

## **The Long Corridor from Artsakh (Nagorno-Karabakh) to Yerevan: An Exercise of Forbearance for the Embattled Enclave**

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State creation and state cessation are two opposites yet both modes of International Law often led to the outburst of conflict. To probe into the opposites denotes taking a political stance and siding with one of the involved actors. From the Alsace–Lorraine cessation, as this was rubber-stamped by the Treaty of Frankfurt<sup>1</sup>, to Nagorno-Karabakh, read Artsakh, the Latin term ‘secessionist’ is consistent with Wood’s (1981) view<sup>2</sup>; a demand for secession represents a sub-state unit’s pursuit of formal withdrawal from the entity it belongs. The basis of secessionist claims is to get sovereign status. J. Wood in his research outlines cessation as a subset of separatism<sup>3</sup>. Separatism involves all aspects of political alienation<sup>4</sup>.

When seeking separatism, the central government’s control over a specific region is reduced. By reducing jurisdiction over a territory, the expectation is a new entity to emerge. This is however rarely the case. Rather, it is more likely to lead to the outburst of conflict. Professor Ker Lindsay<sup>5</sup> is a recognised expert in state creation, which is deemed a direct outcome of cessation. Prof. Lindsay has not addressed the ongoing blockade in Artsakh/Nagorno-Karabakh. The reason being the political crossfire between Artsakh and Azerbaijan is not a question of separatism.

Azerbaijan became a sovereign state on 26 December 1991, at the fall of Soviet Union<sup>6</sup>. Artsakh (then named the autonomous Oblast of Nagorno-Karabakh) gained the status of a separate entity under Soviet Constitution and the Law of Secession. This is the subtle legality distinguishing Artsakh from other Caucasian (and not only) sub-state entities claiming self-determination. Those sub-state entities are the product of illegal and unjust war or invasion, for example, the self-proclaimed Republic of Northern Cyprus.

With Nagorno-Karabakh, the underlying control narrative is the suffering of the Armenian people. This is a weak line of reasoning thus directing legality to ethnicity, rather than to rational and absolute legalism. Indeed, the geopolitical realities prevalent before the turn of the century warranted an audience to the sentimentalist argument. The 21<sup>st</sup> century, the recent Chinese assertion questioning the western structures is more compelling.

In an interview on French TV, the Chinese Ambassador in Paris, uttered a captivating view. His 'personal' opinion addressed the legality of: "...ex-Soviet countries [that] don't have an effective status in international law because there was no international agreement to materialise their status as sovereign countries"<sup>7</sup>. He elaborated further to reference Crimea's original legal status. Since Ambassador Lu shared these thoughts, one can assume the present borders of Azerbaijan may also be questioned...by China. To suggest treaties should be revised, renders the aspirations of Artsakh easier to attain. Although one might only guess whether his Excellency received clearance from Beijing to reflect a subtle but important change in the official Chinese narrative. The unofficial Chinese claims of illegitimacy may lead to a reevaluation of what recognition of sub-state units infers.

Artsakh, Nagorno-Karabakh, as the area is called by the international community, is a geographical area whose name is a reminder of a Soviet era's 'gift' to the ASSR<sup>8</sup>. For the Armenians, it remains an open racial, religious, and ethnic wound. The drawing of ethnic borders conceived by Stalin as a divide and rule policy, has become a contentious issue in the geopolitical chessboard.

Numerous articles are written on the history of the enclave and the wars fought between the Armenians and Azeris for its control. Since December 2022, the 'eco conscious' Azeri students blocked the only road connecting the enclave with Yerevan<sup>9</sup>. The blockade resulted in months of suffocation to the people of Artsakh. The alleged eco-action failed, however, to prompt the West to invoke another construct of its faltering Westphalian order, the Responsibility to Protect (R2P<sup>10</sup>). R2P is a commitment adopted by the UN in 2005. R2P provisions demand international action even in the face of ethnic cleansing. R2P is defined as "rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups." Resolution of the 7<sup>th</sup> October 2022 A/HRC/ RES/51/23 recognises the primary task of states for "**the promotion and protection of all human rights**". Indeed, failing to act sometimes falls under the definition of Genocide<sup>11</sup> as well.

It comes not as a surprise the inaction of the international community which as is usual upholds double standards. Those same standards that bureaucrats proclaim to serve with fervour. Western bureaucracies direct their attention to areas the dominant superpower considers its interests under threat. The desires of the people of Artsakh do not challenge any superpower interests. Those that feel threatened are local actors operating under the watchful eye of the Russians. A prompt to act by diplomatic or other means arises only when those proclaimed aspirations by one state actor threaten to violate long-established equilibriums. In a non-so-subtle way, Armenia may have violated this principle by wooing the West. In the geopolitical chessboard, the Russians have not evaluated whether Armenia would be allowed to switch from their ghetto. Rather, the unresolved conflict centres on the submission of Artsakh to the authoritarian regime of Azerbaijan, a painful sacrifice the Armenians must pay, as the ticket to switch ghettos.

The transition to an alternate superpower ghetto comes, alas, always with a price. A pattern of sacrifices (human, moral and legal) is prevalent in other countries, when offered an admission to the western club. Each superpower calculates its costs and benefits before granting entrance into or allowing to break up from the established order. For the Armenians and the people of Artsakh, the admission price and the breakup fee to their current Russian master seem to converge. To somehow ease the effects of the bitter pill, Armenia may need to implement some bold policies. These require the implementation of **masterful diplomacy, strong and determined lobbying by the diaspora and bold actions by a skilful military**. These three attributes must be implemented in tandem to become efficient and effective at a geopolitical environment that looks like moving sand<sup>12</sup>.

Under current global circumstances, Armenia's leaders ought to consider whether their local geopolitical horizon warrantees' success of a bold move, such as cessation from a sovereign state is.

Armenian elites are seeking an opportunity that allows the realisation of national goals for Nagorno-Karabakh. These 'geopolitical' breaks come forward at short intervals. State mechanisms should be able to secure bold action at a short notice to take advantage of these openings. This implies continuous diplomatic overtures to allies and enemy states alike. Diplomacy should always be supported by a strong military. The combination of diplomatic action with military pressure preconditions a targeted audience to support a unilateral change to the status quo. The litmus test will be whether the perceived change serves superpower interests.

Bilateral negotiations on matters that affect United States interests in complex areas present an opportunity to bring up the events at Nagorno-Karabakh. One such area is the ongoing negotiations between the US and Armenia about the development of biological weapons. Armenian diplomats may assess whether this subject provides them with enough leverage with the United States.

On the 30<sup>th</sup> of November 2022, Armenia approved the publishing of an agreement she negotiated with the United States. It was titled: "On cooperation in the field of preventing the spread of technologies, pathogens and knowledge that can be used in the development of biological weapons."<sup>13</sup> The signed draft of the amended version included a paragraph on the **mandatory** nature of transferring pathogens to the United States. Armenia could transmit agents' data **at its discretion**. Data transfer will only concern pathogens of infectious viruses and diseases. Those negotiations in matters relating to the biological threat reduction program could be perceived by Russia as a violation of the Biological Weapons Convention<sup>14</sup>. The Convention prohibits their proliferation.

The hand over of pathogens to the United States may prompt Russia to conform Armenia as an indirect violator of the Treaty. Russia, despite sounding various warnings, considers Armenia to serve a hidden agenda by participating in the programme. Thus, with her engagement Armenia walks on a tight rope. She faces difficult choices balancing the benefits derived from the US to the costs of the Russian discomfort.

It is early to elaborate on how these negotiations affect Armenia and benefit the people of Artsakh. It is conceivable though for Armenians to use their contribution to the programme by playing the two rivals. The conundrum for the Armenian elites is that when taking an anti-Russian position, they are deemed to have taken a pro- American one and vice versa. Taking a pro-US stance benefits the people of Artsakh? So far, any active support is shown only by some resolutions in international organisations.

Armenia continues to be a member of the CSTO<sup>15</sup>. Thus, she expects to be supported from Russia on her grievances for the treatment of the people of Nagorno-Karabakh by the pseudo eco-activists. There is a way to satisfy Russian wishes should Armenia curb aspects of her agreement with the United States. Russia equally has the opportunity within OPCE to make specific proposals regarding not only the blockade of the Latchin corridor but also the future of the unrecognised Republic. While Armenia ratifies the agreement with the United States, alienating her strategic partner within the framework of CSTO, she expects 'western' support on Nagorno-Karabakh. This notwithstanding that by ratifying the agreement confirms that Armenia has directed her geopolitical fortunes into the US ghetto. This is no secret since Armenia has stated that it will continue to provide pathogens to the United States. If Russia could stop this process, it would have done so already<sup>16</sup>.

Masterful diplomatic initiatives set aside; the Armenian diaspora has also proved its worth in matters of Armenian national importance. The intervening political power of the diaspora was re-established with the success of its efforts to have the Armenian Genocide recognised by all the

major countries but Israel. It should be noted however, that now two municipalities in Israel devote a monument to the Armenian Genocide. Important is that significant resources of the diaspora may now be redirected to pressuring further the state of Israel on recognition. Is this a realistic goal and how is it connected with matters pertaining to the Nagorno-Karabakh conundrum?

The close ties between the Israelis and the Azeris are well established, aided by the Jewish community in Baku<sup>17</sup>. The Israelis have armed the Azeris with modern weaponry, not only at the right price but also by building advance hearing posts near the Iranian border. Armenia has so far paid with casualties and morale the advanced weapons Israel has provided the Azeris. To reverse this process is a challenge difficult to resolve for the suave Armenian diaspora. Recognition of the Armenian Genocide by Israel is a political matter. However, forcing the Israeli government to suspend their profitable relationship with the Azeris is a complex matter. For Israel alienating a good client is never a sound policy.

The Nagorno-Karabakh conflict during 2020 illustrated that the Israeli weapon systems made the battlefield lethal. Azerbaijan's combination of drones and artillery targeted Armenia's high-value military assets, the T-72 tanks and S-300 air defences. Strikes on air defence units constrained Armenia's ability to counter Baku's UAVs, amplifying their effectiveness.

However, the Azeri advanced weaponry acquisitions did not change or revolutionise the nature of warfare. For its military, and its Turkish advisors omnipresent on the battlefield, it was business as usual. Modernising Armenia's arsenal is a necessary condition for securing at least a stalemate on the military front. In addition, a regional mini-MAD doctrine might assure continuation of the current status quo<sup>18</sup>. To secure the status quo diplomacy provides with certain tools to be used when time is ripe.

To ensure that mini-MAD effectuates Armenia's national goals, the acquisition of advance weaponry by the Armenian military is necessary. Her powerful diaspora would need to petition with lawmakers and governments to safeguard the issuing of export licences. That way, Armenian forces will keep on engaging in border skirmishes with the Azeri military and counter their provocations. A subtle message to international actors is thus delivered, a reminder an ongoing conflict is fought on the periphery.

Using masterful diplomacy aided by the skilful lobbying of the diaspora together with bold actions on the battlefield is one condition to warrant **a halt** of the hostilities. The economics at play is the second and powerful determinant in conflict resolution.

Huth defines the economic value of a disputed piece of land according to the abundance of its natural resources<sup>19</sup>. These may be large quantities of oil, iron ore, uranium and other strategic materials. Further, a land is appraised in terms of its strategic position based on proximity to major shipping lanes, choke points, military bases and attack routes. It is further valued if it populated by "a minority [that] speaks the same language and shares the same ethnic background as the largest group within the challenger" state. [see the source for full definitions.]

Does Artsakh possess intrinsic economic or strategic depth worthwhile for western bureaucrats to spend time on? In terms of the conflict unfolding in the area, is there an underlying moral reasoning for the West to support its cause? Or is better for international institutions to turn a blind eye to the conflict?

Armenians should promote Nagorno-Karabakh to peripheral and international actors for its merits in terms of wealth and resources. Thus, Yerevan needs to calculate the 'price' of Artsakh considering a

few variables. Among them lies gold and water. The gold mines in the area, including the Berdzor mine<sup>20</sup>, are estimated to hold about \$50 billion worth of gold. There is also an abundance of reserves of fresh water, which today is one of the largest deficits for future generations. The combination of the two makes the non-strategic value of the area significant. The fertile lands of Artsakh, which feed the indigenous population and can support exports as well, add a premium to the calculations<sup>21</sup>.

Taking into consideration other than pure financial factors, the underlying moral argument does not seem to have merit. The United States might tilt the balance in favour of Armenia if she sees some use in exploiting Artsakh's resources. The suffering of the people of Artsakh is one of many around the world today. The moral argument will rest no less than a few paragraphs in the bibliography of yet another conflict. The western choice to disregard the moral argument supports the legalities uttered by the representative of the rising superpower. It is more consistent with the principles of *realpolitik*.

Over and above financial and moral considerations, for western bureaucracies the Artsakh issue only matters if the Armenian Azeri conflict is brewing. This is accomplished by matching the strength of the Azeri military forces through modernisation. There is some purpose for Armenia to provoke yet another regional conflict within the Russian ghetto. A war might complicate Russia's interests in the South Caucasus, lead to their further erosion, and see Russian influence replaced by the west. The only argument that western bureaucracies might find some interest to listen to.

Armenian diplomatic efforts together with a determined use of the military is expected to stall Azeri's plans to subjugate the people of Artsakh. 'Usual' back-channel pressure exerted to Yerevan to resolve the conflict is to be expected. To mitigate the effects of the pressure, Armenia needs to convince her future partners that preservation of the status quo serves their interests. Subsequently it fades Russian influence. To get the full benefit of joining her new allies, Armenia might have an opportunity to turn the tables on Nagorno-Karabakh. As post Nord Stream the pipeline diplomacy wanes, the best expectation is the relative importance of Azerbaijan for the West to diminish with passing time.

For the Azeris, the main argument focuses on state cessation and state creation. Both features are deemed undesirable. As in medicine, amputation is never sought after; it is surgically performed when and if necessary. The same 'medical' principle holds when elaborating on the geopolitics of Caucasus. The ever-diminishing importance of the geopolitical games in their neighbourhood may prevent Azeris from patching up the thorn of human right abuses from their back. As the significance of oil pipelines fades, so will Azeri grip on a foreign land.

## Endnotes:

- <sup>1</sup> Eckhardt, C. C. "The Alsace-Lorraine Question." *The Scientific Monthly* 6, no. 5 (1918): 431–43. <http://www.jstor.org/stable/22512>;
- <sup>2</sup> Wood Cessation Wood, J. 1981. Separatist: A comparative analytical perspective. *Canadian Journal of Political Science* 14:107-134.
- <sup>3</sup> Nina Caspersen (2008) Separatism and Democracy in the Caucasus, *Survival*, 50:4, 113-136, DOI: [10.1080/0039633080232901](https://doi.org/10.1080/0039633080232901) ; Pål Kolstø & Helge Blakkisrud (2008) Living with Non-recognition: State- and Nation-building in South Caucasian Quasi-states, *Europe-Asia Studies*, 60:3, 483-509, DOI: [10.1080/09668130801948158](https://doi.org/10.1080/09668130801948158)
- <sup>4</sup> Namely, political incapability and discontentment. Marvin E. Olsen, Two Categories of Political Alienation, *Social Forces*, Volume 47, Issue 3, March 1969, Pages 288–299, <https://doi.org/10.2307/2575027>
- <sup>5</sup> Ker-Lindsay, J. (2012) *The foreign policy of counter secession preventing the recognition of contested states*. Oxford: Oxford University Press.
- <sup>6</sup> Cameron S. Brown. "Wanting to Have Their Cake and Their Neighbor's Too: Azerbaijani Attitudes towards Karabakh and Iranian Azerbaijan." *Middle East Journal* 58, no. 4 (2004): 576–96. <http://www.jstor.org/stable/4330064>.
- <sup>7</sup> <https://kyivindependent.com/chinas-ambassador-to-france-says-former-soviet-countries-have-no-effective-status-in-international-law/> ; <https://www.france24.com/en/europe/20230423-%F0%9F%94%B4-live-france-pledges-solidarity-with-baltic-states-as-chinese-ambassador-questions-their-sovereignty>
- <sup>8</sup> Azerbaijan Soviet Socialist Republic
- <sup>9</sup> <https://www.hrw.org/news/2022/12/21/azerbaijan-nagorno-karabakh-lifeline-road-blocked>
- <sup>10</sup> <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>
- <sup>11</sup> '...de facto states...have deliberately reflected back to the global community key precepts and narratives – self determination, the rights of small nations, the end of empire, democratisation or the responsibility to protect...' in Broers, Laurence. "Mirrors to the World: The Claims to Legitimacy and International Recognition of De Facto States in the South Caucasus." *The Brown Journal of World Affairs* 20, no. 2 (2014): 145–59. <http://www.jstor.org/stable/24590979>.
- <sup>12</sup> We may live in the start's era of the Third great war in the history of humanity. Walton, C.. (2007). *Geopolitics and the Great Powers in the 21st Century: Multipolarity and the Revolution in Strategic Perspective*. 10.4324/9780203004739.
- <sup>13</sup> [https://arminfo.info/full\\_news.php?id=73272&lang=3](https://arminfo.info/full_news.php?id=73272&lang=3) ;
- <sup>14</sup> <https://www.armscontrol.org/factsheets/bwc> ; <https://disarmament.unoda.org/biological-weapons/> .
- <sup>15</sup> Collective Security Treaty Organisation in <https://en.odkb-csto.org/>
- <sup>16</sup> [https://arminfo.info/full\\_news.php?id=73272&lang=3](https://arminfo.info/full_news.php?id=73272&lang=3)
- <sup>17</sup> <https://www.timesofisrael.com/azerbaijan-fosters-close-ties-with-israel-despite-iran/> ; <https://www.jpost.com/opinion/article-742678>
- <sup>18</sup> MAD: Mutual Assured Deterrence with its three Cs :**Severity, Certainty and Celerity** of punishment; Long, Austin. *Deterrence—From Cold War to Long War: Lessons from Six Decades of RAND Research*. 1st ed. RAND Corporation, 2008. <http://www.jstor.org/stable/10.7249/mg636osd-af>.
- <sup>19</sup> Huth, Paul K. *Standing Your Ground: Territorial Disputes and International Conflict*. University of Michigan Press, 1996. <https://doi.org/10.3998/mpub.14335>.p.256-7; Carter, David B. "The Strategy of Territorial Conflict." *American Journal of Political Science* 54, no. 4 (2010): 969–87. <http://www.jstor.org/stable/20788781> . ;
- <sup>20</sup> After Aghdam, in the north of Nagorno-Karabakh, the Azerbaijani military retook possession of the Kaljabar 25 district, further west, on Wednesday 25th November. The disputed gold mine next to the village of Sotk in Armenia (near Kaljabar) embodies the complexity of this.
- <sup>21</sup> [https://arminfo.info/full\\_news.php?id=73270&lang=3](https://arminfo.info/full_news.php?id=73270&lang=3)