



CHATHAM HOUSE

Chatham House, 10 St James's Square, London SW1Y 4LE
T: +44 (0)20 7957 5700 E: contact@chathamhouse.org
F: +44 (0)20 7957 5710 www.chathamhouse.org

Charity Registration Number: 208223

Russia and Eurasia Meeting Summary

Displacement and Status in the Nagorno Karabakh Conflict

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This is a summary of an event held at Chatham House on 21 November 2012. Tatul Hakobyan (Reporter and Analyst, Civilitas Foundation, Armenia) and Tabib Huseynov (Caucasus Programme Manager, Saferworld) discussed the issues of displacement and status in the Nagorno Karabakh conflict with other experts.

Displacement

The forced displacement of some one million people is a key legacy of the Nagorno Karabakh (NK) conflict. The first forced population movements between Azerbaijanis and Armenians occurred in early 1988 as Azerbaijanis in Armenia and Armenians in Baku and other urban centres in Azerbaijan fled rising tensions and moved to their 'home' republics. In effect a mass population exchange took place, recalling that between Greece and Turkey in 1923, in an era when the international system has rejected such movements as a 'solution' to inter-ethnic discord.

The first speaker argued that although the parties involved in peace negotiations have never addressed the question of internally displaced people (IDPs) as a policy priority, ensuring the right of return for all IDPs to locations of particular strategic and symbolic importance, such as Shusha/i, Lachin and Shaumyan, will be central to legitimating a final settlement. Forced displacement has been interpreted as a humanitarian issue, but it should be a part of the broader peace building process. The 2007 Madrid Principles¹ contain a broad statement on the need for all conflict-affected people to be able to return to their original place of residence once an agreement has been reached in the peace negotiations.

The second speaker argued that restoration of pre-conflict demography is impossible. Also, it should not be assumed that all displaced people would wish to return to their initial territories, or at least to do so permanently. The right of return should be defined in broader terms, in order to include temporary or experimental return, the reclamation of lost property by displaced people, and the possibility of reclamation of former homes for eventual use as secondary homes. Moreover, the question of return should be addressed within the broader context of infrastructural reconstruction, restitution, the reintegration of violently separated communities and finally the reconciliation of formerly displaced people with the communities from which

¹ A proposed peace settlement presented to the Armenian and Azerbaijani foreign ministers by the Co-Chairs of the OSCE Minsk Group at the OSCE ministerial conference in Madrid in November 2007.

they were displaced. The issue of return should be sequenced with other core issues, such as security and status, both interim and final. A peace settlement can only be implemented when all issues have been more or less agreed upon.

The participants then discussed the different emphasis placed by the Armenian and Azerbaijani sides on the issue of return. The Azerbaijani side views the IDP question as a human rights issue, but also as part of their strategy to reclaim the NK territory. Armenia focuses on integration of displaced people, locking them in a particular territory. The area of the Lachin corridor (the link between NK and Armenia) has been the primary target of resettlement efforts.

The issue is highly politicized, and formerly uncontested spaces (the seven regions surrounding NK, which did not form part of the original dispute and only fell under Armenian control through war) have gradually become contested. The government of Azerbaijan stresses that the return of IDPs should precede the final settlement of the territorial status question. But the Armenian government emphasizes that the return of Azerbaijanis to NK should take place only after final status of NK is settled. The Azerbaijani government has politicized the return question as Baku emphasizes the need to restore pre-war demographics in order to reverse Armenian war acquisitions in order to safeguard future peace settlements. These can only be sustainable if they guarantee the return of displaced Azerbaijanis to the places of their former residence. Both sides' discourses are equally politicized – on the Armenian side, it is often stated that there can be no return of Azerbaijanis to Shusha/i, as long as there is no return of Armenians to Baku. This putative equivalence masks a quite different coding and set of expectations surrounding the Shusha/i and Baku respectively as potential sites for return.

Both sides are concerned about the changing demographics of IDPs. More than one-third of the 600,000 Azerbaijani IDPs and of the 7,000 Armenian IDPs have been born in displacement. These people have been integrated to varying extents into the society where they live and have the corresponding citizenship. Nonetheless, even younger generations born in displacement continue to identify themselves with the lands of their ancestors, regardless of whether they share the need to return permanently to those lands or not. In Azerbaijan local integration is not considered a remedy for forced displacement, which is widely seen in the country as having become an internalized psychological trauma for many. This makes the need for safeguarding that all IDPs will have the right to return to their pre-conflict

territories particularly important. In Azerbaijani discourse return is seen as the only way through which false stereotypes of 'ethnic incompatibility' and 'mutual exclusiveness' will be broken. Unfortunately these stereotypes endure and are consistently fed by rhetorical and other conflict-oriented strategies. It was noted that the Armenian and Azerbaijani diasporas could have a positive impact on conflict resolution, especially those in Russia, where there is a lot of interaction between the two diaspora communities.

Status

The discussion then focused on the status of Nagorno Karabakh - the single most divisive issue on the table between Armenians and Azerbaijanis. Not even the most moderate Armenians and Azerbaijanis can agree on the final status of Nagorno Karabakh. It was noted that for the debate around status to move forward it needs to avoid being framed as 'autonomy versus independence'.

Status determination and the right of return are two intrinsically related topics, although their sequencing is hotly contested. The Armenian side would prefer to agree on final status and then discuss other issues. Security, which remains the primary issue for Armenians in the peace process, can only be guaranteed through status. According to the Armenian side, the Madrid Principles refer to the status of NK in vague language and fail to identify mechanisms that would ensure the right of the people living in NK today to self-determination, for example by failing to specify who should vote in the referendum that is to decide final status.

Azerbaijanis insist that IDPs must return before status can be decided, as until the issue of status is resolved, neither side can make free and informed choices regarding return/relocation. They also argue that according to the Azerbaijani constitution, any change of borders has to be approved by a nationwide referendum. For the Azerbaijani side the Karabakh Azeri community is missing from almost all discussions of NK's status. This is the most marginalized group in the conflict; they lack social and political organisations to legitimately represent their interests and ample government funding in Azerbaijan is directed only at the community's formal institutions.

The status quo is face-saving for both parties. But to move forward, it was argued that talks should focus on interim status and gradual normalization, rather than final status. Status should not be seen as a single event, but rather as a long process providing incentives for people of both sides to accept a final settlement. NK should enjoy certain rights and privileges during

an interim period, and there should be a transitional international monitoring mission.

One should not hope that the conflict will be resolved more easily when a new generation of politicians is in power – attitude, not age, is important. War propaganda should end – statements such as those made at the funeral of Mubariz Ibrahimov², stating that ‘Yerevan and Armenia will return to Azerbaijan’, do not contribute to the peace building effort. There can be no military solution to the NK issue – the settlement can only be political and both sides should demonstrate that they are genuinely committed to the finding of a viable solution. All options should remain on the table; the parties involved should be creative in seeking a solution that would fit NK.

It was noted that although any international presence and on-the-ground influence is limited in Karabakh, international engagement would increase the legitimacy of all peace negotiations. Investment in governance capital is also an ambitious project that could shift the focus towards peace-building processes. Policy recommendations from third parties are helpful and should be sustained. The focus on return and individual choice for both Armenians and Azerbaijanis is a process that empowers displaced persons, ensuring a permanent and viable solution to the conflict. Constructive discourses are needed; the two sides should focus on issues that are of mutual interest; such as the creation of a monitoring mechanism for ceasefire violations targeted at civilians.

² Azerbaijani soldier killed during a ceasefire violation in June 2010. Ibrahimov's body was left on the Armenian side of the line of contact. In July 2010, he was named a national hero by President Aliyev. Ibrahimov's body was returned to Azerbaijan in November 2010 and it was buried in the Alley of Honour in Baku.