerbaijani communities in the Nagorno-Karabakh region;

- May 2010, the European Parliament adopted a resolution (2009/2216(INI)) on the need for an EU strategy for the SC demanding the withdrawal of Armenian forces from all occupied territories of Azerbaijan, accompanied by deployment of international forces to be organized with respect of the UN Charter in order to provide the necessary security guarantees in a period of transition. This resolution notes that an interim status for Nagorno-Karabakh could offer a solution until the final status is determined and that it could create a transitional framework for peaceful coexistence and cooperation of Armenian and Azerbaijani populations in the region.

- At the same time on October 23, 2013 the European Parliament adopted a new resolution on the European Neighborhood policy: towards a strengthening of the partnership where it recalls “its position that the occupation by one country of the Eastern Partnership of the territory of another violate the fundamental principles and objectives of the Eastern Partnership and that the resolution of the Nagorno-Karabakh conflict should comply with UN Security Council resolutions 822, 853, 874 and 884 and the Organization for Security and Cooperation in Europe (OSCE) Minsk Group Basic Principles, enshrined in the L’Aquila joint statement of 10 July 2009”².

Thus, there is a perception that double standards have been applied by the West when it comes to the conflict over Armenian-Azerbaijani Nagorno-Karabakh. On the other hand, due to Russia’s annexation of Crimea and its continued destabilization of eastern Ukraine a number of sanctions against Russia have been imposed by the EU and U.S in recent months.

2 Now commonly referred to as the “Basic Principles” the six parameters articulated stipulate the following:

- the 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;
- 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 place of residence
- and international security guarantees that would include a peacekeeping operation.

Perhaps it is time to pursue the similar policy in regard to Armenia. This is an option around which both the OSCE Minsk Group Co-Chairs and bilateral diplomatic pressure can be mobilized. It can also contribute to certain change in Armenia's external minority policy and withdrawal of its territorial claims against Azerbaijan.

The unconditional return to Azerbaijan of the occupied territories adjacent to Nagorno-Karabakh in exchange for opening transportation and communication links and corresponding security measures is the single most feasible and effective step on the horizon.

This step will also lead to opening of the borders between Armenia and Turkey and Armenia and Azerbaijan and thus increase economic opportunities for landlocked Armenia.

It will enable Armenians and Azerbaijanis to establish dialogue and start to overcome the effects of years of negative propaganda. It also create an environment which could be more conducive for tackling the toughest questions of this conflict as the safe return of IDPs and refugees to the permanent places of their residence and the future status of Nagorno-Karabakh.

Thus, sincere and coordinated efforts of the conflicting parties as well as mediators can play a positive role out of vicious cycle that prevents peace in the South Caucasus.



THE NAGORNO-KARABAKH DISPUTE IN INTERNATIONAL LAW

Ankara University, Lecturer to Department of Law,
Assoc. Prof. Dr. Cavid ABDULLAHZADE

Distinguished participants,

I know it's usually boring when a law expert speaks but as much as possible I will try not to bore you with the articles and the items and I will try to speak generally. Of course, we know that it's a very comprehensive topic but we will try to squeeze it in fifteen minutes and we will touch upon fundamental aspects.

What I would like to tell here today is the role of Armenia in the Nagorno-Karabakh conflict. Actually, the conflict is settled on Armenian attitude. But, as always, since Armenia knows that there is a gap in international law and I will go into details on this later. They are trying to make the topic a little bit blur and uncertain. Of course, there are sociological, demographic or historical data and they are making these international problems. In the previous session esteemed historians also mentioned how wrong this is. But, actually, I will not talk about that. I will just use perspective of international law. And why? Of course, I will exclude historians but from perspective of international law, the historical data of a region or the historical roots of an ethnical group in that region is not a legitimate element for the validity of states.

The classical comprehension of the international law is this: in Latin, *Prior in tempore, potior in iure* which means, "first comer has the first right." We used to live here first, so this land is

ours. This is not legitimate; this is not valid for the contemporary law. I am not going into detail of the data.

This is just a general introduction to make it clear, let's go upon the historical data. The fundamental principal of the contemporary law is *uti possidetis* in Latin, "whatever you have, keep having it." It means that, the administrative units of states are actually the borders of the new emerging countries. This was applied in 60-70-s in Africa with the end of colonization, or the Yugoslavian Commission is actually based on this and is the most fundamental principle of the current law.

As mentioned by Dr. Aslanlı clearly in the previous session, regarding no matter how many disputes there are on the 1921 Caucasian decisions, for seventy years those constitutions declared and recognized that; Nagorno-Karabakh is inevitable and inseparable part of Azerbaijan, which means that there's a settled and continuous rule for seventy years Nagorno-Karabakh was a part of Azerbaijan and continued to be a part of Azerbaijan after disintegration of Soviet Union according to the international law. This is reflected in the decisions and the resolutions of the European Union and European Council and all International Law. Therefore, according to historical data of course it can be discussed, this is a part of the intention of Armenia to make the topic blur and uncertain.

According to the latest article written in the Yale University, "Nagorno-Karabakh is a border conflict." No, it is not! There is no border conflict in Nagorno-Karabakh, of course, this can be discussed by historians but there is nothing to discuss according to law. When in 1991 Soviet Union disintegrated Nagorno-Karabakh was a part of Azerbaijan. This is a legal fact, because we must understand this in order to understand Azerbaijan. And second topic which Armenia is trying to make uncertain is the self determination which makes people in public determine their destiny by themselves. Although Karabakh is in your borders, let's say a different ethnic group lives there and they want to be independent, international law makes it possible. This is self-determination right and we must know fact as well. So according to international law, they give the right to separate from the country only to those countries which have the right to do so. Those countries have several separate ethnic groups. This problem is discussed in Crimea. Although Crimea is an Autonomous Republic, international law does not accept their separation. But, Nagorno-Karabakh was not a separate autonomous republic; it was just an autonomous *oblast*. If the separation of Crimea is not accepted by international community they can never accept the separation of Nagorno-Karabakh or Ossetia, or Chechnya. All these examples that we see that international law does not recognize the separations in the national republics in the 60-s it did not accept. Today, it still does not accept, the rule has never changed.

There is only one exception, I do not want to go into details, but the Kosovo example is no similar to Karabakh, it's such a separate topic, in another session we can evaluate Kosovo. So, what is Nagorno-Karabakh conflict? Actually, Armenians know what this conflict is. Of course, without understanding the role of Armenia you cannot understand the conflict of Nagorno-Karabakh. Self-determination itself was not recognized and it can be invalidated according to the attitudes of Armenia.

There are some separate situations according to the international law. Even though there is self-determination, if the units or elements are created by the hands of another country, this is not accepted by the international law in 1982, in 1983 we were enforced to accept this in the Cyprus issue and they implemented this on Turkey which means that this rule cannot be applied in Karabakh.

What is going to be applied and implemented in Karabakh is quiet clear? Let me talk about that from the perspective of international law. Since 1945, United Nations accepted the general situation with agreements in the 4th paragraph of article 2 everyone knows that, Armenia also knows that a country, a state cannot use the act of force against independence and the rights of another country which is against the law or legality. The only exception to this is the self defense right of the countries and with the decision of the National Council, you can use force against the country for your national security.

Let's look at Nagorno-Karabakh example, if this was a part of Azerbaijan in 1991. Up until 1991 was disputable. But it was an internal problem of the Soviet Union, therefore I will skip that but at least after 1991, since the disintegration of the Soviet Union, international law has two different conflicts here: Azerbaijan and Armenia are two different independent states. Therefore, the independent states and the states are bound by international law. So the 4th paragraph of article 2 binds Armenia.

How can we interpret or understand the fourth paragraph of the Article 2? It says that states that, threatening by using, armed assault and attacks and order of attacks against another country or state are forbidden. In the Nicaragua case, the resolution when we look at that we divide it into two: direct attack or indirect attack. So making the terrorist groups in that country armed or supplying them with military equipment is also a crime of military attack. Here, in the Nagorno-Karabakh conflict the role of Armenia was a direct armed attack since 1991. Of course, I will skip the details but in the Hocali massacre Armenian soldiers played the role, or the Kelbecer occupation was also including Armenian people. This is not what I say, this is something based on international documents, UN international reports. Why? Because United Nation mentioned by Dr. Pashayeva has four resolutions, and all four of them they mention occupation. And the actions of states are not regarded or recognized as occupying if they are right. Of course, Armenian policies today are different, they now say that I have no part, I have no role in the Nagorno-Karabakh conflict. They say that they have an independent struggle. But even for national independence struggles United Nations do not use the term "occupy". "Occupy" is a term which is used when a country, when a state occupies another. It is not a term which is use for self-independence struggles. So, also in the resolutions of the UN they say that the occupied land must be evacuated by the people of Armenia. Maybe they do not use "Armenia" as a direct term, because of this, everyone who is dealing with international law will immediately understand that what they trying to mean in those resolutions is Armenia. Of course, I will not go into detail but what you call "Armenia" is the head of the state Sargisyan fought in Karabakh and after that in 1993 he became the Minister of Defense. So, you cannot just say that the militants are fighting against Azerbaijan, no, that's not true, because there is a very intense relationship with those who are fighting on the street and on the field. The International Crisis Group states that, after Sarkisyan became the Minister

of Defense, between Karabakh and Armenia there is no more borders left. So, Karabakh is like a federation of Armenia today. So what's the situation?

According to the 4th paragraph of the article two of UN Agreement, there is an open violation of this agreement. Armenia can say that, "I am using my right to self-defense." Can it? No, because Azerbaijan has never conducted an armed attack against Armenia. You can use your right to self-defense only in situations, when you are attacked by another state.

Second of all, the resolution of the Security Council, this was always in favor of Armenia, never Azerbaijan. There are of course humanitarian interventions in order to protect the personal rights of those people and Armenia used to use this argument, but Armenia also knows that this is not valid. So, they just left this argument. There is an open violation of the paragraph 4 of the article 2 of the UN Agreement. What should be done? I guess the armed state, which is Armenia, the struggle must be conducted but the resolution of the UN, the method was not used considering the veto right.

So what's left? I will just say one last sentence. But there is one more thing to mention here. Can Azerbaijan use force by themselves considering the latest examples such as attacking against helicopter? Well, Nagorno-Karabakh conflict is not a frozen conflict, in this conflict, there is an armed attack of Armenia and the attacks of Armenia did not end in 1994, it still continues.

Those who are experts in law, they know that that is called a continuous crime which means that as long as you continue your action which constitutes a crime you actually repeat this crime every time. Let's say you lock person in a room and you keep beating that person, so every time you beat that person that means you keep repeating your crime again and again. So that's the situation of Armenia.

This can we talk about the self-defense right of Azerbaijan? Yes, this is what we need to talk about today. Of course, we prefer peaceful methods to solve this problem. But, in order to secure the international security and stability UN was founded. Despite the four resolutions the UN cannot take measures to secure peace in the Southern Caucasian and they seem like they cannot do that again. So from this point further from the perspective of international law, we need to discuss that Azerbaijan must implement or Azerbaijan can implement their right to self-defense, but how – I cannot go into details about that because I am out of time, so we can discuss it later. Thank you very much.



GREAT POWERS' STANCE TOWARDS THE RESOLUTION OF THE NAGORNO-KARABAKH DISPUTE

Vice President of the International Strategic Research Organization (USAK),
Prof. Dr. Kamer KASIM

In my speech, I will speak of the policies of countries which are involved in the Nagorno-Karabakh issue and took a stance about it. US, Russia, EU, Turkey and Iran are countries that have proposals for the solutions of the issue. To save time, I will focus on the policies of the US and Russia and briefly mention Turkey's stance as the next speaker will talk about the Turkish aspect.

The US, as a non-regional superpower, started to be more interested with the region in the post-cold war period. This could be also said for Russia, as well as for other countries. Regarding policies of the EU, its view on the Karabakh issue can't be separated from its policy towards Caucasus. This is the same for the US. Until 1997, the US adopted a policy called 'Russia First Policy' which prioritized Russia. This required US to approach the issues in Caucasus mainly in terms of the energy and economy. However, we can say that there was a serious conflict between the policies of the administration and the Congress in every stage. US's defense of an east-west energy corridor, and its completion and success requires Azerbaijan's territorial integrity and stability. In this case, the occupation of Azerbaijani territories surrounding Nagorno-Karabakh is a direct threat to the national interest of the US. However, with section

907 of Freedom Support Act passed due to pressures from the Congress, aids to Azerbaijan were banned. I think Samuel Huntington made a good analysis of this issue in US foreign policy. His article "The Erosion of American National Interests" and his book "Who are we? The Challenges of America's National Identity" is available in Turkish. Thus, we can say that despite efforts and policies of the US administrations, decisions directly serving the national interests of the US couldn't be implemented because of inside lobbies, as it was in US's policy toward the Nagorno-Karabakh issue. The US tried to associate its energy-oriented approach to the Karabakh issue. For instance, one of the suggestions was to build a peace pipeline as part of the east-west energy corridor. It was suggested to deliver Azerbaijani oil to Turkey through Armenia; needless to say Azerbaijan would never accept this. Just think about it. One country occupies the territories of another country and you ask the occupied country to offer its main energy resources to international markets through the occupying country. This was not an applicable and rational suggestion, and it didn't happen anyway. The US changed its views on Caucasus after September 11, 2001. It added the security aspect to its energy-oriented approach. This changed US's view on Azerbaijan and the Karabakh issue. After 2001, we see rapid improvements in many fields such as energy. For example, the completion of the Baku-Tbilisi-Ceyhan pipeline within the east-west energy corridor is especially important. We know that its construction accelerated after 2001. Although it was opened partially in 2005 and completed in 2006, it was important in terms of the change in US's view. US wanted a peaceful resolution of the Karabakh issue. They never defended Azerbaijan taking back its occupied territories by force. They had a strategy that assumed Karabakh issue would be resolved with the improvement of Turkish-Armenian relation, the opening of borders by Turkey, integration of Armenia into the West. It was actually clear that this approach will not succeed when it was first suggested. The ones who proposed this strategy couldn't explain how Armenia was going to end its occupation in Karabakh or change its policy toward Turkey or Azerbaijan after such a step by Turkey. There is no economic potential that Armenia could offer. We are talking about an economy of 20 billion dollars, according to 2013 figures. It has nothing beneficial for Turkey. Even if you open the borders, it will not reach a significant level in terms of trade. Secondly, especially in the post-Ter-Petrosyan period, Armenian foreign policy is becoming more and more radicalized with the increasing influence of the Karabakh clan. Therefore, it is clear that Armenia's policy will not change, no matter what Turkey does. More importantly, the energy cooperation developing between Turkey and Azerbaijan did, in fact, accelerate the east-west energy corridor project of the US. However, until now, the US adopted a policy that prioritized Turkey and a policy that assumed a result could be obtained through Turkish-Armenian relations and by reintegrating Armenia into the West. Many serious changes happened recently and I will mention them. However, it seems that Armenia's accession to the Eurasian Economic Union let down US's and EU's hopes of integrating Armenia into the West. Therefore I believe they will abandon their previous demands from Turkey. Nevertheless, lastly I can say this: even though the US - as an OSCE Minsk Group co-chair country - is involved in the resolution process of the Karabakh issue and is a country that offered solutions in the pre-ceasefire period such as the energy corridor, it seems that it lost its interest in Caucasus because there is gravitation toward the Asia-Pacific and the Middle East. Karabakh is occasionally remembered when there is an infringement of the ceasefire line or when there is a provocative act by Armenia. Russia is a regional power and is in fact a party of the conflict since the beginning.

We know the role of the 366th regiment in Khojaly. However it is also the county that brokered the ceasefire in 1994. Naturally, they are involved in the peace process and are a member of the OSCE Minsk Group. However due to its special relations with Armenia, both economic and military, it never put forth a strategy that is comprehensive, meaningful and pressurizing Armenia for the resolution of the Karabakh issue. Moreover it seems that Russia the Karabakh issue to continue in order to maintain control on both countries. This is one of the reasons why the problem still continues. Russia's military intervention in Georgia caused a 180 degree shift in relations between Russia and the West and the view on Russia changed dramatically. Condoleezza Rice even compared it to the Soviet military intervention in Czechoslovakia in 1968. The first repercussion of this was the electoral defeat in November. Russia wanted to change its negative image in the West. Thus, Russia brought the Armenian and Azeri Presidents together in Moscow on November 2008 and the Moscow Declaration was signed. Although the declaration includes elements similar to the Madrid Principles, it is unknown how they will be implemented because there is an actual occupation. It is obvious who occupied and who sponsored it. So what should be done in the first stage? There should be pressure on the occupying forces and state. Russia already has the necessary means to put pressure on Armenia. They should use them and force Armenia to take a step. This could be in the form of pressures on Armenia to withdraw from parts of Nagorno-Karabakh. However we didn't see any of this. This certainly raised serious question marks over Russia's sincerity. It seemed like Russia wanted the problem to continue like this, or at least in a controlled manner. Russia doesn't want it get out of its control. I will make an evaluation about this in the conclusion part. I also want to say a few things about the EU.

EU was actively interested with the Karabakh issue in the beginning of the 1990s, in 1993-94-95 and in the process right after the ceasefire. EU thought it could bring the parties together by means of a set of economic instruments. However especially some statements in European Parliament resolutions and reports on South Caucasus didn't help the resolution of the issue. For instance, in these reports on South Caucasus, it was frequently and wrongfully stated that Turkey was imposing a blockade on Armenia. In these reports, we see that the EU put pressure on Turkey to open its borders but never gave Armenia a clear message to withdraw from Azerbaijani territories. It seems that the EU largely lost its interest in Caucasus due to economic turmoil and other conflicts in the international conjuncture. Although there were proposals within the EU for new initiatives, these didn't have any results. Certainly, the efforts by Turkey, Iran, Russia, US and EU cannot be separated from the international conjuncture. Especially after the annexation of Crimea and clashes in Eastern Ukraine, there is a division currently in the world similar to the Cold War era and it seems that the Caucasus will be one of the places where this division will become apparent. On one side there is Armenia which joined the Eurasian economic union, is economically dependent to Russia and has close military relations with Russia. On the other side, there is Azerbaijan and Turkey which are a part of the Western Bloc. Georgia's position is critical here. They can either be in the Western Bloc, because energy pipelines and relations between Azerbaijan and Georgia require this, or they can be like Finland in Cold War era. Will this situation help the resolution of the Nagorno-Karabakh issue? It doesn't seem so. We are going towards an international environment where the status quo will be maintained for a long time. Karabakh will be one of the most dangerous hot spots

because it has the potential to turn into a hot conflict. This could also lead to a conflict between blocs. Azerbaijan is coming to an advantageous position especially with its energy projects. TANAP is highly important in this respect. The crisis between Russia and the West necessitates a project that transports large amounts of Azerbaijani natural gas to Europe. Since the next speaker with talk about Turkey, I will briefly touch on Turkey's position.

Turkey, as a regional power, was always on Azerbaijan's side diplomatically. Turkey was one of the most influential countries in the passing of UN resolutions on Karabakh. Turkey closed its land border with Armenia in 1993 with the occupation of Kalbajar and kept it closed despite pressures because Armenia is an occupying country and sanctions should be imposed on it. There are several instruments to do this in international politics. The biggest sanction was excluding Armenia from big energy projects. The Karabakh issue is a subject occasionally brought up within Turkey-EU and Turkey-US relations. There is this wrong assumption brought up in our meetings with think tanks from America and the West: They say that Turkish-Armenian relations are independent from the Karabakh issue. No, it's not because Turkey didn't close its land border due to other reasons. It closed because of the Nagorno-Karabakh issue and occupation of Azerbaijani territory. Therefore, if the US and EU want the normalization of Turkish-Armenian relations, they have to take a step toward the resolution of the Nagorno-Karabakh issue. Armenia should end its occupation and the sides should come to an agreement so that Turkey can take a step. Otherwise there is no other way this can happen. This is also against Turkey's realpolitik considering its increasing economic cooperation with Azerbaijan and mutual investments. There are also clear promises made by Turkey to Azerbaijan on the highest level about this issue both before and after protocols and during visits. Lastly let me say this. If this international situation similar to the Cold War doesn't change, I don't think there will be any major pressures on the parties to resolve the conflict, especially on Armenia to withdraw from Karabakh. Nagorno-Karabakh will continue to be one of those hot spots encountered during the Cold War. Thank you.



TURKEY'S STANCE TOWARDS THE RESOLUTION OF THE NAGORNO-KARABAKH DISPUTE

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Aslan Yavuz ŞİR

As a doctoral candidate and a young expert, I have a disadvantage of being the last speaker. And after all what was already mentioned by senior experts, there's not much left to talk. But for this reason I will try to underline some important points and I will do it as part of a hypothesis. As mentioned by professor earlier, with regard to all these international law principles, well, let me mention one again "whatever you have, remain having it". As far as I understand it correctly, this means, whatever you have, whatever you possess you must remain possessing it, but we also know that there is the implementation phase both in terms of international law and in terms of international relations. I think our field of study must be how to make sure these legal regulations will be implemented and will this be conducted by international community or specific actors such as United Nations or the Security Council? These kind of disputes are the subjects of our field of studies. And as you know, in international relations there is the definition of power. What is power? How do you implement something? How do you make sure it is implemented? There is one fundamental definition; it says that power is to persuade/influence others to do your bidding. Well, this definition is at least one of the more orthodox definitions of power. So, the reason we are discussing Nagorno-Karabakh conflict in the international field is because this is an international conflict of political and legal importance, so the first question that comes to the mind is "Who is going to solve it?".

The middleman, the intermediaries, or will the sides come together and solve it? Will a new conflict solve this situation? If we were in the past I would say that the best way to solve the problem is to fight. First you sucker punch, then you receive another punch, so you fight a little without talking or making a dialogue and then things are solved. This is peculiarly Eastern, fighting to get acquainted or to solve things. Still, it goes without saying that Turkey do not want the course of events evolve this way.

If I go back to the international law, again from the perspective of these principles, although the international legal law is right there, obvious, there is no clear penalty. I mean, what happens if Armenians occupy Nagorno-Karabakh. According to the penalty code, according to the penal codes, let's say, if you park your car here, the penalty to that is execution of that parker. If you say that it will be indeterminate and the person will not commit that crime. So we need some kind of penalty, clear penalty for these fragile balances in Nagorno-Karabakh. The policy of Turkey concerning Nagorno-Karabakh was always conducted on those fragile balances: how to keep the peace, who will keep the peace and all in this regard. And as the professor stated before me from the perspective of international law when Turkey acts on Nagorno-Karabakh conflict the fundamental driver is the fact that the relations between Turkey and Armenia cannot be separated from the Nagorno-Karabakh conflict. This was discussed very frequently before and after the signing of the protocols. Azerbaijan actually showed an opposing reaction towards us due to the fact that we signed it while Armenian reaction in the Diaspora and mostly elsewhere was also negative. Armenian side is focusing its efforts towards the opening of borders with Turkey without any concessions on their side. Turkey's policy to link Nagorno-Karabakh problem with the Turkish-Armenian relations was harshly criticized, but in international law there are some principles and they must be known without uttering them. It is both a realist and pragmatic policy on the side of Turkey that Turkey-Armenia relationships and Nagorno-Karabakh conflict be linked to each other. My personal opinion is that Protocols and the developments following them has brought the Nagorno Karabakh conflict to the fore in the international agenda more than ever before. Thus, Turkey emphasized that there is an occupation and will only further relations when the occupation will be over. Protocols paved the way for the internationalization of the core problem in Nagorno Karabakh conflict, namely the ongoing occupation of 1/5 of the territories of a UN member. Not only that, but also, one of the core issues in Turkey's relations with Armenia, i.e. closed borders, is a result of Armenia's doing. Today Armenia is still considering opening the border as the most important thing at all, also for the Western world. If the border is open they say that Armenia and Turkey will benefit from it very much. Increasing focus by Armenia on the opening of borders with Turkey will remind the international community the main reason behind why they were closed in the first place, thus highlighting the ongoing occupation and Armenia's breach of international law.

I always remember policy of Mr. Ozal, the former President of Turkey, to allocate Turkish passports to the leaders of non-Turkish political movements abroad so that he can keep an eye, negotiate and come into terms with them. This was made possible by the fact that Turkey did not get involved in a political dispute with those leaders, but was indeed seeking to open up a new dimension in its foreign policy choices. Approach by James Warlick, the American co-chair of the Minsk Group insist that if the border is opened with Armenia without any

preconditions, then America also says the progress will be made in an easier manner. However, between Turkey and Armenia those things that can be achieved economically, can never replace or substitute the relationship that Turkey has with Azerbaijan – economically, historically or strategically. Armenia has no export capability; once the borders are opened, Armenia will be stormed by Turkish goods. Mediation by the Minsk group never focused on the conflict resolution process in Karabakh problem, but instead they pursued a “no war, no peace” condition; and even when they do, they tried to bring the issue of closed borders, Armenia’s dependency on Russia, and end to Armenia’s isolation to the fore. However, Minsk Group’s policy resulted in the creation of a generation of Armenians living in NK, were born there, were raised there, never meeting or knowing the missing autochthon Karabakh Azerbaijanis 1.5 mln of which were ripped away from their lands and currently live away from their land, so it is actually something further than just civil dialogue or economic engagement as the mediation suggests. So up until today everything that Minsk group could not achieve made the problem even deeper and bigger. So at this point there is no viable approach to solve the conflict; that system does not function. Secondly, Turkey is under pressure and for the wrong reasons. Indeed it is obvious that Armenia and its policy of ongoing occupation, negotiations without any concessions is not acceptable, and international community has the sole responsibility to pressurize Armenia, not Turkey to open the borders. Turkey’s relations with Azerbaijan and Georgia, this partnership in the region is more important than the well-being of just one isolated, satellite state in the region. We could also associate these pressures with the coming 2015 and the concessions toward Armenia. What is the best thing Turkey can do? How should Turkey be involved with this issue and how much it can affect the process? I believe that Turkey should be a Minsk Group Co-Chair. There are several opinions that this will eliminate the neutrality of the Minsk Group. Turkey’s ongoing issues with Armenia, its close ties with Azerbaijan and its siding with Azerbaijan on the Karabakh issue are said to be obstacles Turkey’s Co-Chairship. If we change the actors and talk about problems with Azerbaijan, close ties with Armenia and siding with Armenia on the Karabakh issue, we come across Russia and today Russia is a Minsk Group Co-Chair. Turkey’s co-chairship could bring some balance because if there is an imbalance within a mediating institute, the enforcement of international law will disappear. There is no balance within the Minsk Group. Russia and France have close relations with Armenians and they have large diasporas in them. In this case it is not correct to expect any benefit from such a system. I believe that Turkey’s involvement in the system as a co-chair would bring balance into the system. Thank you.

