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THE KARABAKH SETTLEMENT: PEACE THROUGH SEPARATION

(Armenian version provided by author)

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In 2001, we celebrate various anniversaries closely associated with the history of the Armenian nation. In the list of these jubilee celebrations, a high priority is given to the 1700th Anniversary of the Proclamation of Christianity as the State Religion in Armenia. It is also the tenth anniversary of the recovery of statehood by Armenia. Yet, I would also like to point out in the list of these memorable dates, the declaration of NKR's independent statehood, the significance of which is not less valuable than the other important events of our thousand-year history. I am sure that in celebrating these jubilees, Armenians will also pay homage to that small part of our nation, which succeeded in winning back its freedom, or as defined by international norms, the right to be the master of its own destiny.

Today, on the threshold of that anniversary, it may be time to evaluate the political-diplomatic path we have journeyed. As the war broke out in Nagorno-Karabakh, the conflict gradually became world-famous. We were actively involved in the process of political negotiations, with the final aim of convincing the



world community that Nagorno-Karabakh must, on no account, be subject to Azerbaijan.

We can state with satisfaction that, on the whole, we managed to achieve that goal. I do not want to go into details, but I would at least like to touch upon the comments concerning the results of the OSCE Minsk group's last visit. In particular, Heydar Aliyev stated that the intermediaries demanded independence for Nagorno Karabakh, but he would not agree to the creation of a second Armenian state. This can hardly be considered a slip of the tongue by such an experienced political figure.

Thus, against this background, it is not out of place to recall the progress achieved by the

settlement process in the course of these last years. I would like to draw your attention to the fact that today, when this key issue is included in the agenda of the leading states, interest towards the Karabakh conflict is quite different from what it used to be in the early nineties. At that time, more than half the territory of Artsakh was seized in the war waged by Azerbaijan. Let me remind you that in the past few years, at different stages, we were forced to give explanations to the international community. They had to be convinced that, firstly, the Armenian Nagorno-Karabakh must exist. Secondly, they had to be convinced that the Nagorno-Karabakh Republic exists. Thereafter, we passed to a qualitatively new phase. We advanced the thesis, that Nagorno-Karabakh secures the military-political balance of the region. Ultimately, in today's situation - Nagorno-Karabakh is the focal point of the region, and its status is to determine the future of the South Caucasus.

We should not forget that the military action, started in 1992, engendered a humanitarian crisis. The whole population of the Nagorno-Karabakh Republic was actually under the threat of ethnic cleansing, while the siege of Artsakh was gradually tightened. It was at that time, when the first chairman of the Minsk Group, Mario Rafaelli, frankly confessed that the very subject of the negotiations itself, Nagorno-Karabakh, was facing the threat of annihilation.

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However, the actual attitude towards the issue raised by the two Armenian parties to the negotiations was formed only after military operations. These so-called "outcomes" were brought to light and the territories bordering Nagorno-Karabakh and those not included in the former Autonomous Province (marz) by the Soviet Constitution were put under the supervision of the NKR defense forces.

I would like to emphasize that even the military success achieved by the Armenian party failed to bring about an immediate fundamental change in the attitude towards the issue of NKR's political future. Thus, in

fact, the offers we have received up to now were just identified as the "elimination of the results of the armed conflict": namely, the evacuation of the territories under our control. The very cause of the conflict, however, the status of Nagorno-Karabakh, was either not discussed at all, or its discussion was postponed for an indefinite term.

We think that this situation is explained by the following circumstance. To what extent were NKR's interests reflected in the documents? These were proposed by international intermediaries, and hinged on the progress achieved by Nagorno-Karabakh in the process of becoming an independent political factor -- able to provide its own security and ensure effective management of its territory through state structures.



Naira Melkoumyan was born in 1953 in Yerevan. In 1976, on graduating from the Faculty of Philology of Yerevan State University, she lectured there. She worked in Armenia's Supreme Council from 1990 and in the Ministry of Foreign Affairs from 1993. Starting in 1995, she worked as Assistant to the NKR's Regular Representative in Armenia. In June 1997, she occupied the position of Regular Representative and in October 1997, she was appointed Foreign Minister of the NKR. She participated in the Karabakh conflict's settlement process within the framework of the OSCE Minsk group.

She presented the NKR position to a number of international organizations. She has addressed US research institutes such as the Central Asia-Caucasus Institute, the Carnegie Endowment for Peace, and the Center for Strategic and International Studies.

She is a Candidate of Philological Sciences and has published several articles. She has the rank of Ambassador Extraordinary and Plenipotentiary. She is married and has a daughter.

I consider it noteworthy that the official assistance rendered since 1998 by Armenia to the position and regulation of the principles of the NKR's authorities had a substantial impact on the nature and quality of proposals presented by international intermediaries. Due to that very reason, we believe that our joint diplomatic efforts should be directed to the preservation of state independence and to the full participation of Nagorno-Karabakh in the negotiation process right up to the world's recognition of its real political status.

The establishment of global stability over the whole post-Soviet territory reflects the common interest, which presently constitutes the basis of co-operation for the states of the OSCE Minsk group's co-chairmen. The co-chairs, as you know, represent three of the UN Security Council's five regular members. This co-operation is a fact that requires our serious consideration. Moreover, our policy is always based on the conviction that the absence of competition and opposition between the great powers can serve as a pledge of stability, security, and co-operation among all the countries of the region. Furthermore, it can also ensure an impartial and fair settlement of such a complicated and -in so many ways- a peculiar conflict namely, the Karabakh problem.

Despite the change of the political ruling bodies, the policy pursued by Azerbaijan, in contrast to our position, has always held a speculative nature: it aimed to recover the relationship peculiar to the Cold War waged in the region. In order to prove these facts, I would like to draw your attention to the conclusions drawn by one of Azerbaijan's well-known analysts concerning the latest events. The extract reads as follows: "... The settlement of all tactical key issues of the region (South Caucasus) by Moscow and Washington, promises to have unfavorable consequences for Azerbaijan. I am sure it is not a secret for anyone that in this case nothing will hinder the settlement of the Karabakh conflict. And this means speeding-up the negotiation process and signing the Karabakh peace treaty". ("Zerkalo" 05.24.01).

Azerbaijan's geopolitical games, which aggravate the contradictions and the clash of

interests among the region's states and the great powers, are conditioned by the vulnerability of the historical and legal bases of its pretensions to Nagorno-Karabakh. It is quite obvious that in case of the so-called "compulsory-voluntary" political settlement it can rely on the satisfaction of its ambitions. The problem is that the future of Nagorno-Karabakh is thus turning into a hostage of political opportunism. The settlement of the problem under consideration is actually conditioned by the extent to which the leading international powers are interested in the stability of the region, or, on the contrary, the maintenance of the conflict as a means to turn the parties involved into "puppets" so as to dictate their will.

The legal-political settlement of the Karabakh issue is the fundamental position of the NKR authorities.

Cognizant of the current situation, we insist on an integral, final, and comprehensive settlement of the Karabakh issue. It would, first of all, eliminate the reason of the armed conflict, and not the so-called consequences. Thus, the legal-political settlement of the Karabakh issue is the fundamental position of the NKR authorities. Azerbaijan, therefore, spares no efforts simply to reach a political settlement to spite the above-mentioned standpoint. This is the reason why our opponents are trying -- at all costs -- to identify 1988 as the year the conflict erupted. To what aim?

Azerbaijan wishes to cover up two facts of the utmost importance. The first is that in 1918 the League of Nations recognized Nagorno-Karabakh as a disputed territory. In this context I will also point out the fact that the Azerbaijan Republic recovered its statehood in 1991 in accordance with the constitution of 1918, which, naturally enough, does not mention Nagorno-Karabakh.

The second point is the well-known illegal act of the Caucasian Bureau in 1921, when Nagorno-Karabakh was annexed to Azerbaijan in compliance with the decision of one party member. In this way, this act by the Bolsheviks laid down the foundation of one more unique experiment. They demonstrated unprecedented temerity in uniting two incompatible ethno-cultural groups within an artificial, general state structure.

I would like to point out that realizing the flawless basis of its historical-legal position, under the OSCE's patronage, Karabakh put forward a request, as far back as in 1994 and 1996, to conduct a historical-legal examination of the

conflict. Decisions were made in this regard. Their implementation, however, was postponed at Azerbaijan's request.

At all stages of the liberation struggle waged by the people of Nagorno-Karabakh, compliance to international and Soviet (before the collapse of the USSR) norms and laws has always remained a necessary condition for us. Thus, for instance, in spite of all the difficulties bound up with the war, the authorities of Karabakh strictly observed all the procedures ensuring the legality of its Declaration of Independence. In fact, Nagorno-Karabakh was the only one in the post-Soviet conflict zone to strictly observe the letter of the law concerning withdrawal from the USSR. Thereafter, it declared its independent statehood in accordance with international standards. Once again, and cognizant of my responsibilities, I would like to point out that no matter at what level the Karabakh issue is discussed, our historical-legal bases are flawless. We are ready for an examination at the highest level of expertise. In fact, I am very glad to note that independent experts have been recently making public confessions of the given fact.

According to the opinion of the authors of the "Caucasian Stability Pact", worked out by the European Institute of Political Research, "the positions of Nagorno-Karabakh are more solid than those occupied by the others" from the point of view of the firm criteria necessary for the right to self-determination.

I do not want to enter into the details of the whole legal basis of this conflict. By demonstrating these facts, I have tried to emphasize the following: the particular characteristics of the Karabakh conflict are reflected in the duality of its essence, since the people of NKR are the subject of the conflict, and its territory is the object of the conflict. In other words, after the collapse of the Russian Empire and during the emergence of the states in the South Caucasus, the people of Nagorno-Karabakh achieved their self-determination on a territory that was illegally separated from Armenia and its people – the very same who were sorely tried by the Genocide. The same fact explains the expediency and consistent pattern of the tripartite format of the negotiation

process. The determination of the destiny of a people and their territory may be interconnected. Today's Armenia is able to bear the historical and political responsibility for the Armenians of Artsakh. From the legal point of view, however, the people of Artsakh themselves represent the only bearer and source of power on the given territory.

This is the target embracing all the shades and complexities of the political-diplomatic work, conducted by us in the course of all these years.

I have to state that even today, at the beginning of the 21st century, the Azerbaijani party is guided by the criteria used by colonists of the Middle Ages. According to the announcement,

recently made by Novruz Mamedov, a high-ranking representative of the presidential apparatus of Azerbaijan, "since the point at issue is the land of Nagorno-Karabakh, it may not act as an independent party". I think that such an obvious confession leaves no doubts as to what destiny awaits the people living on this land, if they satisfy Azerbaijan's demands. It is quite clear for us that during the heated discussion, held within the last months, the political ruling clique of Azerbaijan has been trying to resuscitate the notorious slogan calling for "Azerbaijan without Armenians".

Thus, in the conflict of Azerbaijan and Nagorno-Karabakh, the international community itself is forced to make a choice. Either it insists on the observance of the principle of territorial integrity by condemning the Armenians of Artsakh to ethnic separation and expulsion, or to recognize the right of our nation to be the master of its own destiny.

In a letter dated September 1992, Mario Rafaelli wrote about the inadequate definition of the target set by the Minsk group. The extract reads as follows: "Theoretically, the goal may be different, ranging from the territorial independence of Nagorno-Karabakh to its full inclusion into another state, which de jure preserves its independence by applying separate variants of autonomy and self-government, based on international guarantees or without them". As you see, the proposed variants of autonomy are already a bygone phase for Artsakh. Besides being rejected by us, they lost any possibility of

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implementation because of Baku's official policy. Recurrent outbursts of anti-Armenian hysteria in Azerbaijan and beyond its borders, the absence of democracy, and the violation of human rights all result in a specific situation: of all the currently existing alternatives, there only remains the variant of NKR's territorial independence from Azerbaijan. I would also like to remind you that pursuant to the European Security Charter principles, enunciated at the OSCE summit held in September 1999, the possibility of settling the Karabakh issue within Azerbaijan is out of the question. This is because the following restriction was fixed: the protection of human rights and the rights of national minorities is possible only within a democratic political framework based on the supremacy of law.

The question naturally arises for the authorities of Azerbaijan and the opposition. How can one insist on preserving territorial integrity in a country that does not consider national equality and human rights as a top priority? I believe that some interested international organizations have already found the answer to this question.

We should also note the lack of foresight on the part of Azerbaijan's authorities. Although negotiations with the Presidents of Armenia and Azerbaijan are in process, the anti-Armenian propaganda of hateful and bellicose pronouncements do not stop. All these factors testify to the necessity for the ethnic-territorial separation of Armenians and Azeris in the region as the only possible means to settle the conflict. Under the conditions of the present world order, nobody will allow Azerbaijan to exterminate Armenian Nagorno-Karabakh, just as we would not be allowed to occupy Baku. There is only one way out of this situation: Armenians and Azeris must free themselves from considering each other as historical enemies. Yet our current situation is completely different. There reigns an atmosphere of mutual mistrust and the centuries-old experience of mankind prompts us in one direction, namely, the separation of the opponent nations.

Let me remind you that in an interview only a year ago, I focused on the fact by sadly confessing that I preferred not to discuss that issue. Today I would like to cite a statement, made by Vafa Guluzade, a well-known politician, former advisor to the President of Azerbaijan. "We have to settle the issue with Armenians through

separation by closing the borders, introducing a visa regime etc....Separation is the only breakthrough". Hardly anyone would accuse him of lack of patriotism; it's just that this experienced diplomat drew the only possible and sensible conclusion, which is so often absent in the standpoints of others. Let us confess that the same can be said of others besides Azerbaijan.

We have an evident example of lasting hostility in the Middle East, where parties to the conflict use violence as an instrument of negotiation. The negotiations held between the heads of these countries, as you know, fail to result in an armistice between the people. Unfortunately, the most pessimistic scenarios of the Arab-Israeli conflict provoked an outburst of anti-Armenian hysteria in Azerbaijan. The question that naturally follows is: are the authorities of Azerbaijan really ready for peace or do they only speak of it? Can we not learn a lesson from the events taking place in the neighboring region?

One often hears about the imminent precedent of recognizing the independence of the so-called self-declared states. Let us discuss that issue, however, at a different level. Do you think that the conflict in the Middle East is a less dangerous precedent? Perhaps, it is even more dangerous? Certainly, we can build new "Chinese walls" and live by initiating new propaganda activity against each other. But we can also consider the example set by modern Europe.

Due to a number of well-known historical reasons, the South Caucasus has just now entered the time frame that saw the same process being completed in Europe in 1974 with the signing of the Helsinki Final Act. Half a century late, we are approaching that inevitable result. Of course, it is hard to suppose that in the nearest future we will have to open boundaries with no customhouses, but the most important point is that we can achieve a historic peace for our nations.

If the people of the region aim at making the South Caucasus stable, peaceful, and predictable, we must search for the decisions to enable the establishment of ethnic-territorial separation without upsetting the balance of regional geopolitical interests. I am sure that after the settlement of the conflict, the renewed region will have all the necessary prerequisites for the establishment of a harmonious and mutually

complementary system of co-operation and security. This would meet the interests of Iran, Turkey, Russia, the European Union, the USA

and, of course, the region itself. Only in this case will the South Caucasus be granted the opportunity to integrate into regional and global political and economic processes, while becoming an independent and self-sufficient region.

Questions and Answers

-What is the role played by the Russian Federation in the NKR conflict settlement?

This question may be viewed from various angles. First of all, Russia is one of the co-chairmen of the Minsk group. On the other hand, it bears historical responsibility for all the processes taking place in the South Caucasus. Today Russia continues its intermediary's mission, and we believe that one can find or adopt no solution, if it contradicts the political interest of Russia in this region. From this point of view, Russia plays a significant role, which, I am sure, will never become less important.

-What is the influence of the Armenian Genocide in the conflict?

-It is accepted, and there can be no doubts, that the Karabakh issue is one of the results of the genocide. All that happened in Karabakh in 1918-1920 was possible, since Armenia at that time was exhausted as a result of the Genocide. We must necessarily consider the problem of Artsakh as a constituent part of the persecution of the Armenians, and it is a political fact. We will not find any solution unless we examine the Karabakh solution from that point of view. On the other hand, I would like to draw your attention to the change towards the Karabakh issue, which we presently feel. The attitude held by the intermediaries today is more balanced than it used to be in the past. It is also the result of a more sober realization of the events of 1915-1920, as well as outcomes of the Genocide perpetrated in the Ottoman Empire and by military acts of Republican Turkey. From this point of view, the Genocide is the constituent part of the Karabakh issue.

-What is the impact of the fact that two of the co-chairmen states recognize the Armenian Genocide, while one of them does not?

-I think that this may have no direct impact. It is a rather irritating circumstance for Azerbaijan. The latter tries to draw a demarcation line by putting Russia and France on one scale, and the USA - on the other. However, the political ruling bodies of the United States are very well aware of the fact of the Genocide. In this context, a high priority should be attached to the work conducted by the Armenian community of America. I am sure that sooner or later, the USA will have to accept that fact. In the current political situation this factor is very influential in the United States.

-Why is the Azeri and Russian names used in "Nagorno-Karabakh Republic" and not the Armenian "Artsakh"?

-First of all, let me tell you that "Karabakh" is neither Azeri nor Turkish. It is Persian. Besides, the name "Nagorno-Karabakh" is used in foreign countries, and it is quite an interesting argument for Karabakh. Actually, we see Karabakh's history of the last few centuries in the name. It was under the supervision of either the Persian or Russian empires -- never a part of Azerbaijan. The name is already familiar to the world. We can, of course, insist that its real, historical name is Artsakh, but then we would have to simultaneously launch a new mission. Yet we have so many missions! Let me point out that "Artsakh" is present in the official name of our country, i.e. "Nagorno-Karabakh Republic-Artsakh".

-In your opinion, at which stage can Nagorno-Karabakh become a party to the negotiations?

-It won't be right if I say that Karabakh stopped being a party to the negotiations. Actions currently in process may be described as negotiations of the two presidents around the principles. However, when the actual negotiations start, there can be no settlement process without NKR's participation. This is a fact, that is fixed in numerous OSCE documents. I'd like to add that

the politics pursued by Azerbaijan forces the intermediaries to repeat, time and again, that they always carry negotiations with the Karabakh party and often visit Stepanakert. That is a fact. Karabakh did not stop being a part of the negotiations; actually, both Armenian political parties and NKR authorities follow with interest the negotiations currently held between the presidents. If those negotiations result in any document, Nagorno-Karabakh must undoubtedly participate in the negotiation process. In the meantime, meetings are held and negotiations are conducted until a certain document is adopted. Participants of the current negotiations are trying to come to a common point of view over this issue, whereas the actual negotiations will be conducted round the documents to be worked out in the future.

-In your opinion, is the "two presidents" negotiation mode exhausted?

-I hope that the answer is negative, since there were certain principles, which demanded discussion and negotiation by the two presidents, and we can hardly state that these issues are settled. Baku or Yerevan must officially announce that these principles fail to meet their demands, only then negotiations may be considered exhausted. If we view the question from the psychological standpoint, then a president of any country is obliged to hold meetings and search for possibilities to ensure the renewal of links, no matter what the relations between the parties involved. This is the most significant circumstance that exists concerning the issue in the Southern Caucasus.

-How do you picture separation within a common state?

The common state is already relegated to the past. It is noteworthy that the issue of accepting the proposal of the common state is often used as a trump card. I have often explained that we assumed it as a basis of the negotiations with a stipulation that we accept the given name only as an ascertainment of the parties' equality. We agree to hold negotiations only within that framework. This was well understood by Azerbaijan, which rejected that proposal due to the very reason that Azerbaijan and Nagorno Karabakh had to separate their state functions. This would mean that actually two autonomous units conduct the negotiations. This is the circumstance that was intolerable for Azerbaijan

from the very beginning. I would also like to add that the announcement, by Azerbaijan, of the proposal was followed by the notification of our answer to the last offer forwarded by Azerbaijan in 1998. If anyone is interested in learning about NKR's approach to the so-called common state, my advice will be to attentively read our answer. It contained a number of terms of principle that give us a right to become a participant of the negotiation process.

-Do you agree with the view that the negotiation process has again reached a deadlock?

-If we consider the present outburst of political hysteria in Azerbaijan to be a manifestation of the state's political position, then, of course, we are in a deadlock, since Azerbaijan actually refuses to fix the threshold of compromises it is ready to make. It does not want to speak of the concessions it is ready to make, demanding from us the list of our compromises. This is inadmissible. If the parties refuse to openly prepare their people to make concessions and peace, and publicly speak of the compromise each party to the negotiation is ready to accept, then this is really a sign of deadlock created by the Azeri side.

-What compromises is Karabakh ready to make and which points does it oppose?

-You ask me to give an answer to the question that Azerbaijan has not answered yet. I have repeatedly pointed out, and it is our official standpoint, that the extent to which Azerbaijan is ready to make concessions and take steps hinges on the readiness of Azerbaijan to meet us halfway. As I mentioned, we have not heard yet what compromises Azerbaijan is ready to make. When we succeed in breaking out from the present anti-Armenian hysteria to a calmer atmosphere, we will be ready to present the compromises we are ready to make.

-Do you agree that the status quo of NKR prior to 1998 has changed today into one in which Nagorno Karabakh is a disputed territory for Armenia and Azerbaijan?

No, we cannot establish the fact of such a change. It would be an erroneous step if we had taken only this path. As the saying goes, "Don't put all your eggs in one basket". By pointing out that there exists a very interesting, unique duality of the problem at issue, I also meant the political opportunities we have to solve the problem. We

should not let it become a one-sided regional problem. This, in my opinion, can weaken the standpoint of the two Armenian parties.

-Wouldn't it be a serious and dangerous geopolitical change if the current status of the Armenia-Iran border were altered?

-I have repeated time and again that Armenian land cannot be exchanged for Armenian land. The Meghree problem is artificial. This means that over time, an attempt will be made to draw a circle around Armenia from which we won't be able to escape. Nobody has ever seriously discussed such a question. It is completely unacceptable for Nagorno-Karabakh, that such a question is put before the Armenian nation. Without having confirmation of our historical, legal rights, we receive an artificial problem. It creates a new context for the Karabakh conflict.

-Was the planned Geneva meeting postponed due to the anxiety of the Minsk group co-chairs, since society is not yet ready to accept the settlement of the problem?

-If I am not mistaken, it is the standpoint of the American co-chairman. As far as I know, the French representative said quite a different thing, whereas the Russian co-chair held another position. I am sure that it the result of the disapproving position of Baku's official circles. I am of the opinion that the co-chairs are still trying to leave the window open to proceed with

the negotiations. To my thinking, Baku is not ready today for any solution.

-Is there any threat to regional co-operation following separation of the two nations'?

-On the contrary, only in this case will we get all the necessary prerequisites to recover a civilized, diplomatic relationship. The reason for mutual hostility disappears. Bolsheviks kept Nagorno-Karabakh in Azerbaijan in order to hold the two nations in leash. This same circumstance was very well used at different times. There can only be one breakthrough leading to peace and co-operation in this region. It is a solution based on legal, political, and historical facts.

-Together with Mountainous Karabakh, we also liberated the plains. By saying exchange, do we mean these territories as well?

-What exchange are we talking about? The matter has not yet come to any exchange. There are numerous Armenian villages left in the Karabakh Plain, and I think that in the course of future negotiations, the parties must also decide how Armenians can return to their villages. If they say that Azeris must return, then, once again, the equality of nations must be adopted on this point as well.

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