

THE 10 NOVEMBER CEASEFIRE AGREEMENT IN THE NAGORNO-KARABAKH PROLONGED CONFLICT: FIRST STEP TOWARDS SETTLEMENT OR NEW FREEZING?

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Abstract. *The common declaration signed by the Presidents of Russia and Azerbaijan and the Prime Minister of Armenia on November 9, 2020, put an end to the one month and a half military clashes that had taken place in the Nagorno-Karabakh conflict zone (Nagorno-Karabakh proper and the seven adjacent districts surrounding it) since September 27, 2020. The entry of the Russian troops into the region represents, in fact, a new “freezing” of the conflict on the new alignments of the troops (which are becoming the new “Line of Contact”), for an indefinite period of time. While Azerbaijan has fulfilled most of its objectives, taking back the seven adjacent districts and the southern part of Nagorno-Karabakh proper, it has not succeeded in taking back Nagorno-Karabakh entirely. Moreover, the status of Nagorno-Karabakh remains undetermined, which also leaves room to further tensions and/or negotiations.*

Keywords: *Nagorno-Karabakh, frozen conflict, ceasefire declaration, OSCE Minsk Group.*

In the evening of November 9, 2020, Presidents of the Russian Federation and of the Republic of Azerbaijan, Vladimir Putin and Ilham Aliyev, together with Prime Minister of the Republic of Armenia, Nikol Pashinyan, met through videoconference and signed a common declaration on cessation of hostilities in the Nagorno-Karabakh conflict. The agreement put an end to the one month and a half military clashes that had taken place in the Nagorno-Karabakh conflict zone (meaning Nagorno-Karabakh proper and the seven adjacent districts surrounding it) since September 27, 2020, the worst escalation since the end of the Nagorno-Karabakh war of 1991-1994.

The confrontations saw Azerbaijani armed forces, allegedly backed by Turkish military and Syrian fighters, taking control almost entirely over four out of seven regions around Nagorno-Karabakh (Fizuli, Jabrayil, Zangilan, Qubadli), plus the southern part of Nagorno-Karabakh proper, including the town of Shusha/Shushi, bearing an important

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symbolic value for both Azerbaijan and Armenia. This military victory led, afterwards, to a de-facto capitulation of the Armenian side, which subsequently led to the Armenian side ceding control over the other three regions around Nagorno-Karabakh still not taken by the Azerbaijani military, meaning Aghdam, Lachin and Kelbejar (the names and locations correspond to the former districts/rayons of the Republic of Azerbaijan - as it emerged from the break-up of the Soviet Union; in the self-proclaimed Republic of Artsakh the names might were different, as well as the frontiers of these territorial-administrative units).

The ceasefire agreement of November 9, 2020

The common declaration signed by the Presidents of Russia and Azerbaijan and the Prime Minister of Armenia envisaged the following:

- Complete ceasefire starting November 10, 2020, 00:00 hours (Moscow's hour), with the armed forces of Azerbaijan and Armenia holding their positions at that moment; Return to Azerbaijan of the three districts around Nagorno-Karabakh that had not been militarily taken by the Azerbaijani side during the confrontations started September 27. The agreement also envisaged precise deadlines for the return (Aghdam district before November 20, Lachin district on November 15, Kelbejar district on December 1);

- The Lachin corridor, with a width of 5 kilometers, was to ensure the land connection between Nagorno-Karabakh and the Republic of Armenia; the corridor was to be under Russian troops control and not affect the town of Shusha/Shushi; upon agreement of the sides, in 3 years' time a plan was to be elaborated envisaging construction of a new road between Nagorno-Karabakh and Armenia through the Lachin region, also secured by Russian troops;

- The Azerbaijani side was to ensure security of movement of persons, vehicles and goods along this corridor;

- The deployment, along the new Line of Contact between the Azerbaijani and Armenian armed forces, as well as along the Lachin corridor, of a Russian peacekeeping contingent (1960 troops, 90 armored vehicles, 380 vehicles and special equipment); the deployment was to take place in parallel with the withdrawal of the Armenian armed forces, for a 5 years length of time, which was going to be automatically prolonged if none of the parties denounced the agreement 6 months prior to the expiry of this period;

- Setting-up of a ceasefire monitoring center;

- Return of refugees and internally displaced persons in Nagorno-Karabakh and the surrounding districts, under the supervision of the Office of the United Nations High Commissioner for Refugees (UNHCR);

- Exchange of war prisoners, hostages, detained persons and dead bodies;

- Restoration of all communications and of economic relations in the region;

- The Republic of Armenia was to provide a land connection between the Azerbaijani enclave of Nakhchivan and the territory of the Republic of Azerbaijan, as well as guarantee the security of movement along this route, which was to be built upon the agreement of the parties; control of this connection was to be entrusted to the Russian Border Guards, subordinated to the Federal Security Service of the Russian Federation. (official website of the Russian Presidential Administration, November 10, 2020).

The events prior to the November 9 agreement

The agreement followed six weeks of intense fighting between Azerbaijani and Armenian troops, no doubt the worst escalation in the Nagorno-Karabakh prolonged conflict since the end of the 1991-1994 war, judging by the scale of confrontations, the amount and the type of armament and military technique used, as well as the length of the clashes.

The fighting broke out on September 27, 2020 when, early in the morning (shortly after 7:00 AM) the Armenian side reported heavy artillery attacks on civilian settlements of the self-proclaimed Nagorno-Karabakh Republic (including its capital, Stepanakert), causing significant damage on civil infrastructure, as well as human losses among civilians. In a development unprecedented in this prolonged conflict, the president of the so-called Nagorno-Karabakh Republic, Arayik Harutyunyan, announced, the same day, introduction of the martial law and general mobilization of all men over 18 years old; the same was decreed, only hours later, in Yerevan. All economic activities in the so-called Nagorno-Karabakh/Artsakh Republic ceased and the personnel was evacuated. (BBC News, 27 September 2020).

On the other side, the Ministry of Defense of the Republic of Azerbaijan announced it was conducting military operations in Nagorno-Karabakh conflict zone, in counter-offensive to alleged Armenian attacks, having had as a result civilian victims among the population living close to the Line of Contact (official website of Ministry of Defense of the Republic of Azerbaijan, 27 September 2020).

On September 28, martial law (with circulation of civilians prohibited in big cities and some regions during night) and partial mobilization were announced in Azerbaijan, in response to similar measures adopted in Armenia the day before (Trend News Agency, 27 September 2020).

At this point, many experts and observers were confident that the clashes were no more than a new episode of escalation in the decades-long “frozen” conflict of Nagorno-Karabakh, with its cyclical evolution alternating relatively long periods of building-up of tensions, followed by a few days of high intensity military clashes, and further relatively calm periods, with almost no changes on the ground. The only elements that were not fitting in the picture this time were the martial law and general mobilization, which are usually announcing a war, but in this case were interpreted by some as possible “exaggeration” by both sides.

However, the fighting continued with the same high intensity the following six weeks. The Azerbaijani offensive had a few components: alongside with massive artillery and aerial attacks on the civil infrastructure objects (electricity, water reservoirs, bridges, dams, hydropower etc.), concentrated mostly in and around Stepanakert and Hadrut (and extended a few days later to Shusha/Shushi), the Azerbaijani armed forces undertook decisive offensive actions, using air and land forces, on the entire perimeter of the Line of Contact, with a bigger concentration of forces at its southern (the districts of Fizuli and Jebrazil) and northern edges (Terter district). As a distinctive feature of their actions, one can observe the massive use of drones, all or most of them produced in Turkey and Israel (some of them might have been produced in Azerbaijan, thought, under the terms of the Turkish-Azerbaijani cooperation in the military-industrial field). According to experts, these were successfully used by Turkish military in fighting operations in the Middle East, and proved to be extremely efficient in “cleaning-up” the battlefield (destroying enemy fire power) before the entry of the land forces, thus minimizing human losses among soldiers (EurAsian Times, 10 October 2020).

As a result of these operations, the Azerbaijani army managed to advance considerably in the southern direction (where the relatively plain landscape was somehow more favorable to its endeavors, since there were no strategic heights controlled by the Armenians), taking control over most part of the Jebail, Fizuli, Zengilan and Gubadli districts, as well as a large portion of the Hadrut district, inside Nagorno-Karabakh proper. The advancements of the Azerbaijani army, with the names of the human settlements taken over, were publicly announced almost on a daily basis, the main vector of communication being the Azerbaijani president, Ilham Aliyev. The announcements of the president were generally accompanied by video footage posted on the Azerbaijani Ministry of Defense website, serving as a proof, since the Armenian side was using a strategy of denying Azerbaijani advancements. As of the end of October, the Azerbaijani troops were already in the proximity of the road connecting Nagorno-Karabakh with Armenia, through the Lachin district, reportedly being able to target it with artillery strikes, opening the perspective for them to isolate the Armenian forces in Nagorno-Karabakh and cut off their supplies (EurasiaNet, 24 October 2020). Then, on November 8, 2020, the Azerbaijani side reported taking control of Shusha/Shushi, although not officially confirmed by the Armenians; only after the clashes were over, the “president” of the self-proclaimed Artsakh Republic, as well as the Armenian Prime Minister admitted that the Armenian forces had lost control over parts of the town on November 5 already and lost it entirely on November 7 (Interfax, 10 November 2020).

At the northern edge of the Line of Contact the advances of the Azerbaijani army on the ground were much more limited, since the terrain there is mountainous, and the Armenians held the most advantageous strategic positions; even so, the Azerbaijani side reported the liberation of a few villages in the Terter district and of some strategic heights (AzVision, 28 September 2020).

The fall of Shusha/Shushi, announced by the President of Azerbaijan on November 8, was a decisive moment. Shusha (in Azerbaijani)/Shushi (in Armenian) is a historic town located strategically on a height in the center of Nagorno-Karabakh proper and only 15 kilometers away from the “capital” of the self-proclaimed Republic of Artsakh. Similar to what happened in the first Caucasus war back in the ‘90s, the fall of Shusha eventually led to the losing side accepting its loss and surrendering. In the 2020 war, it was a matter of only few days before the Armenian side accepted the otherwise heavy conditions posed by the enemy for its de-facto capitulation.

Analysis and evaluation of the November 9 agreement

The analysis of the terms of the November 9 agreement reveals, first of all, its highly unfavorable character in what concerns the Armenian side: there is **no mentioning of the Nagorno-Karabakh status or at least of any kind of roadmap conducting to it**, although this was Armenian’s side primary goal from the beginning of this conflict.

It is worth mentioning that in his October 14 address to the nation, Armenian prime-minister, Nikol Pashinyan, had explained the context of the September-October clashes by revealing the content of the negotiation process around the settlement of the Nagorno-Karabakh conflict (something which happened very rarely during the almost 30 years of the peace talks). He therefore had stated the following:

“In the process of negotiations over the Karabakh issue, step by step Azerbaijan reached a point where it insisted that the Armenians of Karabakh should renounce their rights. Their demand consisted in the following: immediately hand over 5 out of 7 territories to Azerbaijan, develop a clear-cut timetable for handing over the remaining 2

territories and state that any status of Nagorno-Karabakh implied being part of Azerbaijan. Moreover, the status of Nagorno-Karabakh should not be associated with the transfer of territories. In other words, territories should be handed over not for status but for peace, otherwise Azerbaijan threatened to resolve the issue through war.

Our government, which had inherited the current framework of negotiations, refused to discuss the issue in this way because it was unacceptable. Under these circumstances, as we tried to **state clearly that the settlement of the issue without defining the status of Artsakh was impossible**, Azerbaijan gave up any serious discussion on the status, stating in fact that the only status that Artsakh could have was autonomy within Azerbaijan, which in fact was meant to build up an institutional framework that would pave the way for ethnic cleansing in Artsakh. At the same time, Azerbaijan was developing military rhetoric and anti-Armenian propaganda.” (official website of the Prime Minister of Armenia, 14 October 2020).

Nikol Pashinyan’s words are in fact symptomatic and reveal the real dimensions of the obstacles marring the negotiations held under the auspices of the OSCE Minsk Group, but at the same time point to the importance attached by the Armenian side to the issue of the status of Nagorno-Karabakh. Thus, it is clear that the absence of any wording on the status in the 9th of November declaration is a heavy blow to the Armenians, actually reflecting and being a consequence of the Armenian side losing the war.

On the contrary, the Azerbaijani side fulfills much of its goals, **taking back the seven districts surrounding Nagorno-Karabakh and the southern part of Nagorno-Karabakh proper (much of the territory of Hadrut district), including the symbolic town of Shusha**, with a perspective of sending the Azerbaijani refugees and internally displaced people from the first Caucasian war back to their homes (although their homes are probably not there anymore, after being abandoned for almost 30 years, and the terrain is reportedly full of unexploded ordnance which will take, according to estimations, some 10 years to be removed). However, the terms of the agreement are very favorable for Azerbaijan, especially if one takes into account the provision regarding the land connection between Azerbaijan and its Nakhichevan enclave (a long-term goal of the Azerbaijani side), crossing the territory of the Republic of Armenia.

Having said this, it is noteworthy that **the Azerbaijani side did not succeed in obtaining everything it had wanted, either**. According to the official Azerbaijani statements, repeated many times during the confrontations (including at the highest levels), their goal was to take back entirely the seven adjacent regions plus Nagorno-Karabakh proper, with Nagorno-Karabakh being afterwards given (more or less large) autonomy inside the Republic of Azerbaijan.

For example, in the interview to the Japanese daily Nikkei, October 22, the Azerbaijani president, Ilham Aliyev, asked about a possible referendum on Nagorno-Karabakh status, said the following:

“No, of course not. There will be no referendum in Nagorno-Karabakh, we will never agree on that. We did not agree on that during the time of negotiations and now, when we regained big part of the territory, it is out of question. [...]

Self-determination is an important factor of international law. **But it should not violate the territorial integrity of Azerbaijan**. There are **different types of self-determination**. There are different types of communities. And they could have **cultural autonomy** for instance. We see these examples in developed countries of Europe. Where there are certain rights of people in their municipalities, in their communities, as in any

part of Azerbaijan, of course, Armenian who live in Azerbaijan can have this form of autonomy.” (APA News Agency, 23 October 2020).

In the situation emerging after the implementation of the November 9 agreement, the Azerbaijani side is taking back the seven regions around Nagorno-Karabakh, minus the 5 meters width corridor through the Lachin district, but it doesn't have control over the largest part of Nagorno-Karabakh. The very existence of the Lachin corridor, guarded by Russian troops, seems to indicate a temporary solution, since such corridors are usually destined to the evacuation of troops/population during conflicts and are not really compatible with sovereign, modern states, recognized by the United Nations (all the more so if they are guarded by foreign troops).

Furthermore, the fact that the November declaration does not make any reference to the issue of Nagorno-Karabaks status is, of course, first of all worrying for the Armenian side, but at the same time **not entirely comfortable for the Azerbaijanis**, either. This indetermination can only generate **further tensions, or, in a positive scenario, discussions/negotiations with an unpredictable output**. Armenian Prime Minister, Nikol Pashinyan, already appealed to the international community, while the military confrontations were still ongoing, to recognize the independence of the self-proclaimed Republic of Artsakh, as part of a so-called “remedial secession” meant to protect the Armenian population of Nagorno-Karabakh of a supposed “ethnic cleansing” under an eventual Azerbaijani rule. It is worth citing, in this regard, various interviews to the Armenian and foreign press, for example the one to “Liberation” newspaper, on October 16 (published also on the official webpage of the Prime Minister of Republic of Armenia) in which Nikol Pashinyan was saying:

“This is not just a political war. It is an attempted genocide of the Armenian people. We must defend ourselves, like any nation that is threatened with extermination. Especially now as we see that there is only one way out of the conflict: the principle of <<**remedial secession**>>. There is no other possibility. Otherwise the Armenians will undergo ethnic cleansing in the areas controlled by Azerbaijan.” (official website of the Prime Minister of the Republic of Armenia, 16 October 2020).

In a more detailed presentation of this solution on his Facebook page (also published by ArmInfo), the Prime Minister was explaining the following:

“The principle of <<remedial secession>>, which is a modern manifestation of the principle of self-determination of peoples, gives the right to certain groups, peoples to secede from any state when there is a risk of discrimination, widespread violations of human rights or genocide, and excludes joining the state if such a union leads to the same consequences as mentioned above....In particular, this should be the basis of our concept for the settlement of the Karabakh conflict, and the participation of hired terrorists in the current war and the terrorist behavior of Turkey and Azerbaijan provides a real opportunity to achieve such an international understanding. We must concentrate the potential of all Armenians on solving this problem.” (“Arminfo, 16 October 2020).

It is worth mentioning, as an illustration of this point, that the French Senate on November 25, 2020, passed a **Resolution asking the Government to recognize the independence of Nagorno-Karabakh Republic**. Other rather interesting points were also mentioned in the document, among others a call for an international investigation of war crimes committed in Nagorno-Karabakh, alongside with the French Senate condemning the “military aggression of Azerbaijan” (Massis Post, 25 November 2020). The Government of France immediately stated that the Resolution was not going to have an impact on its foreign policy in the South Caucasus region (Jam News, 27 November

2020); nevertheless, the demarche itself and its content can be rather worrying for the Azerbaijani side. No wonder that the parliaments of Azerbaijan and Turkey rejected the Resolution, at the same time asking for France to be removed from the OSCE Minsk Group (Hurriyet, 26 November 2020). Of course, Azerbaijan is a country strategically important for the Western community, but the Armenian diaspora is also particularly strong in a few relevant Western countries; so, eventual decisions on recognition/non-recognition of Nagorno-Karabakh Republic independence will depend primarily on the balance between those two factors.

Going back to the analysis of the 9th of November agreement, it seems as the entry of the Russian troops into the region will lead to a **new “freezing” of the conflict on the new alignments of the troops (which are becoming the new “Line of Contact”)**, for an indefinite period of time, since Russian troops do seem to have a tradition of not going away any more or at least for a very long time, as proved in other prolonged conflicts like Transnistria, Abkhazia and South Ossetia.

As a result of this, **Russia comes out as the actual winner of the 9th of November agreement**, as it increases its military presence in the South Caucasus region (the Russians have not had a military base in Azerbaijan since 2012, when they refused to accept the Azerbaijani request for a significant increase of the rent for the radar in Gabala), and preserves an important political leverage in relation to both Armenia and Azerbaijan, since the Armenians will from now on be even more dependent on Russia and its military protection, whereas the Azerbaijanis will still have something to obtain, maybe, on a long term, since they do not have control over the entire territory of Nagorno-Karabakh; at the same time, by keeping the situation in a status of indetermination, Russia will still have the possibility of selling armaments to both parties, which is important, as a large portion of the Russian budget revenues are presumably coming from this type of commerce. On the other hand, Russia has a lot to gain in terms of perceptions in the international arena, since the West is already seeing it as a constructive, pacifist actor, while the post-soviet countries which were not yet swiped away by the mirage of the Western attraction can see what happens to the countries and leaders that trade their long-lasting loyalty to Moscow for the sake of an uncertain democratic future (as Armenia and its popular Nikol Pashinyan seem to have done).

Having said this, it is worth mentioning that the arrangement with the Russian troops entering the region as peacekeepers is, probably, **not entirely satisfactory to Azerbaijan and surely not satisfactory for Turkey**, which would have wanted a bigger role for itself in the Southern Caucasus. After the reports about alleged heavy involvement of Turkey in the military operations on the Azerbaijani side (although the Armenian accusations, openly supported by France and somehow confirmed by the USA, in this regard were always dismissed by both Baku and Ankara) everybody would have expected a Turkish component of the peacekeeping operation. The official declarations of Azerbaijani and Turkish leaders in this regard are somehow deliberately confusing, since they seem to indicate to a Turkish presence in the composition of the peacekeeping troops, working on an equal basis with the Russians; in fact, as the Russian side has repeatedly underlined, there will be only a limited number of Turkish militaries in a so-called joint Russo-Turkish ceasefire monitoring center, which will be situated on the territory of Azerbaijan (exact location to be determined), far away from Nagorno-Karabakh (as specifically mentioned by Sergei Lavrov), as the monitoring operations will be conducted with the use of drones; all these are provisioned by a Memorandum of Understanding signed by Russia and Turkey on November 11, only two days after the

ceasefire declaration mediated by Vladimir Putin and one day after the Russian troops began occupying their positions in the Nagorno-Karabakh conflict zone (their deployment started right away in the morning of November 10).

It is worth citing, in this regard, Sergey Lavrov's statements at a press conference with local and international journalists, held in Moscow on November 12:

„The mobility of Turkish observers will be limited by the geographic coordinates of the **Russian-Turkish monitoring centre in a region of Azerbaijan located away from Nagorno-Karabakh**, which is yet to be chosen for the centre. A memorandum to this effect was signed yesterday (November 11, 2020) between the defence ministers of Russia and Turkey. **The centre will operate exclusively remotely, using live monitoring and recording systems, such as drones and other technology**, to monitor the situation on the ground in Nagorno-Karabakh, primarily on the contact line, and to determine which party violates and which party complies with the terms of the ceasefire and termination of hostilities. **The boundaries of the Turkish observers' mobility will be limited to the premises that are to be set up on the territory of Azerbaijan, not in the zone of the former conflict.**

I have read the statements made by Turkish Foreign Minister Mevlut Cavusoglu and Defence Minister Hulusi Akar to the effect that **Turkey will be working on the same conditions as Russia. This refers exclusively to the centre that is to be deployed in Azerbaijan, will be stationary and will not conduct any on-site missions.** It is true that Russian and Turkish observers and specialists will be working at this centre on equal conditions. But no Turkish peacekeeping units will be deployed in Nagorno-Karabakh. This is clearly stated in the three leaders' statement you mentioned.

Many people, including in Russia, are misinterpreting the agreements reached. I was astounded by some of these self-professed experts' deliberations. Speculations also abound in other countries, but **the thing to go by is what has been put down on paper following the intensive talks held throughout the week before the announcement of the ceasefire.**” (official webpage of the Ministry of Foreign Affairs of the Russian Federation, 12 November 2020).

One can only guess that the “intensive talks” were, probably, about **Turkey, seconded by Azerbaijan, trying to convince the Russians to accept a Turkish military presence in the Southern Caucasus, something presumably firmly rejected by Moscow**, since it would have been impossible for it to digest. After all, Russia still sees the post-soviet countries as its primary zone of interest, not only on the basis of the soviet legacy, but also because of their geographical proximity to Russia's frontiers, a proximity bearing strategic consequences. It may be true, although arguably, that Russia has nowadays a more mature and realistic approach to its “backyard”, trying to concentrate more on itself as it is gradually realizing that the Soviet Union is over and what happens in other post-soviet countries is not its responsibility any more, as explained in Dmitri Trenin's “Moscow's new rules”, published by Carnegie Moscow Centre:

“At the turn of the 2010s, the empire was still very much at the back of many people's minds, but certainly even then it was more of a memory of the past than a realistic vision of the future. A decade on, with the experience of Ukraine and also Belarus under its belt, Russia, I would argue, has turned post-post-imperial: one step farther removed from the historical pattern. It is getting used to being just Russia. Moreover, Russia is embracing its loneliness as a chance to start looking after its own interests and needs, something it neglected in the past in the name of an ideological mission,

geopolitical concerns, or one-sided commitments built on kinship or religious links. This is a new model of behavior.” (Dmitri Trenin, November 2020).

Nonetheless, from this to accepting a foreign military presence in the proximity of its borders would have been a long run, especially taking into consideration that Turkey is also a member of NATO.

So, with the November 9 agreement, Russia succeeded in fulfilling at once a few of its goals: it managed to refreeze the conflict, it consolidated its military presence in the Southern Caucasus, while keeping Turkey’s presence strictly limited and away, and it once more showed its strength as the true “master of the game” in its close neighborhood, by keeping its leverage on both Armenia and Azerbaijan for the foreseeable future.

It remains an open question **why the Azerbaijani army stopped its military operations while being a few kilometers away from Stepanakert** and chose not to continue its triumphant march towards a full victory, thus taking back Nagorno-Karabakh entirely; the answer probably is a mix of factors, the most relevant ones being the presumably extremely high cost (human and material) of the military operations in the mountainous area of Nagorno-Karabakh, Russia’s pressure, as well as the result of the negotiation balance between Russia and Turkey, maybe involving the two actors interests in other areas of the world (for example in Syria). Although a high number of dead soldiers was not necessarily a problem for the Baku regime during this war (since Azerbaijan has a population more than three times higher than that of Armenia, and the proportion of the young is very high) it would have eroded rapidly the popular support for it, though; not surprisingly, the Azerbaijani side decided not to make public the number of their dead.

At this point, it is noteworthy that the Azerbaijani leadership was always very careful in not antagonizing Russia, which was perceived in Baku as a key to the Nagorno-Karabakh conflict (as it eventually proved to be – at least until now). Unfortunately for the Armenians, the regime of Nikol Pashinyan frustrated Moscow as much by its mere existence (a charismatic leader brought to power by a popular wave of revolt must be the worst nightmare of Vladimir Putin), as by its policies of anticorruption and reforms, which led to Moscow’s closest allies in Armenia seeing their positions threatened, while Yerevan itself was decisively consolidating its cooperation with the West. Maybe all these elements had their share in Moscow’s passive-balanced position towards the Azerbaijani-Armenian clashes this time, since in May 2016 Moscow intervened decisively after only four days, putting an end to the confrontation.

Another important element of the November 9 agreement which deserves a few considerations is the **return of refugees and internally displaced persons (IDPs) in Nagorno-Karabakh and the seven adjacent districts, under the supervision of the UNCHR**. First, it seems not sufficiently clear if this provision is referring exclusively to the Azerbaijani refugees and IDPs from the first Karabakh war (some 600000, according to UNCHR, based on Azerbaijani official figures) or it envisages also the Armenian population displaced by the recent second war (exact number not known). As it became immediately clear after the cessation of military hostilities, the Armenian population in the seven adjacent districts and the part of Karabakh under Azerbaijani control preferred to flee, heading towards the territories still under Armenian control (“France 24, 14 November 2020). At the same time, it is not clear if the Azerbaijani population will be allowed and willing to return to the part of Nagorno-Karabakh under Armenian control (although there might not be many people in this situation, since the population of Nagorno-Karabakh was almost 70% Armenian before the first Caucasus war and the

Azerbaijani population might have been concentrated more in the south). Anyhow, the UNHCR seemed to have been completely taken by surprise by this provision and the role assigned to it, since only at the end of November the Azerbaijani office was able to come out publicly with some thoughts on the issue (“RefWorld, November 2020). Even with a concrete plan of return being already elaborated and ready to be implemented, it is not entirely clear when and how the people will be able to go back, since the seven adjacent regions which used to be inhabited by majoritarian Azerbaijani population before the first Caucasus war have been deserted for almost 30 years and lack basic infrastructure and living conditions.

As for the provisions regarding the **construction of a new road to connect Nagorno-Karabakh to Armenia (to the north of the current one), as well as of a land connection between Nakhichevan and Azerbaijan**, through the territory of Armenia, they seem to be envisaging a longer term, since the parties will have three years only to agree on the plans to the construction, which, of course, at the end of the day might remain on the paper (especially if in Armenia the pro-Russian forces succeed in taking back the power and put pressure on Moscow). At this point, when the war is still fresh in everybody’s memory, it is difficult to imagine a world in which Armenia and Azerbaijan cooperate in regional projects, have a flourishing bilateral commerce and maybe even a joint economic cooperation commission, although for Armenia’s impoverished economy that could prove to be a breath of oxygen; it cannot be completely excluded either, since in the Soviet period Armenians and Azerbaijanis lived together just fine. It will probably all depend on the political will of the leadership of the two countries to renounce the aggressive rhetoric and start educating their peoples in the spirit of peace and cooperation, although again, at this moment this seems to be a distant prospect.

The 9th of November agreement versus the Madrid Principles

Many of the provisions of the 9th of November agreement were also envisaged by the revised Madrid Principles, which were conceived by the three Co-Chairs of the Minsk Group in 2007, then revised two years later, after long negotiations with the two parties, as a basis for further discussions on a peaceful settlement of the prolonged Nagorno-Karabakh conflict. As a matter of fact, the Madrid Principles are just one of the many documents produced by the Co-Chairs with this aim, and represent maybe the essence of the envisaged peaceful settlement, a selection of the most viable ideas discussed with the parties over the years; moreover, further negotiations between the parties, under the auspices of the Minsk Group co-chairs, as well as those held with the mediation of Russia (so-called Lavrov plan, Kazan document etc.), all reportedly have had as a starting point the Madrid Principles.

Judging by the common declaration of the presidents of USA, France and Russia (as co-chairing countries of the Minsk Group) on the margins of the G8 Summit in L’Aquila (Italy), in July 2009, the (revised) Madrid Principles were consisting of the following:

- Return to Azerbaijan of the seven districts surrounding Nagorno-Karabakh.
- A provisional status for Nagorno-Karabakh, with guarantees concerning its security and self-governance.
- A corridor linking Nagorno-Karabakh with Armenia.
- Future determination of the Nagorno-Karabakh status through a legally binding expression of will.

- Right of all internally displaced persons and refugees to return to their residences.
- International security guarantees provided by an international peacekeeping operation.

The Madrid Principles were based on the Helsinki Final Act (1975) and were trying to bring together in a balanced approach three principles of international law (non-use of force, territorial integrity of states and the right of peoples to self-determination) and the six elements presented above (official web site of the Organization for Security and Cooperation in Europe, 10 July 2009).

It is noteworthy that the OSCE Minsk Group was considered, until recently, the only international format enabled by the parties themselves with finding a peaceful, negotiated solution to the Nagorno-Karabakh conflict. More precisely, there were its co-chairs (appointed by USA, France and Russia) who were practically doing all the work, since the Minsk Group itself proved to be unable to operate as such (too many countries, too many languages, impossible to provide simultaneous translation for everybody). During the years, the three co-chairs came up with a number of drafts for a peace agreement, which all failed because none of the parties proved capable or willing to compromise and accommodate the other. At some point, it probably became futile to talk about a peace agreement, since the war had ended too long ago (although armed clashes on the line of contact never really stopped), so all the ideas which were in principle accepted by the parties and considered viable were wrapped up in the so-called Madrid Principles and their revised version of 2009.

The co-chairs imagined a balanced solution, which would have taken into consideration both parties' interests, but at the same time demand from each of them some compromises, which may have been painful at the beginning, yet would have opened the way to a common future. In their vision, the solution should have had two distinctive elements, traded one for another: the return to Azerbaijan of the seven districts around Nagorno-Karabakh, as a first, essential step meant to unlock the Armenia-Azerbaijan relations, increase confidence and relaunch dialogue; a referendum on Nagorno-Karabakh status.

However, despite the co-chairs' efforts, the negotiations haven't seen any significant progress for almost 30 years, because of, as already mentioned, the parties' holding on to their maximalist positions and no willing to compromise.

Azerbaijan was not willing to discuss Nagorno-Karabakh status as long as Armenia refused handing back the seven districts around Nagorno-Karabakh which have been under its control since the end of the 1991-1994 war; at the same time, Armenia was not willing to discuss territorial concessions as long as status issue was not solved or a concrete plan with this aim and with concrete deadlines was not accepted by Azerbaijan. Any alternative which might have been proposed by one side or the other in the course of negotiations never managed to leave this unfortunate paradigm.

Back to the November 9 agreement, it is obvious that some of its provisions are identical to some of the six elements of the revised Madrid Principles, namely the return to Azerbaijan of the seven districts around Nagorno-Karabakh, the land connection of Nagorno-Karabakh with Armenia through the Lachin corridor, the return of refugees and IDPs, restoration of communications between Azerbaijan and Armenia. Still, there are important differences between the two documents and they affect the overall balance of interests which the Minsk Group co-chairs were so carefully in trying to preserve. It is true

that the Madrid Principles and the previous attempted peace plans were conceived on the background of a different reality in the field, as Armenia had won the first Caucasus war.

So, the provisions of the 9th of November agreement reflect the new reality on the ground, namely: Azerbaijan won the war and Russia was the sole mediator of the ceasefire declaration, while the Minsk Group or its co-chairs were in no way involved.

As underlined in Vladimir Socor's "The Minsk Group: Karabakh War's Diplomatic Casualty":

"The armistice agreement departs from the Basic Principles in four respects:

– it omits any reference to Upper Karabakh's legal or political status, current or future, although it does not prejudice that either;

– it places approximately one third of Upper ("Nagorno") Karabakh's territory *de facto* under Azerbaijan's direct administration, apparently but not necessarily excluding this part of Upper Karabakh from the purview of self-governance and status that the Minsk process had envisaged for "Nagorno" Karabakh;

– it adds, as an entirely new provision, the opening of a corridor between western Azerbaijan and the latter's exclave of Nakhchivan, across Armenian territory and under Russian border troops' supervision; and

– it inserts Russian "peacekeeping" troops in Upper Karabakh, in a dual role: to supervise the ceasefire and to protect the Armenian population of rump Upper Karabakh. This move contravenes the understanding that all parties to the Minsk process had achieved from the outset (OSCE's 1994 annual conference) and had maintained until now: namely, that any future peacekeeping mission would exclude troops from the three Minsk Group co-chairing countries (Russia, US, France) or from neighboring countries (such as Russia or Turkey)." (Vladimir Socor, November 2020).

At the same time, Vladimir Socor is correctly pointing out that "These changes ... introduce **significant elements of ambiguity**; which, combined with **Russia's military presence on the ground, enable Russia henceforth to manipulate or block the negotiations toward a final settlement. Armenia has now fallen into full dependence on Russia; whereas Azerbaijan can rely on Turkey**, the new entrant and game-changer in the region, to protect Azerbaijan's interests **to some extent though not fully yet.**" (Vladimir Socor, November 2020).

Conclusions and perspectives

This analysis shows, first and foremost, that the 9th of November ceasefire agreement did not put a final end to the Nagorno-Karabakh prolonged conflict, since the long-lasting, sustainable and equitable solution is not there anymore. On the positive side, the agreement stopped further loss of human lives, which is important, since the number of the dead is estimated to be rather high. Vladimir Putin was talking, already on October 22, about some 5000 dead Armenians and Azerbaijanis together ("BBC News, 22 October 2020). It is difficult to assess the number of dead soldiers, since both sides seem to be underestimating own losses, while overestimating the enemy's losses. The Armenians reported, at the end of the war, 2425 casualties among militaries (AP News, 18 November 2020); the Azerbaijanis refused to disclose the number of their dead during the confrontation, but reported on December 3, 2020, a number of 2783 dead militaries, as well as 100 more being missing in action (AP News, December 3, 2020). On the other hand, it is already obvious that the final goal of Armenians and Azerbaijanis living together in peace is even more far away than it was prior to the one month and a half war.

The Armenian civilians choose to live their houses in the districts returned to Azerbaijan, some even putting them on fire; this is somehow equal to an ethnic cleansing, although maybe not totally attributable to the Azerbaijanis, who invited them to stay (at least this is what they claim). The long tradition of enmity and distrust, fomented in the last 28 years by a sustained and aggressive propaganda on both sides, may be the main responsible for this situation. Unfortunately, the enmity and distrust will probably still be there for generations to come, refreshed by the recent war and will almost surely impede Armenian-Azerbaijani cooperation in regional projects, commerce and so on, as well as the expected economic benefits of the reopening of communications between the two.

With the Russian troops stationed along the new line of contact, the Azerbaijani armed forces will not try to take the rest of Nagorno-Karabakh in the foreseeable future. On the other hand, the status of Nagorno-Karabakh will most likely continue to remain undetermined for a long time, with Russia using this ambiguity as a leverage towards both Armenia and Azerbaijan, thus preserving its main role in the region and maybe allowing the OSCE Minsk Group some role in further negotiations/discussions.

Internally, the Aliyev regime will be able to fructify its victory on the battlefield, the recuperated territories, as well as the return of refugees and IDPs in order to consolidate its position on a short to medium term. However, on a longer term, the foreseeable expenditures related to the return of IDPs (who will need to be financially supported by the state), the pensions to the families of the dead soldiers and other social benefits to them might prove to be a considerable burden on the budget, especially if the price of oil remains low. The opposition will eventually try to play the card of a possible popular discontent over Azerbaijan not taking back entirely Nagorno-Karabakh while it had the chance. All these will add up to the underlying societal tensions.

In Armenia, the lost war and territories, the humanitarian crises and the deepening economic problems will erode the popularity of Nikol Pashinyan and his regime; together with the refreshed dependency on Russia this will, most probably, lead to pro-Russian forces taking power in Yerevan again (maybe with a new party/leader not compromised by corruption, relations with the oligarchs and so on).

The Russians will see their grip on the Southern Caucasus reinforced, will maintaining their leverage on both Armenia and Azerbaijan and will most probably keep selling arms to both sides. Moscow will continue to be the main actor in the region, although Turkey also succeeded in putting a feat on the ground and its influence might even grow, on a long term.

BIBLIOGRAPHY

Statement by President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation, November 10, 2020, accessed on <http://kremlin.ru/events/president/news/64384>, at 3 December 2020.

BBC News, "Armenia and Azerbaijan fight over disputed Nagorno-Karabakh", 27 September 2020, accessed on <https://www.bbc.com/news/world-europe-54314341> at 3 December 2020.

"Azerbaijan Army's Troops launched a counter-offensive operation along the entire front", 27 September 2020, accessed on <https://mod.gov.az/en/news/azerbaijan-army-s-troops-launched-a-counter-offensive-operation-along-the-entire-front-32318.html> at 3 December 2020.

- Trend News Agency, “President Ilham Aliyev signs Decree declaring martial law”, 27 September 2020, accessed on <https://en.trend.az/azerbaijan/politics/3306319.html> at 3 December 2020.
- EurAsian Times, “Clash of Drones: How Israeli & Turkish Drones Have Created Havoc In Azerbaijan-Armenia War?”, 10 October 2020, accessed on <https://eurasianetimes.com/clash-of-drones-how-israeli-turkish-drones-have-created-havoc-in-azerbaijan-armenia-war/> at 3 December 2020.
- EurasiaNet, “Perspectives/Armenia’s military position in Nagorno-Karabakh grows precarious”, 24 October 2020, accessed on <https://eurasianet.org/perspectives-armenias-military-position-in-nagorno-karabakh-grows-precarious> at December 6, 2020.
- Interfax, “Karabakh President said control over Shushi was lost on November 7”, 10 November 2020, accessed on <https://www.interfax.ru/world/736365> at December 6, 2020.
- AzVision, “Azerbaijani MoD: Advantageous high grounds around Talysh village cleared of enemy”, 28 September 2020, accessed on Azerbaijani MoD: Advantageous high grounds around Talysh village (azvision.az) at December 6, 2020.
- “Prime Minister Nikol Pashinyan’s Address to the Nation”, 14 October 2020, accessed on Prime Minister Nikol Pashinyan’s Address to the Nation - Statements and messages of the Prime Minister of RA - Updates - The Prime Minister of the Republic of Armenia at December 6, 2020.
- APA News Agency, “Azerbaijani President: There will be no referendum in Nagorno-Karabakh”, 23 October 2020, accessed on Azerbaijani President: There will be no referendum in Nagorno-Karabakh (apa.az) at December 6, 2020.
- “In this situation, the Karabakh conflict has one solution: the principle of “remedial secession” – Nikol Pashinyan’s Interview to Liberation”, 16 October 2020, accessed on <https://www.primeminister.am/en/interviews-and-press-conferences/item/2020/10/16/Nikol-Pashinyan-interview-Liberation/> at December 6, 2020.
- Arminfo, “Nikol Pashinyan: The principle of "remedial secession" gives peoples the right to secede from any state when there is a risk of genocide”, 16 October 2020, accessed on https://arminfo.info/full_news.php?id=56691&lang=3 at December 6, 2020.
- Massis Post, “French Senate Adopts Resolution Recognizing Independence of Artsakh”, 25 November 2020, accessed on <https://massispost.com/2020/11/french-senate-adopts-resolution-recognizing-independence-of-artsakh/> at December 6, 2020.
- Jam News, “France does not recognize Nagorno-Karabakh – FM statement”, 27 November 2020, accessed on <https://jam-news.net/france-does-not-recognize-nagorno-karabakh-statement-of-french-foreign-ministry-news-karabakh-armenia/> at December 6, 2020.
- Hurriyet, “French Senate’s resolution on Nagorno Karabakh disregards international law: Turkish Foreign Ministry”, 26 November 2020, accessed on <https://www.hurriyetdailynews.com/french-senates-resolution-on-nagorno-karabakh-disregards-international-law-turkish-foreign-ministry-160367> at December 6, 2020.
- “Foreign Minister Sergey Lavrov’s interview with Russian and foreign media on current international issues, Moscow, November 12, 2020”, 12 November 2020, accessed on Foreign Minister Sergey Lavrov’s interview with Russian and foreign media on

- current international issues, Moscow, November 12, 2020 - News - The Ministry of Foreign Affairs of the Russian Federation (mid.ru), at December 6, 2020.
- France 24, “Nagorno-Karabakh villagers burn down their houses before Azerbaijan handover”, 14 November 2020, accessed on Nagorno-Karabach villagers burn down their houses before Azerbaijan handover (france24.com) at December 6, 2020.
- RefWorld, “Key Considerations for Returns to Nagorno-Karabakh and the Adjacent Districts”, November 2020, accessed on <https://www.refworld.org/docid/5fc0e1e24.html> at December 6, 2020).
- “Statement by the OSCE Minsk Group Co-Chair countries”, 10 July 2009, accessed on <https://www.osce.org/mg/51152> at December 6, 2020.
- Vladimir Socor: “The Minsk Group: Karabakh War’s Diplomatic Casualty”, Eurasia Daily Monitor, Volume 17, Issue 168, November 25, 2020, accessed on The Minsk Group: Karabakh War’s Diplomatic Casualty (Part One) - Jamestown at December 6, 2020.
- Vladimir Socor: “How Yerevan Walked Away From the ‘Basic Principles’ of Karabakh Conflict Settlement”, Eurasia Daily Monitor, Volume 17, Issue 168, November 25, 2020, accessed on <https://jamestown.org/program/how-yerevan-walked-away-from-the-basic-principles-of-karabakh-conflict-settlement/> at December 6, 2020.
- BBC News, “Nagorno-Karabakh: Nearly 5,000 dead in conflict, Putin says”, 22 October 2020, accessed on Nagorno-Karabakh: Nearly 5,000 dead in conflict, Putin says - BBC News at December 6, 2020.
- AP News, Avet Demourian: “Armenia raises Nagorno-Karabakh conflict troop toll to 2425”, 18 November 2020, accessed on <https://apnews.com/article/nikol-pashinian-azerbaijan-armenia-yerevan-e05ea4d7d43e0111cd142861dec105ec> at December 6, 2020.
- AP News, “Azerbaijan says 2,783 troops killed over Nagorno-Karabakh”, December 3, 2020, accessed on <https://apnews.com/article/ilham-aliyev-baku-europe-azerbaijan-armenia-60f557a66cea75d936f1299a7eb4d643> at December 6, 2020.

