DEBATE

How should the OSCE deal with the Nagorno Karabakh conflict?

Mient-Jan Faber & Andrzej Kasprzyk

Editor’s note: From this issue onwards, the Helsinki Monitor will feature a new section entitled ‘Debate’. In a comment-and-response format, two people with opposing views will discuss a topical OSCE subject. For the first instalment of this new section, the thorny issue of Nagorno Karabakh and the relevance of the OSCE for its solution are discussed by Mient-Jan Faber, Political Director of the Helsinki Citizens’ Assembly, and Andrzej Kasprzyk, the Personal Representative of the OSCE Chairman-in-Office for Nagorno Karabakh.

Interestingly, missing from their debate is the possibility of an OSCE peacekeeping operation in the region, despite the fact that the organisation has been preparing for such an operation for almost a decade. The Porto ministerial in December 2002 decided to review the role of OSCE peacekeeping and the two authors seem to have their own ideas concerning this issue.

STATEMENT BY MIENT JAN FABER

A. For quite some time now, the ingredients for a deal on Nagorno Karabakh have been on the table. There are four main issues to be solved.
1. The status of Nagorno Karabakh, and more in particular the status of the city of Susha with its historical and religious significance for the Azeri’s. It is almost certain that the parties have to accept that Karabakh will be administered by Armenia for a period of time and that a referendum will decide its final status.
2. The status and size of the Lachin corridor.
3. The status and size of a corridor to Nakhchivan.
4. The return of dps to the buffer zone around Nagorno Karabakh and related issues.

The co-chairs of the OSCE Minsk group (USA, the Russian Federation and France) offered their assistance to the talks between the heads of states of Armenia and Azerbaijan, but were unable to force a breakthrough because their mandate is restricted to mediation. Therefore the mandate of the OSCE Minsk

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1 Mient-Jan Faber is Political Director of the Helsinki Citizens’ Assembly, and Andrzej Kasprzyk is the Personal Representative of the OSCE Chairman-in-Office for Nagorno Karabakh.
group should be upgraded from mediation to arbitration.

B. The OSCE has offices in both Armenia and Azerbaijan, but there is no cooperation between those offices. Cross-border activities are not permitted. CBMs among the people of the two countries cannot be promoted by the OSCE. As a consequence, the OSCE offices can only work in an environment which is poisoned by an atmosphere of hatred because of the unresolved issue of Karabakh. The OSCE which claims to work for security and cooperation is under the present circumstances something of a lame duck and will remain so as long as it is unable to broaden its mandate with cross-border activities.

C. There is no serious international presence in the disputed area of Nagorno Karabakh. Normal life is almost absent in this heavily militarised region and more and more people from the younger generation are leaving, while military personnel from Armenia are brought in to replace them. The present situation in Karabakh is totally unsuited for any peace initiative which can be embraced by all sides. It is crucial that the OSCE demands the right to open an office in Karabakh and invites international NGOs to do the same in order to contribute to a demilitarisation of society in Nagorno Karabakh.

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RESPONSE BY ANDRZEJ KASPRZYK

How should the OSCE deal with the NK conflict?

A. Besides issues which need a solution, what should also be taken into consideration is the method — should the solution found be on a ‘package’ or on a ‘step by step’ basis? The position of the parties is evolving in line with developments on the ground. Once, the parties discussed the issue of the status of NK within Azerbaijan. Now the leadership of Armenia and NK speak in favour of NK’s independence or joining Armenia. The Azerbaijani side once accepted sitting at the same negotiating table with the NK representatives, but now no official contacts exist whatsoever.

At the present stage of negotiations the Presidents of Armenia and Azerbaijan are engaged in finding a solution to the conflict. The Co-chairs are assisting in this. The official statements favour this format. In view of the forthcoming presidential elections in 2003, both in Armenia and Azerbaijan, it is unlikely that a breakthrough will be achieved any time soon. Arbitration would have to be acceptable to the parties. It is unlikely that they would comply with a solution which they would deem unsatisfactory. Enforcing peace would require additional resources (political and military) and would be a risky option for the international community.

B. The OSCE missions in Armenia and Azerbaijan deal with democratization and