
PEACEKEEPING OPERATION IN THE NAGORNO-KARABAKH REPUBLIC: ARGUMENTS PRO ET CONTRA

M. MELIKYAN

This paper discusses the possible establishment of a peacekeeping mission in Nagorno-Karabakh Republic. The question of deploying a peacekeeping operation in Nagorno-Karabakh is discussed in the framework of the peace process. Although the mandate to deploy a peacekeeping mission in Nagorno-Karabakh was issued by CSCE in 1994, the latter has no peacekeeping practice to be examined so far. For the same reason, it is quite possible that the peacekeeping mission will be deployed in Nagorno-Karabakh by another organization, including the UN. Hence, we discuss the arguments pro and contra to a peacekeeping operation in Nagorno-Karabakh based on the practice of the United Nations, and afterwards we present the alternative option – the mechanism of investigating the ceasefire violations, which is also promoted by the Co-Chairs.

The possibility of deploying a CSCE (OSCE) peacekeeping mission is mentioned in the CSCE Budapest document adopted in December 1994¹. Moreover, the peacekeeping operation is included in the Basic Principles which are currently on the negotiation table of the talks between Armenia and Azerbaijan mediated by the OSCE Minsk Group Co-Chairs. As an international security guarantee, a peacekeeping operation is also mentioned in the 2009 Joint statement by the presidents of the OSCE Minsk Group Co-Chair countries, and reaffirmed in the subsequent statements. Both Armenia and Azerbaijan have repeatedly stated their consent to continue the negotiations based on the suggested Basic Principles. To design the mission, a High-Level Planning Group (HLPG) was formed². However, no peacekeeping mission was formed then, and the issue became a part of the negotiations mediated by the OSCE Minsk Group (MG) Co-Chairs.

As an international security guarantee, the peacekeeping operations are mentioned in the 2009 L'Aquila statement of the Presidents of the OSCE MG Co-Chair countries. The statement presented six of the Basic Principles suggested by the mediators for the peaceful regulation in Artsakh, and in later statements the Basic Principles are repeatedly confirmed by the Presidents³. Both

¹ CSCE BUDAPEST DOCUMENT 1994 (6 December 1994), pp. 5-7, at <http://www.osce.org/mc/39554?download=true#page=6>

² OSCE, High-Level Planning Group <http://www.osce.org/hlpg>

³ See L'AQUILA, 10 July 2009, Statement by the OSCE Minsk Group Co-Chair countries. <http://www.osce.org/mg/51152>; MUSKOKA, 26 June 2010, Statement by the OSCE Minsk Group Co-Chair countries. <http://www.osce.org/mg/69515>; DEAUVILLE, 26 May 2011, Joint statement on the Nagorno-Karabakh Conflict, by the Presidents of the OSCE Minsk Group Co-Chair Countries at the G-8 Summit. <http://www.osce.org/mg/78195>; LOS CABOS, 19 June 2012, Joint statement by the Presidents of the United States, the Russian Federation and France on Nagorno-

Armenia and Azerbaijan have made statements expressing consent to carry on the negotiations based on the Basic Principles.

The main argument for the establishment of a peacekeeping mission in Nagorno-Karabakh is its possible contribution to the reduction of incidents on the Line of Contact. Nagorno-Karabakh does not count on a foreign contingent to protect their security. Deploying a peacekeeping mission is a temporary measure, and the Armenian states will have to keep the army ready to prevent Azerbaijani aggression no matter how many peacekeepers are deployed. Moreover, Azerbaijan's military expenditure has ensured high militarization of the region for a long time ahead⁴. Hence, calm borders and fewer casualties are the best assistance we can expect from the peacekeepers, even if they are unarmed⁵.

In some cases some buffer zones or demilitarized zones are also established by the conflict parties and observed by the peacekeepers⁶. Moreover, near the borders between Israel and Egypt (UNEF II), Israel and Syria (UNDOF), Iran and Iraq (UNIIMOG) zones of limited armament were also established together with the demilitarized zones⁷. All these measures make it harder to violate the ceasefire unintentionally. If a violation occurs, the peacekeepers inspect the incident, call the relevant authorities to take appropriate measures to prevent the repetition of such incidents and follow the measures taken by them⁸. Conflict parties are not obliged to take steps suggested by the peacekeepers. However, the peacekeepers can issue reports to the UN or to the media, which may result in negative reaction by the international community. In this respect, Peacekeeping is also a PR measure, and the host governments should be well prepared to make the best use of the observations made by the peacekeepers for their public diplomacy. Another useful practice of the peacekeeping is establishing truce commissions with the conflict parties. Four such commissions were established in the Middle East with Israel and each of its neighbors –

Karabakh. <http://www.osce.org/mg/91393>; ENNISKILLEN, 18 June 2012, *Joint statement on the Nagorno-Karabakh Conflict, by the Presidents of the OSCE Minsk Group Co-Chair Countries* <http://www.osce.org/mg/102856>.

⁴ See SIPRI Military Expenditure Database, at http://www.sipri.org/research/armaments/milex/milex_database/milex_database; KarabakhFacts, *Military expenditure of Azerbaijan compared with Armenia (1992-2011)* at <http://karabakhfacts.com/military-expenditure-of-azerbaijan/>.

⁵ E.g. the peacekeepers serving in UNOMIL, UNIKOM, ONUCA, UNOMSIL, UNPROFOR, UNOSOM I were unarmed.

⁶ During the Cold war Buffer zones or demilitarized zones were established on the borders of Israel with different neighboring states (UNTSO, UNEF I, UNDOF, UNIFIL, UNEF II), the border between Yemen and Saudi Arabia (UNYOM), along the zone dividing Cyprus (UNFICYP), the Iran-Iraqi border (UNIIMOG). Afterwards such zones were also established between Iraq and Kuwait (UNIKOM), in Western Sahara (MINURSO), on the border between Ethiopia and Eritrea (UNMEE, etc).

⁷ UNEF II (<http://www.un.org/en/peacekeeping/missions/past/unef2backgr2.html>); UNDOF (<http://www.un.org/en/peacekeeping/missions/undof/background.shtml>); UNIIMOG (<http://www.un.org/en/peacekeeping/missions/past/uniimogbackgr.html>)

⁸ E.g. UNFICYP (<http://www.un.org/en/peacekeeping/missions/unficyp/background.shtml>), UNEF I (<http://www.un.org/en/peacekeeping/missions/past/unef1backgr2.html>)

Egypt, Lebanon, Jordan and Syria. The commissions were chaired by the head of UNTSO⁹. Similar truce commissions were established by the ceasefires in India-Pakistan¹⁰, (UNMOGIP), Mozambique¹¹ (ONUMOZ), Liberia¹² (UNOMIL) and Tajikistan¹³ (UNMOT).

In Armenia and Nagorno-Karabakh, however, the public opinion towards the deployment of the peacekeepers is generally negative¹⁴. First, there is a lack of trust towards the effectiveness of a peacekeeping mission as a security guarantee, and often the Armenian authors bring the example of the peacekeepers' failure in the Balkans¹⁵. Moreover, in 2009 Matthew Bryza, the U.S. Co-Chair to the OSCE Minsk Group noted the peacekeeping operations in Kosovo and Bosnia as an example of the peacekeepers' inability to prevent the conflict "if one party or the other is determined to go on war"¹⁶. Therefore, according to the former U.S. MG Co-Chair, the mediators were promoting the deployment of observers in Nagorno-Karabakh¹⁷.

Second, there are also concerns about the possible dangers of involving the peacekeepers from some states and international organizations, because of the existing clash of interests in the region¹⁸. Most probably, these contradictions

⁹ See UNTSO brief history, available at <http://untso.unmissions.org/Default.aspx?tabid=-6319&language=en-US>.

¹⁰ UNMOGIP (<http://www.un.org/en/peacekeeping/missions/unmogip/background.shtml>)

¹¹ ONUMOZ (<http://www.un.org/en/peacekeeping/missions/past/onumozFT.htm>)

¹² UNOMIL (<http://www.un.org/en/peacekeeping/missions/past/unomilFT.htm>)

¹³ UNMOT (<http://www.un.org/depts/DPKO/Missions/unmot/UnmotB.htm>)

¹⁴ See e.g. **Sergey Minasyan**. *The possibilities of the international peacekeeping in Karabakh Conflict: Myths and realities*, Noravank, 07 February 2011, at http://www.noravank.am/arm/issues/detail.php?ELEMENT_ID=5369; Mayis Mayilyan, *Comment on the joint statement by the Presidents of Russia, United States and France, concerning Nagorno-Karabakh and the Basic principles*, Noravank, 15 July 2009, at http://noravank.am/arm/articles/detail.php?ELEMENT_ID=1184&phrase_id=16789; Igor Muradyan, *Peacekeepers in the Karabakh zone*, Noravank, 21 August 2013, at <http://www.lragir.am/index/arm/0/comments/view/87125>; Hovhannes Nikoghosyan, *Some Thoughts on Peacekeepers in Nagorno-Karabakh*, Caucasus Edition, 01 July 2010 <http://caucasusedition.net/analysis/some-thoughts-on-peacekeepers-in-nagorno-karabakh/>; Samvel Martirosyan, *The possible scenarios of the Peacekeeping operations in the Karabakhi conflict zone*, 21-rd Dar, N 1(11), 2006, pp. 147-160, at http://noravank.am/upload/pdf/163_-am.pdf.

¹⁵ Ibid.

¹⁶ *Presentation and Q&A of U.S. deputy assistant secretary of state for European and Eurasian affairs Matthew Bryza in international center for human rights in Tsakhkadzor, Armenia*, 08 December 2009, available at http://www.nkrusa.org/news/daily_news.php?id=1605

¹⁷ Ibid.

¹⁸ Ibid. see also *Peacekeepers will intensify woes in Karabakh: Iran envoy*, 21 February 2013 at <http://www.presstv.ir/detail/2013/02/21/290060/iran-opposed-to-karabakh-peacekeepers/>; *Iran Opposes Any U.S. Peacekeeping Role For Karabakh*, 24 June 2010, at http://www.rferl.org/content/Iran_Against_Any_US_Peacekeeping_Role_For_Karabakh/2081078.html.

caused the failure of forming the mandated OSCE peacekeeping mission in Nagorno-Karabakh, which was actively worked on by the HLPK since 1995¹⁹.

In addition to the arguments already voiced by other authors, we suggest some more negative factors for the deployment of a peacekeeping mission in Nagorno-Karabakh

The UN missions established in 1990s were usually less effective, i.e. they are considered to have less authority and force than it was needed to address the challenges they faced. In contrast, most UN missions established in 2000s are granted with large authority based on the Chapter VII of the UN Charter²⁰. This does not necessarily mean something wrong, but this creates a feasible threat of self-will and partial activities by the peacekeepers.

Moreover, there is no necessity in Nagorno-Karabakh Republic for the involvement of peacekeepers in the internal issues like the public order, human rights protection, or the return of the refugees. Obviously, Nagorno-Karabakh would not consent to the establishment of a temporary international administration as well²¹.

Nagorno-Karabakh may only need one function: observing the Line of Contact, but this is an outdated function for the modern peacekeepers.

Even if a peacekeeping mission is established with some limited functions, its mandate can be enlarged by the Security Council²² or replaced by a new mission²³. Certainly, such replacements do not occur without serious changes in the countries with the deployed missions. However, we must bear in mind that Azerbaijan does its best to keep the situation unstable on the Line of Contact with Nagorno-Karabakh Republic. Hence, Azerbaijan's future provocations may force the Security Council to take more measures for the stability in Nagorno-Karabakh with all the available tools.

Based on these arguments, we consider a classic peacekeeping operation useful but potentially dangerous. Then what would be the best option – to agree or not to agree to the deployment of such a force? In our opinion, the best

¹⁹ See Margarita Tadevosyan, *Nagorno-Karabakh Conflict: War, Humanitarian Challenge and Peacekeeping*, Caucasus Edition, 01 June 2010, p 12 at <http://caucasusedition.net/analysis/-nagorno-karabakh-conflict-war-humanitarian-challenge-and-peacekeeping/>.

²⁰ E.g. UNMIK, UNAMSIL, UNTAET, MONUC, UNMEE, UNMISSET, UNMIL, UNOCI, MINUSTAH, ONUB.

²¹ Based on the study of the 60 UN peacekeeping missions established in 1948-2005, we have outlined the following functions that are being carried out by the UN peacekeepers: 1. Observing the implication of the agreements, 2. Observing separation lines, 3. Preventing external intervention, 4. Disarmament, 5. Protecting the civilian population, 6. Observing or organizing votes, 7. Observing the activities of state bodies, 8. Preserving law and order, 9. Transitional administration, 10. Reforms and development programs, 11. Humanitarian assistance, 12. Supporting the return of the refugees.

²² E.g. ONUSAL – S/Res/832(1993), UNPREDEP S/Res/908(1994), UNAMIR – S/Res/909(1994), UNOMIL – S/Res/1020(1995), UNOCI – S/RES/1528(2004), UNMIS – resolution 1556(2004) etc.

²³ E.g. the peacekeeping missions in Angola, Sudan, former Yugoslavia, Abkhazia, Cambodia, Haiti, Liberia etc.

option is an alternative one – to form a mechanism for the investigation of the ceasefire violations. Armenia, Nagorno-Karabakh, and Azerbaijan have agreed to the formation of such a mechanism in December 1995 but it was never realized²⁴. During the presidency of Dmitry Medvedev the issue of confidence-building and the formation of an investigation mechanism was brought back on the negotiation table in the high-level meetings hosted by Russia²⁵. Armenia was willing to have such a mechanism established, but this initiative was also undermined by Azerbaijan.

On the other hand, Azerbaijan's recent provocations on the Line of Contact with Nagorno-Karabakh and the border with Armenia made the Co-chairs to react with statements. It is quite interesting that the Russian reaction *inter alia* called for the establishment of the investigation mechanism envisaged in the 4 December 1995 agreement²⁶.

We see the investigation mechanism as something in between the existing OSCE field mission in Nagorno-Karabakh and a classic peacekeeping operation with a truce commission. The main characteristic for such a mechanism should be transparency and swiftness. This mechanism would not need the deployment of military contingents. It should include rapid reaction groups of observers, which would be able to reach the locations where a breach of the ceasefire is reported and track the situation on the hot spot. Currently Azerbaijani forces intentionally violate the ceasefire all the time. However, if these violations are properly recorded and reported by the observers, Azerbaijan would be deterred by the risk of becoming a proved aggressor state with all its consequences. Again, the more efficient the Armenian public diplomacy is, the more attention will be brought on Azerbaijan's militant policy.

The positive and negative aspects of the deployment of a peacekeeping mission in Nagorno-Karabakh bring us to the conclusion that the establishment of a mechanism for the investigation of the ceasefire violation is a better option for Nagorno-Karabakh. Such a mechanism would not bring the risks of a peacekeeping force, but would contribute to the decrease of incidents. Meanwhile Armenia and Nagorno-Karabakh should ensure their security without relying on the international forces, as they have been doing until now, and strengthen their public diplomacy in order to bring as much attention to Azerbaijan's militant policy as possible.

²⁴ Vladimir Kazimirov. *Mir Karabakhu* (2009), pp. 349-351.

²⁵ KarabakhFacts, Tag: Mechanisms of investigating the accidents, at <http://karabakh-facts.com/tag/mechanism-of-investigating-the-accidents/>

²⁶ Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs regarding situation in the Nagorno-Karabakh conflict zone, 30 January 2014, at http://www.mid.ru/brp_4.nsf/newsline/B9999B83B2A6AEFC44257C700050BE3E

**ԽԱՂԱՂԱՊԱՀ ԳՈՐԾՈՂՈՒԹՅՈՒՆՆԵՐ ԼԵՌՆԱՅԻՆ ՂԱՐԱԲԱՂԻ
ՀԱՆՐԱՊԵՏՈՒԹՅՈՒՆՈՒՄ. ԹԵՐ ԵՎ ԴԵՄ ՓԱՍՏԱՐԿՆԵՐ**

ՄԵԼԻՔՅԱՆ Մ. Ն.

Ամփոփում

Խաղաղապահ առաքելության տեղակայումը Լեռնային Ղարաբաղի Հանրապետությունում ներկայումս քննարկվում է խաղաղ կարգավորման բանակցային գործընթացի շրջանակներում: Չնայած ԼՂՀ-ում խաղաղապահ առաքելության տեղակայման մասին մանդատն ընդունվել է ԵԱՀԽ կողմից 1994 թ. դեկտեմբերին, այնուամենայնիվ, վերջինս դեռ չունի խաղաղապահ պրակտիկա, որը հնարավոր լիներ ուսումնասիրել: Միննույն պատճառով հնարավոր է, որ Լեռնային Ղարաբաղում խաղաղապահ առաքելությունը կտեղակայվի այլ կազմակերպությունների, այդ թվում՝ ՄԱԿ-ի կողմից: Ուստի Լեռնային Ղարաբաղի Հանրապետությունում խաղաղապահ գործողությունների իրականացման թեր և դեմ փաստարկները բխում են ՄԱԿ-ի փորձից: Այլընտրանքային տարբերակը՝ հրադադարի խախտումների հետաքննության մեխանիզմը, աջակցություն է գտնում համանախագահների կողմից:

**МИРОТВОРЧЕСКАЯ ОПЕРАЦИЯ В НАГОРНО-КАРАБАХСКОЙ
РЕСПУБЛИКЕ: АРГУМЕНТЫ ЗА И ПРОТИВ**

МЕЛИКЯН М. Н.

Резюме

Вопрос о развертывании миротворческой операции в Нагорном Карабахе в настоящее время обсуждается в рамках мирного процесса. Хотя и мандат миротворческой миссии в Нагорном Карабахе был принят СБСЕ в 1994 году, однако последний до сих пор не имеет миротворческой практики, которую можно было бы изучить. По той же причине вполне возможно, что в Нагорном Карабахе миротворческая миссия будет развернута иной организацией, в том числе ООН. Исследование проблемы в контексте аргументов за и против миротворческой операции в НКР на основе практики ООН приводит к заключению о преимуществе альтернативного варианта – механизма расследования нарушений режима прекращения огня, который также поддерживается сопредседателями.